

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

Celem S.A.,

Plaintiff,

v.

High Energy Corporation,

Defendant.

Civil Action No. 3:07-CV-00668 (CFD)

May 8, 2007

AMENDED COMPLAINT

Plaintiff Celem S.A. ("Celem") brings this Action for patent infringement and common law breach of contract against Defendant High Energy Corporation ("High Energy"). For its Complaint, Plaintiff Celem hereby alleges:

Parties

1. Plaintiff Celem is a company organized under the laws of France and having its principal place of business at Le Village, 34320, Fos, France.
2. Upon information and belief, Defendant High Energy is a corporation of the State of Pennsylvania, and having its principal place of business at P.O. Box 308, Lower Valley Road, Parkesburg, Pennsylvania, 19365.

Jurisdiction and Venue

3. Jurisdiction of this Court with respect to the claims set forth herein arises under the patent laws of the United States, as set forth in Title 35, United States Code. Jurisdiction is also founded upon 28 U.S.C. §§ 1331 and 1338(a) and under the Court's supplemental jurisdiction. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c) and 1400(b).

4. Upon information and belief, Defendant High Energy is doing business in this District.

Count I -- Patent Infringement

5. Plaintiff Celem incorporates and realleges Paragraphs 1-4 as if fully set forth herein.

6. US Patent No. 5,953,201, titled "Capacitors with Through-Bores for Fastening Means," was duly and legally issued by the United States Patent and Trademark Office on September 14, 1999 ("the '201 Patent"). A copy of the '201 Patent is attached hereto as Attachment 1.

7. Plaintiff Celem is the present owner of the '201 Patent, by assignment from the inventor Albert Jakoubovitch, including the right to sue for past infringements. Accordingly, Celem has standing to bring this Action.

8. Upon information and belief, Defendant High Energy manufactures, sells or otherwise distributes electrical industrial apparatus, specializing in capacitors and condensers, including a so-called "CHL" Type Induction Heating Capacitor. A copy of the specification sheet for Defendant High Energy's "CHL" type capacitors is attached hereto as Attachment 2.

9. Upon information and belief, Defendant High Energy's "CHL" Type Induction Heating Capacitor, when operationally mounted, embodies the subject matter claimed in the '201 Patent.

10. Upon information and belief, Defendant High Energy has infringed and is now infringing, actively inducing infringement by others, and/or contributorily infringing pursuant to 35 U.S.C. § 271, one or more claims of the '201 Patent within this District and elsewhere in the United States by making, using, selling and/or offering to

sell within the United States, and/or importing into the United States certain products falling within the scope of such claims, all without authority or license from Plaintiff Celem.

11. As a direct result of said infringement, Defendant High Energy has caused Plaintiff irreparable injury and financial damage, and such injury and damage will continue unless Defendant's infringing activities are enjoined by the Court.

12. Upon information and belief, Defendant High Energy's continued infringement of the '201 Patent is knowing and willful.

Count II – Breach of Contract

13. Plaintiff Celem incorporates and realleges Paragraphs 1-12 as if fully set forth herein.

14. Plaintiff Celem and Defendant High Energy entered into an Agreement concerning type CHK capacitors ("the Agreement"). A copy of this Agreement, with its Exhibit A, is attached hereto as Attachment 3.

15. In Paragraph 1 of the Agreement, Defendant High Energy agreed to cease all manufacture, use, sale, offer for sale, marketing or other distribution in the United States of type CHK capacitors.

16. Upon information and belief, Defendant High Energy is currently manufacturing, using, selling, offering for sale, marketing and/or distributing in the United States its so-called "CHL" type capacitors.

17. Upon information and belief, Defendant High Energy's so-called "CHL" Type Induction Heating Capacitor is a type CHK capacitor, as referenced in Paragraph 1 of the Agreement.

18. Upon information and belief, Defendant High Energy has breached the Agreement by manufacturing, using, selling, offering for sale, marketing and/or distributing in the United States its so-called "CHL" type capacitors.

