

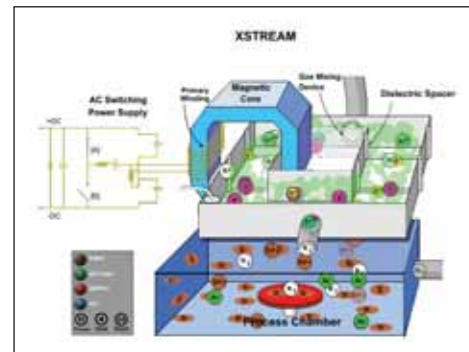
MKS Instruments vs. Advanced Energy Industries

THE CLIENT: [Proskauer Rose LLP](#)

THE CASE: This is the second time MKS Instruments (MKS) has brought suit against Advanced Energy Industries (AE) for patent infringement. The patents involve inventions by MKS, which improved a plasma-processing unit that is used in the micro-processing industry to clean microchip process chambers. The patented invention, created by a team of physicists, engineers and other scientists, revolutionized the cleaning environment within microchip processors.

THE TRIAL: DOAR was retained by the plaintiff, and we helped them develop graphics which would explain to a jury exactly how these complex instruments sold by AE infringed on MKS's patents. Once the process was explained to jurors both visually and verbally, the facts of the case could be discussed in context. Since the verdict in patent infringement cases often turns on the clarity and credibility of the experts, careful attention was also given to the development of graphics used by experts to illustrate their testimony.

- The trial team decided to bolster their courtroom presentation by incorporating animated [graphics](#) that would help them tell their story in the most effective way. As one might imagine, the complexity of how this new, smaller, faster, more efficient product worked was difficult to explain in layman's terms.
- Litigation artists created renderings of donut-shaped forms that signified transformers with magnetic cores and small dots that signified different gases that were representative of key elements of MKS' invention. Simulating the ignition and disassociation of gases, the creation of fluorine and the subsequent cleansing of the microchip processing chamber could not have been accomplished without computer animation.
- DOAR [trial support](#) technicians aided the trial team with presentation, allowing counsel to focus on the technical explanations while the visual representation provided clarity to the jurors.



THE OUTCOME: The result was a verdict of infringement on all claims. The plaintiff was awarded two separate jury verdicts of patent infringement, including a \$4.2 million award and an injunction.