

SEMICONDUCTOR MANUFACTURING INTERNATIONAL CORP

Form 6-K

June 09, 2004

SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

FORM 6-K

REPORT OF FOREIGN ISSUER

Pursuant to Rule 13a-16 or 15d-16 of  
the Securities Exchange Act of 1934

For the month of June 2004

Commission File Number 1-31994

SEMICONDUCTOR MANUFACTURING INTERNATIONAL CORPORATION  
(Translation of Registrant's Name Into English)

18 Zhangjiang Road  
Pudong New Area, Shanghai 201203  
People's Republic of China  
(Address of Principal Executive Offices)

(Indicate by check mark whether the registrant files or will file  
annual reports under cover of Form 20-F or Form 40-F):

Form 20-F  Form 40-F

(Indicate by check mark if the registrant is submitting the Form 6-K  
in paper as permitted by Regulation S-T Rule 101(b)(1)):

Yes  No

(Indicate by check mark if the registrant is submitting the Form 6-K  
in paper as permitted by Regulation S-T Rule 101(b)(7)):

Yes  No

(Indicate by check mark whether the registrant by furnishing the  
information contained in this Form is also thereby furnishing the information to  
the Commission pursuant to Rule 12g3-2(b) under the Securities Exchange Act of  
1934):

Yes  No

(If "Yes" is marked, indicate below the file number assigned to the  
registrant in connection with Rule 12g3-2(b): 82- )  
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Semiconductor Manufacturing International Corporation (the "Registrant") is  
furnishing under the cover of Form 6-K:

Exhibit 99.1: Press release dated June 4, 2004 relating to lawsuit filed by  
TSMC in the State of California.

Exhibit 99.2: Press release dated June 8, 2004 relating to new 0.35 micron

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EEPROM-based Contactless Smart Card Technology.

SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

Semiconductor Manufacturing  
International Corporation

By: /s/ Richard R. Chang

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Name: Richard R. Chang  
Title: Chairman of the Board, President and  
Chief Executive Officer

Date: June 9, 2004

EXHIBIT INDEX

Exhibit -----	Description -----
Exhibit 99.1:	Press release dated June 4, 2004 relating to lawsuit filed by TSMC in the State of California.
Exhibit 99.2:	Press release dated June 8, 2004 relating to new 0.35 micron EEPROM-based Contactless Smart Card Technology.

[Letterhead of Shearman & Sterling LLP]

(852) 2978-8082

June 9, 2004

Securities and Exchange Commission  
450 Fifth Street, N.W.  
Washington, D.C. 20549

Semiconductor Manufacturing International Corporation

Ladies and Gentlemen:

On behalf of Semiconductor Manufacturing International Corporation, we are transmitting herewith for filing on EDGAR with the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended, a Form 6-K of Semiconductor Manufacturing International Corporation.

Very truly yours,

/s/ Alan D. Seem

-----  
Name: Alan D. Seem

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Encl.

cc: Mr. Richard R. Chang  
Semiconductor Manufacturing International Corporation

Shearman & Sterling LLP is a limited liability partnership organized in the United States under the laws of the State of Delaware, which laws limit the personal liability of partners.

Exhibit 99.1

Press Release for Immediate Release

June 4, 2004

## TSMC Re-files Substantially Similar Claims in California State Court

(Shanghai, China, June 4, 2004) Taiwan Semiconductor Manufacturing Company Ltd. recently refiled a lawsuit against Semiconductor Manufacturing International Corporation (SMIC; NYSE: SMI and HKSE: 981) in California state court based on claims of trade secret misappropriation. The claims and facts supporting these claims are substantially similar to those stated in the federal complaint which TSMC filed on December 19, 2003, and was subsequently dismissed on April 21, 2004. SMIC will vigorously defend itself from these so-called "new" claims in California state court.

SMIC emphasizes that it respects the intellectual property rights of others. SMIC has reputable technology partners and customers, and a strong and experienced technical team in house that has contributed to SMIC's success without the need to misappropriate any third party's trade secrets.

### About SMIC

SMIC is one of the leading semiconductor foundries in the world. As a foundry, SMIC provides integrated circuit (IC) manufacturing at 0.35-micron to 0.13-micron technologies. Established in April 2000, SMIC, a Cayman Islands company, operates three 8-inch wafer fabrication facilities in the Zhangjiang High-Tech Park in Shanghai, and an 8-inch wafer fabrication facility in Tianjin, China. In addition, SMIC is currently constructing 12-inch wafer fabrication facilities in Beijing, China. SMIC's Fab 1 was named one of two "Top Fabs of the Year 2003" by Semiconductor International, a leading industry publication in May 2003. In addition to IC manufacturing, SMIC provides customers with a full range of services, including design services, mask manufacturing and wafer probe test. For more information, please visit [www.smics.com](http://www.smics.com).

SMIC Contact:  
Sarina Huang  
Public Relations Department  
Tel: 86 21 5080 2000 EXT10356  
Fax: 86 21 5080 2868

Exhibit 99.2

Press Release for Immediate Release

June 8th, 2004

SMIC's 0.35pm EEPROM enables smaller die size for higher performance contactless smart cards

(Shanghai, China, June 8th, 2004) - Semiconductor Manufacturing International Corporation (SMIC; NYSE: SMI and HKSE: 981) today announced the successful development and immediate availability of 0.35pm EEPROM-based Contactless Smart

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Card technology. The uniqueness of the technology is that it offers up to 50% die size shrinkage for contactless smart cards.

Core to this new contactless process technology is the recently developed high voltage P-channel transistors and Metal-Insulator-Metal (MIM) capacitors resulting in die shrinkage and improved performance. The applications of the contact and contactless smart card technology include transportation cards, identification cards and bankcards.

Using SMIC's contactless smart card technology, several customers have already successfully incorporated this technology into their end products.

"This is a significant technology development due to the potential market size and the number of possible applications, particularly in China," said Mr. Roger Lee, vice president of SMIC's Memory Technology Development Center. "Enhancing our customers' competitive edge remains our key focus and we are now developing 0.18µm EEPROM for their future needs," he added.

SMIC's Memory Technology Development Center has also been actively developing and implementing DRAMs, Flash, embedded Flash, advanced EEPROM-based smart card technology, high-voltage LCD drivers, LCOS micro display and CMOS image sensors.

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### SMIC Contact:

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