



## U.S. District Court for Northern District of California Grants Summary Judgment in Favor of Align Technology in Two Antitrust Class Action Lawsuits

February 22, 2024

TEMPE, Ariz.--(BUSINESS WIRE)--Feb. 22, 2024-- Align Technology, Inc. (Nasdaq: ALGN), a leading global medical device company that designs, manufactures, and sells the Invisalign® system of clear aligners, iTero™ intraoral scanners, and exocad™ CAD/CAM software for digital orthodontics and restorative dentistry, today announced that on Wednesday, February 21, 2024, the U.S. District Court for the Northern District of California granted summary judgment in favor of Align Technology, Inc. in two U.S. antitrust class action lawsuits (*Simon & Simon, PC et al. v. Align Technology, Inc.* and *Snow et al. v. Align Technology, Inc.*), filed initially in 2020 and 2021, respectively. These lawsuits challenged Align's decision to end scan acceptance in the U.S. from a third-party scanner that was infringing Align's intellectual property.

"We are pleased that the Court has ruled in favor of Align in these two antitrust class actions," said Joe Hogan, president and CEO of Align Technology. "Our teams are constantly innovating to create products and services that delight users with the best clear aligner and scanner technology in the world. We invest more than \$300 million annually in research and development to deliver world-class products that doctors and their patients trust to create better smiles, and we are proud of our efforts to move an analog industry to a state of the art digital one."

"At Align, our teams are constantly striving to create products and services that exceed our customers' expectations and push the boundaries of what the industry expects," said Julie Coletti, Align executive vice president, chief legal and regulatory officer. "These lawsuits challenged Align's ability to enforce its intellectual property rights in technology that benefits our customers and that our customers rely on. The outcome validates our commitment to innovate in digital dentistry and our desire for a robust and competitive clear aligner and scanner market. We appreciate the Court's careful consideration of these cases and will continue to develop solutions for our customers and their patients. While this decision resolves most of the claims in the two cases, Align continues to vigorously defend itself against other unrelated claims in another antitrust case that has not yet reached the summary judgment phase."

### **About Align Technology, Inc.**

Align Technology designs and manufactures the Invisalign® system, the most advanced clear aligner system in the world, iTero™ intraoral scanners and services, and exocad™ CAD/CAM software. These technology building blocks enable enhanced digital orthodontic and restorative workflows to improve patient outcomes and practice efficiencies for over 256 thousand doctor customers and are key to accessing Align's 600 million consumer market opportunity worldwide. Over the past 26 years, Align has helped doctors treat approximately 17 million patients with the Invisalign system and is driving the evolution in digital dentistry through the Align Digital Platform™, our integrated suite of unique, proprietary technologies and services delivered as a seamless, end-to-end solution for patients and consumers, orthodontists and GP dentists, and lab/partners. Visit [www.aligntech.com](http://www.aligntech.com) for more information.

For additional information about the Invisalign system or to find an Invisalign doctor in your area, please visit [www.invisalign.com](http://www.invisalign.com). For additional information about the iTero digital scanning system, please visit [www.itero.com](http://www.itero.com). For additional information about exocad dental CAD/CAM offerings and a list of exocad reseller partners, please visit [www.exocad.com](http://www.exocad.com).

Invisalign, iTero, exocad, Align, and Align Digital Platform are trademarks of Align Technology, Inc.

### **Forward-Looking Statements**

This news release contains forward-looking statements, including statements regarding Align's belief that the claims in the cases have been finally resolved, its intentions regarding the pending claims of the outstanding lawsuits and Align's expectations about future innovation. The foregoing and other risks are detailed from time to time in our periodic reports filed with the Securities and Exchange Commission, including, but not limited to, our Annual Report on Form 10-K for the year ended December 31, 2022, which was filed with the Securities and Exchange Commission ("SEC") on February 27, 2023 and our latest Quarterly Report on Form 10-Q for the quarter ended September 30, 2023, which was filed with the SEC on November 3, 2023. Align undertakes no obligation to revise or update publicly any forward-looking statements for any reason.

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