UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

In the Matter of	
CERTAIN VERTICAL POWER DELIVERY SYSTEMS, COMPONENTS THEREOF, AND COMPUTING SYSTEMS CONTAINING THE SAME	**Docket No. 3936**

COMPLAINANT VICOR CORPORATION'S RESPONSE TO PROPOSED RESPONDENTS MONOLITHIC POWER SYSTEMS, INC., CHENGDU MONOLITHIC POWER SYSTEMS CO., LTD. AND MPS INTERNATIONAL (SHANGHAI) LTD.'S REQUEST TO MODIFY COMPLAINANT VICOR CORPORATION'S PROPOSED "PLAIN LANGUAGE" STATEMENT AND SCOPE OF THE INVESTIGATION

The Commission should reject MPS's improper request to rewrite the plain language statement in its effort to narrow the scope of this Investigation. Vicor proposed that the scope of the Investigation be "vertical power delivery systems and components thereof, used in data center server, artificial intelligence and cloud computing systems, to power artificial intelligence ('AI') accelerators, tensor processing units ('TPU'), graphical processing units ('GPU') and central processing units ('CPU'), and computing systems containing the same." Compl. ¶ 51. The proposed plain language description complies with Commission Rule 210.12(a)(12), which requires a "clear statement in plain English of the category of products accused." 19 C.F.R. § 210(a)(12).

Indeed, the Commission previously instituted two investigations at Vicor's request that used similar plain language statements. *See Certain Power Converter Modules and Computing Systems Containing the Same*, Inv. No. 337-TA-1370, Notice of Investigation, EDIS Doc. No. 802243 (adopting the plain language description of the accused products as "power converter modules used in data center server, artificial intelligence and cloud computing systems, to power artificial intelligence ("AI") accelerators, tensor processing units ('TPU'), graphical processing units ('GPU') and central processing units ('CPU'), and computing systems containing the same"); *Certain Power Converters, Circuit Board Assemblies, and Computing Systems Containing the Same*, Inv. No. 337-TA-1484, Notice of Investigation, EDIS Doc. No. 872370 (adopting the plain language description of the accused products as "power converters used in data center server, artificial intelligence and cloud computing systems, to power artificial intelligence ('AI') accelerators, tensor processing units ('TPU'), graphical processing units ('GPU') and central processing units ('CPU'), and circuit board assemblies and computing systems containing the same"). Just like in the 1370 and 1484 Investigations, Vicor's proposed plain language description

describes the category of products (here, vertical power delivery systems) and further limits the category by their specific uses. This is precisely the type of plain-English product identification that Rule 210.12(a)(12) contemplates.

MPS's bold assertion that vertical power delivery ("VPD") systems "is not a category of products at all," Request at 2, is contradicted by MPS's own purported trademark—"Z-Axis Power Delivery™"—used to define this very category of products. *Id.* at 2-3. Unsurprisingly, none of the other Proposed Respondents expressed any difficulty in understanding Vicor's proposed plain language description. *See* Infineon PI Stmt. at 1 ("Vicor seeks to exclude vertical power delivery (VPD) systems that are integral to modern datacenter infrastructure . . . ."); Luxshare PI Stmt. at 2 ("The Accused Products—VPD modules—are incorporated into server and computing systems . . . ."); Celestica PI Stmt. at 2 ("VPD is an essential technology [that] enables efficient delivery of high-density electrical current to AI processors . . . .").

MPS requests the plain language statement to be rewritten as follows:

> vertical power delivery systems comprising a power conversion module dedicated to vertical power delivery through an interconnection module or interconnection layer assembled in a stacked configuration with a load, and components thereof~~, used in data center server, artificial intelligence~~ specifically designed for use in such an architecture and ~~cloud computing~~not designed for use in lateral power delivery systems, ~~to power~~for delivering power to semiconductor devices such as artificial intelligence ('AI') accelerators, tensor processing units ('TPU'), graphical processing units ('GPU') and central processing units ('CPU'), and computing systems containing the same

MPS's revision is not "a clear statement in plain English of the category of products accused" as the Commission Rule requires. Instead, it seeks to import (1) certain claim language from some (but not all) of the asserted patent claims; and (2) subjective intent of uses for which the Accused Products are "specifically designed for" and "not designed for." Both are improper.

First, MPS's proposed modification is not a mere clarification of the product category—it is an unprecedented attempt to rewrite the scope of the Investigation to mirror the limitations of

some of the Vicor's asserted patent claims. MPS acknowledges as much: "Vicor's patent describes an arrangement wherein a power conversion module and a dedicated 'interconnection module' are stacked to form what the patent calls 'a module-sandwich.'" Request at 5. MPS is thus proposing that the plain language product description incorporate the very patent claim limitations that are at issue in this Investigation. This approach is fundamentally improper. The plain language statement under Rule 210.12(a)(12) is meant to identify the category of products at issue—not to define the scope of the patent claims or to predetermine which products infringe. Claim construction, infringement analysis, and determinations regarding which specific products fall within the scope of the asserted patent claims are merits issues that are properly addressed during the Investigation, not at the pre-institution stage.

Moreover, MPS's proposed revision incorporates limitations that do not even exist in the asserted claims. The term "interconnection layer" is found in none of the asserted claims, and "interconnection module" is found in neither the asserted independent claims 67 and 68 nor their asserted dependent claims.

Second, MPS's proposed modification attempts to import subjective intent of uses for which the accused products are "specifically designed." By so doing, MPS attempts to improperly exclude from the scope of this Investigation products that are used, or are capable of being used, in vertical power delivery ("VPD") systems if, by MPS's measure, they are not "specifically designed" for such use or are "specifically designed" for use in lateral power delivery systems. But patent infringement analysis does not have a *mens rea* requirement and MPS's specific intent for its designs is irrelevant to merits issues in this Investigation. Indeed, MPS admits that its "dozens of power modules" "could theoretically be used in ZPD" and "could thus be interpreted to comprise 'vertical power delivery systems and components thereof.'" Request 3-4. A VPD

system that meets the elements of the Asserted Patent claims infringes irrespective of MPS's (or anyone else's) specific design intent for its components.

MPS proposed that the scope of the Investigation be defined by MPS's determination and marketing of uses for which its products are "suitable." Request at 4. MPS's proposed scope narrowing would allow MPS to unilaterally evade the investigation for components that are, in fact, used in infringing VPD systems. A power module that is actually incorporated into a VPD system should not escape scrutiny simply because of how MPS describes it or markets it.

Whether a particular MPS product infringes Vicor's asserted patent is a merits question to be resolved during the Investigation—not a basis for narrowing the scope at institution. The Commission should not permit MPS to preemptively exclude potentially infringing products from the investigation before any discovery, claim construction, or infringement analysis has occurred.

The Commission should reject MPS's improper attempt to narrow the scope of this Investigation by rewriting the plain language statement and should adopt Vicor's proposed plain language statement.

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2026, copies of the foregoing were served upon the following as indicated:

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