

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VICOR CORPORATION,
Petitioner,

v.

DELTA ELECTRONICS, Inc.,
Patent Owner.

Case IPR2024-00706
Patent 10,877,534

**PETITIONER'S PRELIMINARY REPLY TO PATENT OWNER'S
PRELIMINARY RESPONSE**

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PETITIONER’S UPDATED EXHIBIT LIST

VICOR-1001	U.S. Patent No. 10,877,534 to Jian-Hong Zeng (“the ’534 patent”)
VICOR-1002	Excerpts from the Prosecution History of the ’534 patent (“the Prosecution History”)
VICOR-1003	Declaration and Curriculum Vitae of Dr. R. Jacob Baker, Ph.D., P.E.
VICOR-1004	Complaint, <i>Delta Electronics, Inc. v. Vicor Corporation</i> 1-23-cv-01246, D. Del., filed November 1, 2023
VICOR-1005	Amended Complaint, <i>Delta Electronics, Inc. v. Vicor Corporation</i> 1-23-cv-01246, D. Del., filed January 26, 2024, including Exhibit 4 (infringement claim chart)
VICOR-1006	United States Patent Application Publication No. 2014/0355218 to Vinciarelli et al. (“Vinciarelli-218”)
VICOR-1007	United States Patent Application Publication No. 2009/0175014 to Zeng et al. (“Zeng-014”)
VICOR-1008	U.S. Patent No. 10,285,270 to Joseph Fjelstad (“Fjelstad”)
VICOR-1009	United States Patent Application Publication No. 2015/0116891 to Park et al. (“Park”)
VICOR-1010	United States Patent No. 10,264,664 to Vinciarelli et al. (“Vinciarelli-664”)
VICOR-1011	Excerpts from the Prosecution History of U.S. Patent Application No. 14/840,063 (“063 Application and PH”)
VICOR-1012	United States Patent Application Publication No. US2005/0098874 to Jun et al. (“Jun”)
VICOR-1013	U.S. Patent No. 6,621,011 to Daidai et al. (“Daidai”)
VICOR-1014	U.S. Patent. No. 7,361,844 to Vinciarelli et al. (“Vinciarelli-844”)

VICOR-1015	U.S. Patent No. 6,934,166 to Vinciarelli et al. ("Vinciarelli-166")
VICOR-1016	"Design Guide & Applications Manual for VI-200 and VI-J00 Family DC-DC Converters and Configurable Power Supplies," Rev. 3.5, Vicor Corporation (2013) ("Design Guide")
VICOR-1017	Transcript of Board Call held August 6, 2024

The Board authorized Petitioner to provide this reply to discuss whether the ‘534 patent claims challenged in IPR2024-00706 and IPR2024-00715 are substantially similar for purposes of consideration of discretionary denial.

I. The Claims Are Not Substantially Similar

A. The Claims Have Substantially Different Scope

The 2024-00706 IPR addresses claims 1-8 and 10-12, of which claims 1 and 10 are independent. These claims each require “a plurality of pins . . . allocated along lateral sides of the insulation material.” The parties both interpret these claims as requiring each “pin” to be placed on at least one lateral side of the device. This is shown in Figure 25 of the ‘534 Patent. Petition, 4. Numerous references disclose pins on one lateral side of a device.

The 2024-00715 IPR addresses claims 13-19, of which claims 13 and 17 are independent. These claims require a pin to cover “at least part of two lateral sides of the bearing plate” (claim 13) or “at least part of two lateral sides of the cuboid body” (claim 17). The distinction between one lateral side and two lateral sides is significant because fewer references disclose two lateral sides and additional motivations are provided to explain why it would have been obvious to place pins on two lateral sides (rather than just one) in the combinations. -715 Petition, 16-20, 63-64, 71 (providing argument concerning two lateral sides).

B. The Claims Have Different Priority Dates

The different scope between the claim sets is also significant because it leads to different priority dates. For purposes of the Petitions, Petitioner does not dispute that the claims challenged in the 2024-00706 IPR (which require a pin to be on at least one lateral side) are supported by the foreign priority documents, which disclose content nearly identical to Figure 25 of the '534 Patent, in which each pin is on only one lateral side of the insulation material. However, the additional limitation of claims 13-19, requiring the pin to cover “at least part of two lateral sides” is not disclosed in the priority documents. The -715 POPR purports to identify such disclosures, but none show a pin covering at least part of two lateral sides of a bearing plate or cuboid body. *See* -715 Petition, 57-60.

Because claims 13-19 are not entitled to a priority date prior to April 12, 2018, there is intervening art (Vinciarelli-664) applied in the 2024-000715 IPR that is not applied in the 2024-000706 IPR. Vinciarelli-664 is particularly significant here because it is undeniably **anticipatory** art, given that Patent Owner accused the commercial embodiment of Vinciarelli-664 of infringement.

II. Conclusion

Petitioner attempted to present the grounds for all challenged claims in a single petition, but found it was unable to do so—particularly in light of the priority date issue and the need to include the grounds concerning intervening art. Therefore, Petitioner split the two claim groupings into two separate petitions.

Respectfully submitted,

Dated: August 20, 2024

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(1) and 42.6(e)(4)(iii), the undersigned certifies that on August 20, 2024, a complete and entire copy of this Petitioner's Reply to Patent Owner's Response and accompanying exhibits were provided by email to the Patent Owner by serving the email correspondence addresses of record as follows:

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