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 THE REQUEST FOR NON-INSTITUTION & PUBLIC INTEREST STATEMENT OF PROPOSED RESPONDENT CELESTICA INC.

Proposed Respondent Celestica Inc.'s Request for Non-Institution and Public Interest Statement rests on speculation and ignores the evidence in Vicor's Complaint. First, Celestica offers no evidence that exclusion of vertical power delivery ("VPD") systems would harm the artificial intelligence ("AI") industry, much less be contrary to the relevant public interest factors. Instead, Celestica relies on generalized policy rhetoric and speculation while ignoring the supply alternatives Vicor identified. Second, Celestica disregards relevant law and the Complaint's pleaded allegations establishing importation and infringement: Vicor identified Celestica's role in manufacturing and selling the Accused Products, identified those Accused Products with specificity, and mapped the Asserted Claims to the Accused Products element by element to show infringement. The Commission should institute the Investigation as to Celestica.

I. The requested remedial orders will protect the innovation that fuels the AI industry.

Celestica's public-interest arguments mirror those of Luxshare and fail for the same reasons. *See* Vicor Resp. to Luxshare PI Stmt. As Vicor explained, there are three independent supply alternatives for VPD systems: (1) licensed OEMs and AI hyperscalers, which include leading customers of VPD systems today, can continue purchasing VPD systems, including from Proposed Respondents; (2) currently unlicensed OEMs and hyperscalers can obtain licenses from Vicor; and (3) customers who choose not to license can obtain competitive substitutes, including VPD systems made by Vicor in the United States. *See* Vicor Pub. Int. Stmt. at 3–4.

First, leading OEMs and AI hyperscalers have licensed the '734 Patent, preserving authorized sources of VPD supply. Compl. ¶ 61 & Ex. 3C. Vicor's "willingness to license" precludes a finding of an adverse public-interest impact. *Spring Assemblies & Components Thereof*, Inv. No. 337-TA-088, Comm'n Order at 54 (Aug. 1981). Vicor licensed an additional OEM days after filing the Complaint. *See* Supp. Ex. 3C, EDIS Doc. 894387. Leading hyperscalers

and OEMs have already avoided any potential supply risk by securing a license, allowing them to obtain otherwise-infringing products, including from Celestica. ***Second***, any currently unlicensed OEMs and AI hyperscalers can also take a license, eliminating the need to replace or requalify VPD systems already in production. ***Third***, competitive substitutes are also available. Vicor manufactures VPD systems in the United States, and its millions of dollars in investments in plant, equipment, and labor reflect an expanding domestic capacity capable of meeting the needs of OEMs and hyperscalers that choose not to take a license. Unlicensed parties can also continue using currently prevalent, albeit less efficient, lateral power delivery systems.

Celestica does not address these alternatives. Instead, it points to Vicor's reported order backlog, lead times, and customer prioritization—figures that reflect industry-wide demand and capacity allocation, not Vicor's inability to supply VPD systems. Indeed, Vicor recently announced acquisition of sites in New Hampshire to build two new fabs for additional capacity to fulfill demand. *See Vicor acquires sites for additional ChiP fabs*, *available at* https://www.vicorpower.com/press-room/2026/vicor-acquires-sites-for-additional-chip-fabs (Sept. 11, 2026).

Celestica also ignores the actual effect of the remedial orders issued in the 1370 Investigation, brought by Vicor, which provides direct proof that exclusion will not harm the AI industry. There, the respondents made the same arguments that Celestica does here, and the Commission found the public interest factors did not preclude the limited exclusion order. *See Certain Power Converter Modules and Computing Systems Containing the Same*, Inv. No. 337-TA-1370, Comm'n Op. at 119-124 (Feb. 13, 2025). After the 1370 Investigation remedial orders went into effect in 2025, the AI industry *expanded*, further refuting Celestica's speculation.

