

ADVANCED ENERGY INDUSTRIES INC

Form 8-K

May 16, 2003

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**UNITED STATES SECURITIES AND EXCHANGE COMMISSION**

Washington D.C. 20549

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**FORM 8-K**

CURRENT REPORT  
Pursuant to Section 13 or 15(d) of the  
Securities Exchange Act of 1934

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Date of Report (date of earliest event reported): May 14, 2003

**ADVANCED ENERGY INDUSTRIES, INC.**

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(Exact name of registrant as specified in its charter)

Delaware

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(State of  
incorporation)

000-26966

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(Commission File Number)

84-0846841

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(IRS Employer  
Identification No.)

1625 Sharp Point Drive, Fort Collins, Colorado

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(Address of principal executive offices)

80525

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(Zip Code)

(970) 221-4670

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(Registrant's telephone number,  
including area code)  
Not Applicable

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(Former name or former address, if changed since last report)

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Item 5. Other Events.

Item 7. Financial Statements, Pro Forma Financial Information and Exhibits.

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EX-99.1 Press Release

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Item 5. Other Events.

On May 14, 2003 MKS Instruments, Inc. filed a patent infringement suit against Advanced Energy Industries, Inc. in U.S. District Court in Wilmington, Del. MKS alleges that Advanced Energy's latest reactive gas generator Xstream infringes on MKS' U.S. patent 6,150,628 and four additional patents granted to MKS.

On May 15, 2003 Advanced Energy issued a press release in response to the MKS patent infringement suit and announcing that it had previously filed an action in a Federal Court in Denver for a declaratory ruling of non-infringement in order to permit Advanced Energy to market its Xstream technology. The text of the press release is filed with this Form 8-K as exhibit 99.1 and is incorporated herein by reference.

Item 7. Financial Statements, Pro Forma Financial Information and Exhibits.

(c) Exhibits.

<b>Exhibit No.</b>	<b>Description</b>
99.1	Press release issued by Advanced Energy Industries, Inc. dated May 15, 2003.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

ADVANCED ENERGY INDUSTRIES, INC.

By: \_\_\_\_\_ /s/ Michael El-Hillow

Name: Michael El-Hillow  
Title: Executive Vice President  
and Chief Financial Officer

Date: May 16, 2003

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<b>Exhibit No.</b>	<b>Description</b>
99.1	Press release issued by Advanced Energy Industries, Inc. dated May 15, 2003