19. As a direct result of said breach of the Agreement, Defendant High Energy has knowingly and willfully caused Plaintiff Celem irreparable injury and financial damage for which it has no adequate remedy at law, and such injury and damage will continue unless Defendant High Energy's breaching activities are restrained by the Court.

WHEREFORE, Plaintiff Celem prays for a judgment:

1. decreeing that Defendant High Energy has infringed US Patent No. 5,953,201;
2. granting a permanent injunction as provided in 35 USC § 283 restraining and enjoining Defendant High Energy, its officers, agents, servants, employees, and those persons in active concert or participation with Defendant High Energy, from further infringement of the '201 Patent, either directly or indirectly, during the remaining term thereof;
3. awarding Plaintiff Celem damages adequate to compensate for the infringement of the '201 Patent by Defendant High Energy as provided in 35 USC § 284;
4. awarding Plaintiff Celem treble damages as provided in 35 USC § 284;
5. awarding Plaintiff Celem its costs in this Action together with reasonable attorneys' fees as provided in 35 USC § 285;
6. decreeing that Defendant High Energy has breached the Agreement;
7. restraining Defendant High Energy from further violating the Agreement;

8. awarding Plaintiff Celem damages and costs for Defendant High Energy's breach of the Agreement; and
9. granting such other and further relief which the Court, in its discretion, may deem just and proper.

Respectfully submitted,

Celem S.A.,
Plaintiff

Dated: May 8, 2007

By /s/ Wm. Tucker Griffith
Marina F. Cunningham (ct 19475)
Wm. Tucker Griffith (ct 19984)

McCORMICK, PAULDING & HUBER LLP
CityPlace II, 185 Asylum Street
Hartford, CT 06103-4102
(860) 549-5290

Its Attorneys

Attachment 1



US005953201A

United States Patent [19][11] Patent Number: **5,953,201****Jakoubovitch**[45] Date of Patent: **Sep. 14, 1999**[54] **CAPACITORS WITH THROUGH-BORES
FOR FASTENING MEANS**

4,499,524	2 1985	Shiofeno	361,320
5,214,364	8 1993	Metzler et al.	361,328
5,367,431	11 1994	Kunishi et al.	361,502
5,812,365	9 1998	Jakoubovitch	361,328

[76] Inventor: **Albert Jakoubovitch, FOS, F-34320
Roujan, France****FOREIGN PATENT DOCUMENTS**[21] Appl. No.: **08/945,573**

