

United States District Court,
D. Delaware.

ADE CORPORATION,
Plaintiff.

v.

KLA-TENCOR CORPORATION,
Defendant.

Civil Action No. 00-892-KAJ

March 13, 2003.

Thomas Lee Halkowski, Fish & Richardson, P.C., Wilmington, DE, for Plaintiff.

Rudolf E. Hutz, Connolly, Bove, Lodge & Hutz, Wilmington, DE, for Defendant.

ORDER

KENT A. JORDAN, District Judge.

For the reasons set forth in the Court's Opinion in this matter on this date, IT IS HEREBY ORDERED that:

1. The following claim language from U.S. Patent No. 6,292,259 B1 (issued Sept. 18, 2001) is construed as follows:

<i>Contested Language</i>	<i>The Court's Construction</i>
"oblique zone"	"Oblique zone" means a collection zone differing in polar angle from the central collection zone that does not collect the same light being collected by the central zone but, instead, collects either forward or backward scattered light but does not collect both simultaneously.
"scan," "scanner," and "scan a surface of the workpiece"	"Scan" means deflecting the beam of P-polarized light along a relatively narrow scan path. "Scanner" means a component or combination of components employing a deflector such as an acousto-optical deflector for directing the beam of P-polarized light along a relatively narrow scan path. "Scan a surface of the workpiece" means the surface of the workpiece is inspected by deflecting the beam of P-polarized light along a relatively narrow scan path. The phrase is broad enough to encompass relative motion of the workpiece during a scan.
"collector"	"Collector" means compounded lenses or other lens arrangements.
"scattered from the surface of the workpiece"	"Scattered from the surface of the workpiece" means diffused or dispersed from the surface of the workpiece.
"one or more"	"One or more converters" means one or more detectors in optical communication and

converters"	electrically connected to one or more corresponding collectors.
"substantially only backscattered light"	"Substantially only backscattered light" means that only backscattered light is collected.
"predetermined value," "predetermined measure," and "threshold value"	"Predetermined value" and "predetermined measure" is a value or measure determined before the signals are compared. "Threshold value" means a numerical quantity above which something is true or will take place and below which it is not or will not.
"determines the size of the pits and particles" and "groups the pits and particles based at least in part on the determination of size"	"Determines the size of the pits and particles" means determines the physical magnitude or dimension of the pits and particles and "groups the pits and particles based at least in part on the determination of size" means groups the pits and particles based at least in part on the determination of physical magnitude or dimension.
"map"	"Map" means a visual representation of the location of pit and particle defects on the surface of a scanned workpiece that includes the underlying electronically stored data corresponding to said visual representation.
"system controller," "comparator," and "classifier"	"System controller" means a combination of software and hardware operated under the direction of a human operator that is capable of storing and retrieving data generated by the system and of performing data analysis on said data preferably responsive to predetermined commands. "Comparator" means a device for comparing something with a similar thing or with a standard measure. "Classifier" means a machine for sorting out the constituents of a substance.
"sorts the workpieces"	"Sorts the workpieces" means arranges the workpieces according to some type of ranking or classification.

2. The following claim language from U.S. Patent No. 6,118,525 (issued Sept. 12, 2000) (the '525 patent) is construed as follows:

<i>Contested Language</i>	<i>The Court's Construction</i>
"second oblique zone offset angularly from said first zone"	"Second oblique zone offset angularly from said first zone" means a second collection zone differing in polar angle from the central collection zone that does not collect light being collected by the central zone but, instead, collects either forward or backward scattered light but does not collect both simultaneously.
"scanning the surface of the workpiece"	"Scanning the surface of the workpiece" means the entire surface of the workpiece is inspected along a relatively narrow scan path through relative motion of the incident beam of P-polarized light and/or the workpiece being inspected. The phrase is broad enough to encompass rotation and translation of the workpiece during scanning.

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