United States District Court,
D. Delaware.

MOSEL VITELIC CORP,
Plaintiff.
v.
MICRON TECHNOLOGY, INC,
Defendant.
Micron Technology, Inc,
Counter-Plaintiff.
v.
Mosel Vitelic Corp. and Mosel Vitelic, Inc,
Counter-Defendants.

Civil Action No. 98-449-GMS

Feb. 15, 2000.

Named Expert: N. Elton Dry
Lewis H. Lazarus, Morris James LLP, Richard D. Kirk, Bayard, P.A., Wilmington, DE, for Plaintiff.

Richard K. Herrmann, Morris James LLP, Wilmington, DE, for Defendant.

ORDER CONSTRUING THE DISPUTED TERMS OF U.S. Patent No. 4,468,308

GREGORY M. SLEET**, District Judge.**

After considering the submissions of the parties and hearing oral argument on the matter, IT IS HEREBY ORDERED, ADJUDGED, and DECREED that, as used in the asserted claims of U.S. Patent No. 4,468,308,

1. The term "forming a metallic silicide," in claim 1, is contained within the preamble of the claim and states the purpose of the intended invention; it, therefore, does not require any interpretation;

2. The term "depositing the metal and silicon on the substrate," in claim 1, means that "metal atoms and silicon atoms are somehow placed on the substrate;"

3. The term "subsequently pulse heating the substrate," in claim 1, means that after the metal atoms and the silicon atoms are "deposited" on the substrate, the substrate is rapidly heated through an isothermic process during which the temperature of the substrate is rapidly raised over a series of seconds and, then, allowed to cool;

4. The term "an inert atmosphere," in claim 1, means "an environment which does not chemically react or which reacts only minimally with the materials that are placed inside of it;"

5. The term "to cause interdiffusion of the metal and silicon to form a homogenous layer," in claim 1, means that by pulse heating the metal atoms and the silicon atoms, these atoms become more uniformly distributed throughout the substrate;

6. The term "reaction of the constituents," in claim 1, means that by pulse heating the metal atoms and the silicon atoms, these atoms also chemically react with one other to become bonded together;

7. The term "to form the metallic silicide," in claim 1, means that by causing the "reaction of the constituents," the pulse heating process creates the "metallic silicide," which is a compound containing metal atoms and silicon atoms that are joined by chemical bonds; and

8. The term "co-sputtering," in claim 3, means "simultaneously sputtering from both a metal sputtering target and a silicon sputtering target or from a combined target of unreacted metal and silicon atoms."

D.Del.,2000.
Mosel Vitelic Corp. v. Micron Technology, Inc.