WO9107075 5 1991 WIPO

[22] PCT Filed: **Feb. 6, 1997**

WO9213355 8 1992 WIPO

[86] PCT No.: **PCT/FR97/00236**

WO9317439 9 1993 WIPO

§ 371 Date: **Apr. 13, 1998**

WO 95 22155 8 1995 WIPO

§ 102(c) Date: **Apr. 13, 1998**

WO9522155 8 1995 WIPO

[87] PCT Pub. No.: **WO97/29495**

WO9629714 9 1996 WIPO

PCT Pub. Date: **Aug. 14, 1997**

WO97 29495 8 1997 WIPO

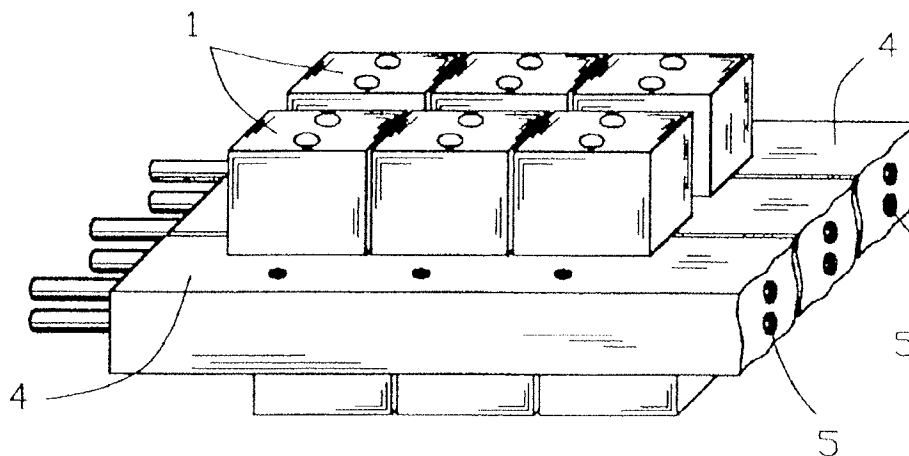
Primary Examiner—Kristine Kincaid*Assistant Examiner*—Anthony Dinkins*Attorney, Agent, or Firm*—Frijoul, Rust & Pyle, P.A.[51] Int. Cl.⁸ **H01G 4/38**[57] **ABSTRACT**[52] U.S. Cl. **361/303, 361/328, 361/329**[58] Field of Search **361/303-306.3,
361/328-330, 734, 810, 811, 829-831,
715-716, 821, 822, 823, 699, 677, 676**

A device for connecting a capacitor between a first and a second bus bar. The device includes a first and a second aperture extending through a first and a second electrode of the capacitor. A first and a second fastener extends through the first and second apertures to engage with the first and second bus bars for securing the capacitor to the bus bars to provide electrical and thermal conduction therebetween.

[56] **References Cited****U.S. PATENT DOCUMENTS**

4,211,957 7 1980 Alley et al.

315,276

12 Claims, 1 Drawing Sheet

U.S. Patent

Sep. 14, 1999

5,953,201

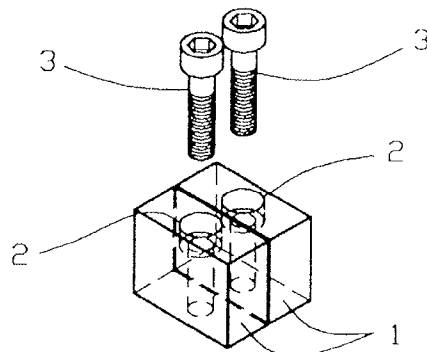


FIG. 1

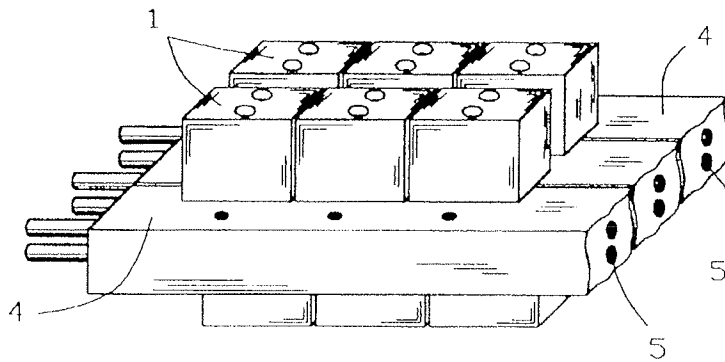


FIG. 2

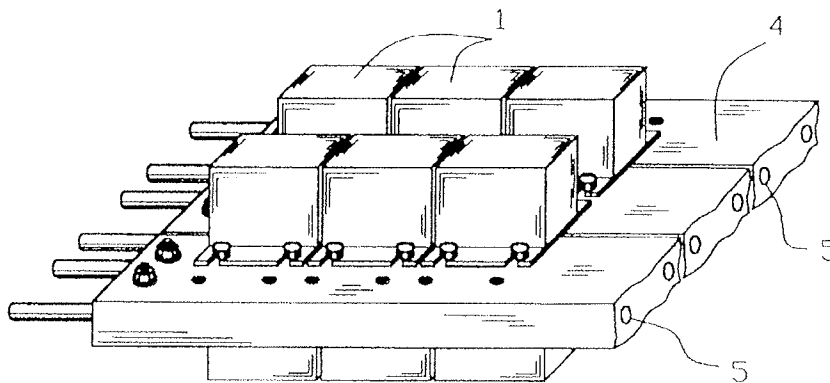


FIG. 3

5,953,201

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CAPACITORS WITH THROUGH-BORES FOR FASTENING MEANS

BACKGROUND OF THE INVENTION

1. Field of the Invention

This invention relates to electricity and more particularly to an apparatus for mounting and cooling capacitors.