Unable to identify an actual effect on supply or consumers, Celestica instead obscures its speculation with generalized statements about AI's importance and suggests this importance should weaken intellectual-property rights. That argument turns United States policy on its head. Patent protection—the foundation of the relief Vicor seeks—is not in tension with a strong AI industry; it is essential to it, as the DOJ and USPTO have recognized.[1] Enforcement serves national interests by protecting the "value of the intellectual property." *Certain Digital Models, Digital Data, & Treatment Plans for Use in Making Incremental Dental Positioning Adjustment Appliances, the Appliances Made Therefrom, & Methods of Making the Same*, Comm'n Op., Inv. No. 337-TA-833 (Apr. 9, 2014).

II. Celestica manufactured and sold for importation infringing articles.

Celestica's two attacks on Vicor's allegations fail. The Complaint satisfies every requirement of 19 C.F.R. § 210.12.

First, Celestica does not deny it sells for importation and imports the Accused Products, but merely argues that Vicor failed to plead a "specific instance" of importation *by* Celestica. This ignores both Section 337 and the Complaint. Section 210.12(a)(3) permits a complainant to plead importation in several ways. A respondent need not be the importer of record where there is "some nexus" between its activities and the importation, *and* "sufficient involvement" in the design, manufacture, or importation process may suffice even without a documented sale, purchase, or importation. *See Certain Cigarettes and Packaging Thereof*, Inv. 337-TA-643, Order 19 at 7 (Feb. 3, 2009). The Commission has long "recognized that an importation of even one accused product

[1] *Certain Dynamic Random Access Memory (DRAM) Devices, Products Containing the Same, And Components Thereof*, Inv. No. 337-TA-1472, Joint Comment on the Public Interest of the United States Patent and Trademark Office and the United States Department of Justice at 1-2 (Nov. 25, 2025), *available at* https://www.justice.gov/atr/media/1419496/dl.

can satisfy the importation requirement of section 337." *Certain Toner Cartridges and Components Thereof*, Inv. No. 337-TA-918, Order No. 20 at 2 (Jan. 15, 2014). And as Celestica's own Request makes clear, Section 337 also reaches sales for importation, not just importation itself. Request at 4 (citing 19 U.S.C. § 1337(a)(1)(B)(i)).

Vicor's allegations readily meet these standards. Celestica manufactures Google's TPUv5 system in Thailand using the accused VPD Modules and Google uses those systems in the United States, establishing importation. Compl. ¶¶ 40, 97-98, 104-06. These products are not "off-the-shelf" products; they are sold through "company-to-company sales orders." Compl. ¶ 75. Vicor identifies U.S. locations for Google's TPUv5 systems, *Id.*, Ex. 18, and further showed that Celestica manufactures these Google's TPUv5 abroad systems using the accused VPD Modules. *Id.*, Ex. 37C at ¶¶ 9-12. Celestica's manufacture and sale of the TPUv5 to Google for importation into the United States is a textbook sale for importation. *See Enercon GmbH v. Int'l Trade Comm'n*, 151 F.3d 1376, 1380 (Fed. Cir. 1998) (manufacturer's sale of an infringing to an importer qualified as a sale for importation). Celestica does not deny that it manufactures the TPUv5 with the accused VPD Modules, sells it to Google for importation, or imports it into the United States. Its silence is telling because these facts are within its knowledge.

Second, Celestica's challenge to the sufficiency of Vicor's infringement allegations is equally meritless. Celestica calls the evidence "unreliable" and says the Flex VPD Modules appear only in *unidentified* products, but the Complaint identifies Google's TPUv5 system (codenamed ViperFish), which Celestica manufactures in Thailand using the accused VPD Modules (of Flex and other Respondents). Compl. ¶¶ 97, 105; Ex. 17C; Ex. 37C. at ¶¶ 9-12. The allegations identify the product by name, part number, codename, and end customer. Vicor corroborates Celestica's role in the supply chain for Google's TPUv5 systems containing the accused VPD Modules.

