United States District Court,
D. Massachusetts.

VLT, INC. and Vicor Corporation,
Plaintiffs.
v.
LUCENT TECHNOLOGIES, INC., Tyco Electronics Power Systems, Inc., and Tyco International Ltd,
Defendants.

No. 00-CV-11049-PBS

Jan. 3, 2002.

Jan. 3, 2003.

MEMORANDUM AND ORDER

SARIS**, J.**

The Court addressed Lucent's first requested claim construction in the Memorandum and Order dated October 18, 2001, and permitted it to join in the claim construction arguments presented by Artesyn and Lambda in the related litigation. It did not permit it to inject new claim construction disputes.

Nonetheless, at the last minute, and in an untimely way, Lucent requests the following claim construction of "auxiliary switch":

"Auxiliary switch" is a switch that does not control[ ] the converter's power flow," that is, power that flows from the primary winding to the secondary winding of the transformer and to the load."

Because Vicor has not challenged the timeliness of this proposed claim construction, the Court construes that term. The Court must begin with the claim language. Claim One requires an "auxiliary switch connected in series with said storage capacitor." Col. 8, lines 59-60. The specification provides:

More particularly, the invention relates to forward converters of the singe ended type, in which the power flow from source to load is controlled by a single solid state switch.

Col. 1, lines 26-30.

The portion of the specification entitled "Summary of Invention" provides:

This invention provides new apparatus for resetting the transformer's core in singleended forward converters. The apparatus consists of a storage capacitor, an auxiliary solid state switch (distinguished from the primary switch which controls the converter's power flow), and of a switch control circuit.

Col. 3, line 65-Col. 4, line 2.

I construe the term auxiliary switch to mean a single solid state switch connected in series with the storage capacitor, which does not control (gate) power flow from source to load.

The parties shall not file any more letter briefs or seek any more claim constructions.

D.Mass.,2002.
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