2. Prior Art Statement

There are several types of apparatuses used for the conduction cooling of a capacitor. One specific application for conduction cooled capacitors is for inductive heating applications. Typically, a conduction cooled capacitor is in a form of a parallelogram which represents their usual form, cooling is performed on the largest faces. These faces are located on the opposite sides of the capacitor. The cooling means for the copper plates used as collectors result in large overall dimensions when several banks are connected in series or in parallel. When several capacitors are paralleled between two plates, replacing one capacitor requires the dismantling of the entire bank.

French patent application 92 02329 filed Feb. 26, 1992 (PCT International Publication WO 93/17439) shows a capacitor being cooled by two cooling fins contacting two bus bars. The two fins provide electrical conductors and capacitor cooling means. This type of capacitor straddles two metal bars which are used both to cool the capacitors and to collect the current which they deliver.

Therefore, it is an object of the invention to provide a device for connecting a capacitor between a first and a second bus bar which reduces the overall dimensions and weight of the capacitor bank.

Another object of the invention is to provide a device for connecting a capacitor between a first and a second bus bar which provides a major part of a capacitor face unto the bus bar for improving the cooling of the capacitor.

Another object of the invention is to provide a device for connecting a capacitor between a first and a second bus bar which dominates the thermal barrier formed by the fins of the prior art thus improving the cooling of the capacitor.

Another object of the invention is to provide a device for connecting a capacitor between a first and a second bus bar wherein the capacitors are directly bolted to the cooling bars.

Another object of the invention is to provide a device for connecting a capacitor between a first and a second bus bar wherein the assembly and removal of the capacitor from the bus bars become extremely easy.

Another object of the invention is to provide a device for connecting a capacitor between a first and a second bus bar wherein capacitor elements may be removed or added without any intervention being required on the remainder of the bank.

Another object of the invention is to provide a device for connecting a capacitor between a first and a second bus bar with a reduced overall dimension.

Another object of the invention is to provide a device for connecting a capacitor between a first and a second bus bar which is compatible with the system described in French Patent 95 03586 filed Mar. 23, 1995 (PCT International Publication WO 96/29714).

The foregoing has outlined some of the more pertinent objects of the present invention. These objects should be construed as being merely illustrative of some of the more prominent features and applications of the invention. Many other beneficial results can be obtained by applying the

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disclosed invention in a different manner or modifying the invention within the scope of the invention. Accordingly other objects in a full understanding of the invention may be had by referring to the summary of the invention and the detailed description describing the preferred embodiment of the invention.

SUMMARY OF THE INVENTION

A specific embodiment of the present invention is shown in the attached drawings. For the purpose of summarizing the invention, the invention relates to a device for connecting a capacitor between a first and a second bus bar. The first and second bus bars are located in a parallel spaced apart relationship. The capacitor has a first and a second electrode separated by a dielectric. A first and a second aperture extends through the first and second electrodes, respectively. A first and a second fastener is located in the first and second apertures to engage with the first and second bus bars for securing the first and second electrodes of the capacitor to the first and second bus bars to provide electrical and thermal conduction between the first and second electrodes of the capacitor and the first and second bus bars, respectively.

Each of the first and second bus bars is formed from a thermally and electrically conductive metal. Each of the first and second electrodes is a solid metallic electrode. A dielectric element is located between the first and second solid metallic electrodes.

In a more specific example of the invention, the first and the second electrodes directly engage the first and the second bus bar, respectively. The first and second fasteners includes a first and a second threaded fastener such as threaded bolts. A first and a second threaded bore is defined in the first and second bus bars, respectively. The first and second threaded fasteners threadably engage with the first and second threaded bores for securing the first and second electrodes of the capacitor to the first and second bus bars.