Compl. ¶ 104; Ex. 37C ¶ 9-12. The Complaint also identifies "TPU Boards that include vertical power delivery systems" as infringing computing systems manufactured and sold by all Respondents, including Celestica. Compl. ¶ 76. The Complaint eliminates any doubt by mapping the accused VPD Modules' features to the asserted claims element by element. Exs. 27, 31, 33, 35. These charts are "representative" of the "VPD Modules Celestica uses in its Celestica Accused Products." Compl. ¶¶145–48. Celestica identifies no defect with these detailed charts. [2]

Ericsson, Inc. v. D-Link Systems, Inc., 773 F.3d 1201, 1215 (Fed. Cir. 2014), does not assist Celestica. The Complaint alleges literal infringement because Celestica makes Google's TPUv5 systems containing the accused VPD Modules, and one "who 'makes' a patented invention without authorization infringes the patent." *Siemens Med. Sols. USA, Inc. v. Saint-Gobain Ceramics & Plastics, Inc.*, 637 F.3d 1269, 1290 (Fed. Cir. 2011); Compl. ¶¶ 104–07; Ex. 17C. The Complaint also alleges—and Celestica does not address—that Celestica, at a minimum, contributorily infringes and induces infringement by manufacturing, selling, and importing Google's TPUv5 systems containing the accused VPD Modules. Compl. ¶¶ 143-44. And, contrary to its merits infringement arguments, as a systems-level contract manufacturer, Celestica necessarily assembles those modules into Google's TPUv5 systems, performing the patented assembly method. Compl. ¶¶ 104–07; Exs. 17C, 22C.

III. Conclusion

The Commission should institute the Investigation against Celestica and all Proposed Respondents.

[2] As to the "apparatus" Celestica claims is unspecified in Exhibit 27's claim 40 and 49 mapping, the Complaint alleges that the claimed apparatus is the VPD system—comprising the VPD module and the computing system containing the same—as identified in the Accused Products table. Compl. ¶¶ 2, 38–40.

Dated: September 25, 2026

Respectfully submitted,

/s/ Oleg Elkhunovich

Louis S. Mastriani
Lloyd Smith
BUCHANAN INGERSOLL & ROONEY PC,
1700 K Street N.W., Suite 300
Washington, D.C. 20006-3807
Telephone: (202) 407-7900
Facsimile: (202) 452-7989
VICORII-ITC@bipc.com

Erin A. Napoleon
BUCHANAN INGERSOLL & ROONEY PC,
Two Liberty Place
50 S. 16th Street, Suite 3200
Philadelphia, PA 19102-2555
Telephone: (215) 665-8700
Facsimile: (215) 665-8760
VICORII-ITC@bipc.com

Oleg Elkhunovich
Jordan Rux
SUSMAN GODFREY LLP
1900 Avenue of the Stars, Suite 1400
Los Angeles, California 90067-6029
Telephone: (310) 789-3100
Facsimile: (310) 789-3150
Email: vicorvpd-itc@susmangodfrey.com

Steven Seigel
Andres Healy
Jenna Farleigh
Danielle Nicholson
Dinis Cheian
SUSMAN GODFREY LLP
401 Union Street, Suite 3000
Seattle, Washington 98101-3000
Telephone: (206) 516-3880
Facsimile: (206) 516-3883
Email: vicorvpd-itc@susmangodfrey.com

Isabella Soparkar
Jeff David
SUSMAN GODFREY LLP
1000 Louisiana Street, Suite 5100
Houston, Texas 77002-5096
Telephone: (713) 651-9366
Facsimile: (713) 654-6666
Email: vicorvpd-itc@susmangodfrey.com