Preferably, a first and a second channel defined in the first and second bus bars for receiving a cooling fluid for cooling the first and second bus bars, respectively.

The foregoing has outlined rather broadly the more pertinent and important features of the present invention in order that the detailed description that follows may be better understood so that the present contribution to the art can be more fully appreciated. Additional features of the invention will be described hereinafter which form the subject matter of the invention. It should be appreciated by those skilled in the art that the conception and the specific embodiments disclosed may be readily utilized as a basis for modifying or designing other structures for carrying out the same purposes of the present invention. It should also be realized by those skilled in the art that such equivalent constructions do not depart from the spirit and scope of the invention.

BRIEF DESCRIPTION OF THE DRAWINGS

For a fuller understanding of the nature and objects of the invention, reference should be made to the following detailed description taken in connection with the accompanying drawings in which,

FIG. 1 is an isometric view of a capacitor of the present invention;

FIG. 2 is an isometric view of the capacitor of FIG. 1 mounted between two bus bars shown as water-cooled metal plates; and

FIG. 3 is an isometric view of a prior art capacitor mounted between two bus bars.

5,953,201

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Similar reference characters refer to similar parts throughout the several Figures of the drawings.

DETAILED DISCUSSION

FIGS. 1 and 2 shows a capacitor in accordance with the present invention. FIG. 2 is illustrates the capacitor of FIG. 1 mounted between two bus bars. Typically the two bus bars are conduction cooled for cooling the capacitor for inductive heating applications.

FIG. 3 is an isometric view of a PRIOR ART capacitor 101 mounted between two bus bars 112 and 113. The prior art capacitor 101 is described in French patent application 92.02329 filed Feb. 26, 1992 (PCT International Publication WO 93/17439). The capacitor 101 is cooled by the two cooling fins 104 contacting the two bus bars 112 and 113.

The capacitor of the present invention shown in FIGS. 1 and 2 comprises a first and a second solid metal electrode 1 between which the capacitor dielectric elements are connected. A hole 2 is bored in each electrode 1 for receiving a bolt 3 to secure the capacitor on collector bars 4 cooled via channels 5 through which a cooling fluid is circulated.

The method used herein and in cooling the capacitor edgewise. The thermal contact between the capacitor and the cooling bar 4 is effected on the whole surface of the largest face or at least on the major part of a face.

This embodiment and way of fastening allows mounting the capacitors side by side into a bank within a much smaller space than the system described in French patent application 92.02329 filed Feb. 26, 1992 (PCT International Publication WO 93/17439) thanks to the removal of the fins 104.

The direct bolting of the capacitor onto the cooling bars 4 eliminates the thermal barrier formed by the fins 104, thus improving the capacitor cooling.

The assembly and removal of the capacitor thus mounted become extremely easy since one just needs to unscrew two bolts 3 to remove or add an element without any intervention being required on the remainder of the bank. Of course, each electrode may be provided with several through holes with the corresponding bolts when the electrode size so requires.

The method herein is compatible with the system described in French patent application 92.02329 filed Feb. 26, 1992 (PCT International Publication WO 93/17439), whose overall dimensions are considerably reduced by its use.

Although the invention has been described in its preferred form with a certain degree of particularity, it is understood that the present disclosure of the preferred form has been made only by way of example and that numerous changes in the details of construction and the combination and arrangement of parts may be resorted to without departing from the spirit and scope of the invention.

What I claim is

1. A device for connecting a capacitor between a first and a second bus bar, comprising
said first and second bus bars being located in a parallel spaced apart relationship,
said capacitor having a first and a second electrode separated by a dielectric;
a first and a second aperture extending through said first and second electrodes, respectively; and
a first and a second fastener located in said first and second apertures to engage with said first and second bus bars, respectively, for securing said first and second electrodes of said capacitor to said first and second bus bars, respectively, to provide electrical and thermal conduction between said first and second electrodes of said capacitor and said first and second bus bars, respectively.

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2. A device for connecting a capacitor between a first and a second bus bar as set forth in claim 1, wherein each of said first and second bus bars is formed from a thermally and electrically conductive metal.

3. A device for connecting a capacitor between a first and a second bus bar as set forth in claim 1, wherein said first and said second electrode directly engage said first and said second bus bar, respectively.

4. A device for connecting a capacitor between a first and a second bus bar as set forth in claim 1, wherein each of said first and second electrodes is a solid metallic electrode.

5. A device for connecting a capacitor between a first and a second bus bar as set forth in claim 1, wherein said first and second fasteners include a first and a second threaded fastener.

6. A device for connecting a capacitor between a first and a second bus bar as set forth in claim 1, wherein said first and second fasteners include a first and a second threaded bolt.

7. A device for connecting a capacitor between a first and a second bus bar as set forth in claim 1, including a first and a second threaded bore in said first and second bus bars, respectively; and

said first and second fasteners including a first and a second threaded fastener for threadably engaging with said first and second threaded bores for securing said first and second electrodes of said capacitor to said first and second bus bars.

8. A device for connecting a capacitor between a first and a second bus bar as set forth in claim 1, including a first and a second channel in said first and second bus bars for receiving a cooling fluid for cooling said first and second bus bars, respectively.

9. A device for connecting a capacitor between a first and a second bus bar, comprising

said first and second bus bars being located in a parallel spaced apart relationship,

a first and a second threaded bore in said first and second bus bars, respectively,

a first and a second channel defined in said first and second bus bars for receiving a cooling fluid for cooling said first and second bus bars, respectively,

said capacitor having a first and a second electrode separated by a dielectric,

a first and a second aperture extending through said first and second electrodes, respectively; and

a first and a second threaded bolt extending through said first and second apertures for threadably engaging with said first and second threaded bores of said first and second bus bars for securing said first and second electrodes of said capacitor to said first and second bus bars to provide electrical and thermal conduction between said capacitor and said bus bars.

10. A device for connecting a capacitor between a first and a second bus bar as set forth in claim 9, wherein each of said first and second bus bars is formed from a thermally and electrically conductive metal.

11. A device for connecting a capacitor between a first and a second bus bar as set forth in claim 9, wherein said first and said second electrode directly engage said first and said second bus bar, respectively.

12. A device for connecting a capacitor between a first and a second bus bar as set forth in claim 9, wherein each of said first and second electrodes is a solid metallic electrodes.

* * * * *

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 5,953,201
DATED : September 14, 1999
INVENTOR(S) : Albert Jakoubovitch

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below.

Column 1, line 40, delete "dominates" and insert
--eliminates--

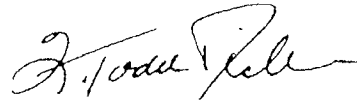
Column 2, line 13, delete "bas" and insert --bars--

Column 2, line 33, delete "bare" and insert --bore--

Column 4, line 64, after "electrodes" insert --; and
a dielectric element located between said first and
second solid metallic electrodes.--