Counsel for Vicor Corporation

CERTIFICATE OF SERVICE

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

The Honorable Lisa R. Barton Secretary to the Commission **U.S. INTERNATIONAL TRADE COMMISSION** 500 E Street, SW, Room 112 Washington, DC 20436	☒ **VIA ELECTRONIC FILING (EDIS)**
Lionel M. Lavenue **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.** 1875 Explorer Street, Suite 800 Reston, VA, 20190 Tel: (571) 203- 2700 *Counsel for Respondents Delta Electronics, Inc., Delta Electronics (Americas) Ltd., and DET Logistics (USA) Corporation*	☒ **VIA ELECTRONIC MAIL** Delta-Vicor-ITC-3936@finnegan.com
Gregory F. Corbett Jie Xiang Meaghan P. Luster **WOLF, GREENFIELD & SACKS, P.C.** 600 Atlantic Avenue Boston, MA 02210 Telephone: (617) 646-8000 Fax: (617) 646-8646 Elizabeth A. DiMarco Suresh S. Rav **WOLF, GREENFIELD & SACKS P.C.** 601 Massachusetts Avenue, NW Washington, DC 20001 Telephone: (202) 571-5001 Fax: (617) 646-8646 *Counsel for Proposed Respondent Infineon Technologies AG*	☒ **VIA ELECTRONIC MAIL** Gregory.Corbett@WolfGreenfield.com Jie.Xiang@WolfGreenfield.com meaghan.luster@wolfgreenfield.com Elizabeth.DiMarco@WolfGreenfield.com Suresh.Rav@WolfGreenfield.com
Lisa M. Kattan **BAKER BOTTS L.L.P.** 700 K Street, NW	☒ **VIA ELECTRONIC MAIL**

Washington, DC 20001 Tel: (202) 639-7700 Chao "Wendy" Wang **BAKER BOTTS L.L.P.** 1001 Page Mill Road Building One, Suite 200 Palo Alto, CA 94304 Tel: (650)-739-7500 Eric J. Faragi Chun Xu **BAKER BOTTS L.L.P**. 30 Rockefeller Plaza New York, NY 10112 Tel: (212) 408-2500 Chuantong "Leon" Wang **BAKER BOTTS L.L.P.** 910 Louisiana Street Houston, Texas 77002 Tel: (713) 229-1234 *Counsel for Proposed Respondents Luxshare Precision Industry Co., Ltd., Dongguan Luxshare Technology Co., Ltd. a/k/a Luxshare-Tech. and Shanghai Peiyuan Electronics Co., Ltd. d/b/a Metapwr Electronics Co., Ltd. and Shanghai Metapwr Electronics Co., Ltd.*	DLBAKERBOTTS1484INV@BAKERBOTTS.COM
Matthew Moore David J. Shaw Amit Makker Ashley Finger Drew Roberts **LATHAM & WATKINS LLP** 555 Eleventh Street, NW Suite 1000 Washington, D.C. 20004-1304 Tel: (202) 637-2150 *Counsel for Proposed Respondents Monolithic Power Systems, Inc., Chengdu Monolithic Power Systems Co., and MPS International (Shanghai) Ltd.*	☒ **VIA ELECTRONIC MAIL** MPSVICORVERTICALITC.LWTEAM@lw.com
Timothy J. Carroll Thomas James	☒ **VIA ELECTRONIC MAIL**

ORRICK, HERRINGTON & SUTCLIFFE LLP 53 North Clark Street, Suite 3600 Chicago, IL 60654 Telephone:(312) 924-9800 Joshua B. Pond **ORRICK, HERRINGTON & SUTCLIFFE LLP** 2100 Pennsylvania Ave. NW Washington, D.C. 20037 Telephone:(202) 339-8400 Laura A. Wytsma **ORRICK, HERRINGTON & SUTCLIFFE LLP** 355 South Grand Avenue, Suite 2700 Los Angeles, CA 90071 Telephone:(213) 629-2020 *Counsel for Proposed Respondent Celestica Inc.*	Celestica-ITC_OHS@orrick.com
Lionel M. Lavenue **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.** 1875 Explorer Street, Suite 800 Reston, VA, 20190 Tel: (571) 203- 2700 *Counsel for Quanta Computer Inc., Quanta Cloud Technology Inc., Quanta Cloud Technology USA LLC, Quanta Computer USA Inc.*	☒ **VIA ELECTRONIC MAIL** quanta-vicor-itc-3936@finnegan.com

/s/ Oleg Elkhunovich
Susman Godfrey LLP
oelkhunovich@susmangodfrey.com