Signed and Sealed this
Thirty-first Day of October, 2000

Attest



Q TODD DICKINSON

Attesting Officer

Director of Patents and Trademarks

Attachment 2



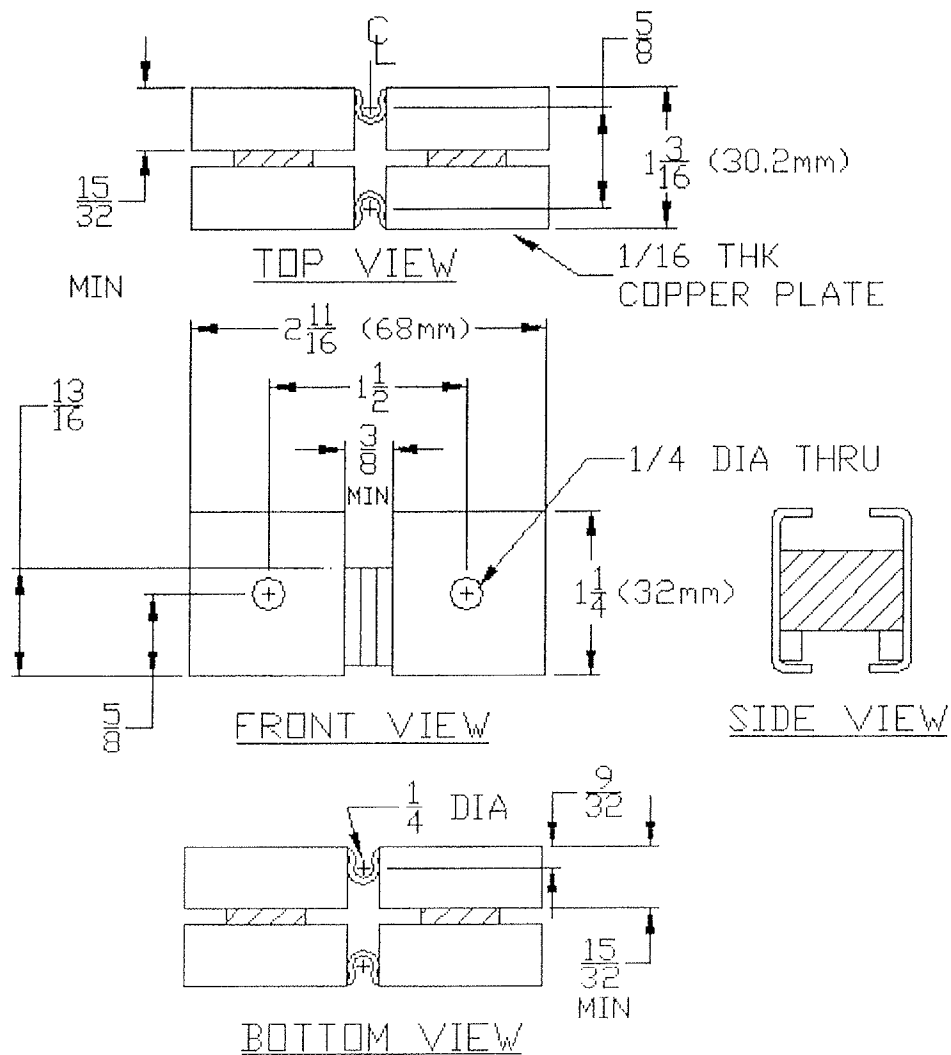
Leaders in Oil-Filled and Ceramic High Voltage Capacitor Technology

Oil-Filled Capacitors

CHL Type Induction Heating Capacitors

US Patent No. 7,002,789

The CH type capacitors are designed to be used in medium to high frequency induction heating power supplies. Most of them are conduction cooled via the busbar.



TYPICAL RATINGS

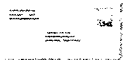
	CHL	6250	6120	6066	6033	6017	6010
Dimensions	in. (mm)	2.75 x 1.25 x 1.19 (70 x 32 x 30.2)					
Weight	lbs. (kg)	1.1 (0.5)					
Capacitance	mF	2.5	1.2	0.66	0.33	0.17	0.10
Max. Voltage	rms	400	500	600	700	700	700
Max. Current	rms	400	325	300	275	250	250
Max. Power	kVAr	160					

Frequency Limit	kHz	800	1000
Stray Inductance	nH	<5	

CHL Operating Range



[Oil-Filled](#) | [Ceramic](#) | [Custom Applications](#) | [What's New](#) | [Sales Reps](#) | [Home](#) | [Back](#) | [Downloads](#)



High Energy Corp.
PO Box 308 / Lower Valley Road
Parkesburg, PA 19365
610-593-2800 FAX 610-593-2985

Attachment 3

AGREEMENT

1. High Energy Corporation, a corporation organized under the laws of the Commonwealth of Pennsylvania with a business address of Lower Valley Road, P.O. Box 308, Parkesburg, PA 19365, USA (hereinafter "High Energy Corp."), and each of its present and past subsidiaries, predecessors, successors, partnerships, parents, and affiliated agents, corporations, limited liability companies, professional corporations and entities (hereinafter "The Related Entities"), jointly and severally agree to cease all manufacture, use, sale, offer for sale, marketing or other distribution in the United States of type CHK capacitors identified in Exhibit A (title "CHK SERIES CONDUCTION COOLED CAPACITORS") as of December 16th, 2004, which is the effective date of this Agreement.
2. In consideration of High Energy Corp.'s cessation of all manufacture, use, sale, offer for sale, marketing and other distribution of type CHK capacitors, Celem S.A., organized under the laws of France with a business address of Le Village, 34320, Fos, France, agrees to withdraw Civil Action No. 3:04-cv-1503 (CFD), pending in the United States District Court for the District of Connecticut. Celem S.A. further agrees to not file any future legal actions or administrative proceedings in the United States against High Energy Corp. concerning U.S. Patent No. 5,953,201, provided High Energy Corp. and The Related Entities are in compliance with Paragraph 1 of this Agreement.
3. This Agreement terminates on the expiration date of U.S. Patent No. 5,953,201.
4. This Agreement may be executed in one or more counterparts, including facsimile counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
5. This Agreement is to be construed under and governed by the laws of the State of Connecticut.
6. Individuals signing this Agreement for High Energy Corp. and Celem S.A. represent and warrant that they have the authority to bind High Energy Corp. and Celem S.A., respectively, to this Agreement.

FOR HIGH ENERGY CORP.:

(signature) George George

(position) PRESIDENT

(date signed) JAN 5, 2005

FOR CELEM S.A.

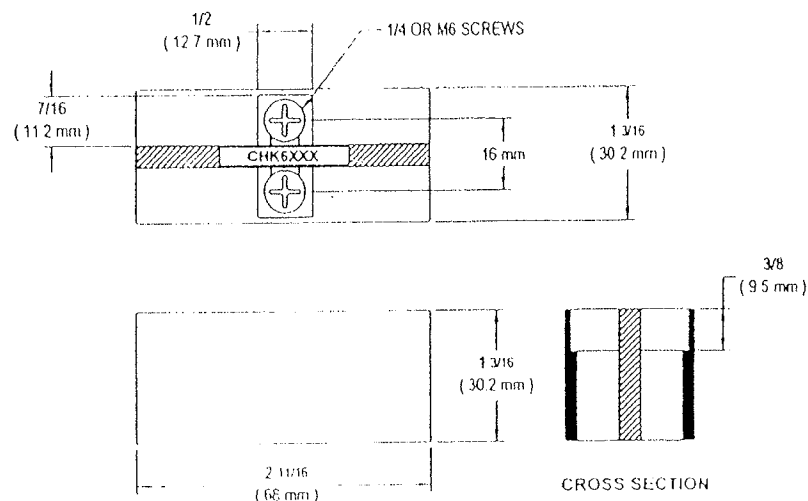
(signature) Uj 1

(position) CEO CELEM

(date signed) DEC 20th 2004

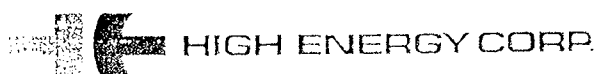
HIGH ENERGY CAPACITORS

CHK SERIES CONDUCTION COOLED CAPACITORS



SPECIFICATIONS						
TYPE	CHK	6250	6120	6066	6033	60xx
DIMENSIONS	in	$2 \frac{11}{16} \times 1 \frac{3}{16} \times 1 \frac{3}{16}$				
WEIGHT	lb	1.2				
CAPACITANCE	μF	2.5	1.2	0.66	0.33	0.17/0.1
MAX VOLTAGE	V rms	400	500	600	700	700
MAX INTENSITY	A rms	400	325	300	275	250
MAX POWER	KVAr	160	160	160	160	150
FREQUENCY LIMIT	kHz	800	800	800	800	1000
STRAY INDUCTANCE	nH	<5				

Quality And Fast Delivery . . . EVERY TIME!



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