

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

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

Date of Report (Date of earliest event reported) May 13, 2004

ALIGN TECHNOLOGY, INC.

(Exact name of registrant as specified in its charter)

Delaware

0-32259

94-3267295

(State or other jurisdiction
of incorporation)

(Commission File Number)

(I.R.S. Employer
Identification No.)

881 Martin Avenue, Santa Clara, California

95050

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code (408) 470-1000

Not applicable

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

ITEM 5. OTHER EVENTS

On May 17, 2004, Align Technology, Inc. ("Align") issued a press release announcing that on May 13, 2004, the United States District Court for the Central District, Southern Division, granted Align's motion for summary judgment of non-infringement of Ormco Corporation's ("Ormco") Patent Nos. 5,447,432, 5,683,243, 6,244,861 and 6,616,444 in the patent infringement case brought against Align by Ormco in January 2003. The press release is attached hereto as Exhibit 99.1 and is incorporated herein in its entirety by reference.

ITEM 7. FINANCIAL STATEMENTS AND EXHIBITS

(c) Exhibits.

Exhibit No.

Description

99.1

Press Release, dated May 17, 2004, for Align Technology, Inc. announcing the granting of Align's motion for summary judgment of non-infringement of Ormco Corporation's Patent Nos. 5,447,432, 5,683,243, 6,244,861 and 6,616,444.

SIGNATURES

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

Dated: May 17, 2004

Align Technology, INC.

By: /s/ Eldon M. Bullington

Eldon M. Bullington
Vice President of Finance and
Chief Financial Officer

INDEX TO EXHIBITS

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Align Technology Announces Favorable Ruling in Patent Infringement Suit With
Ormco Corporation, a Division of Sybron Dental

SANTA CLARA, Calif., May 17 /PRNewswire-FirstCall/ -- Align Technology, Inc. (Nasdaq: ALGN), the inventor of Invisalign(R), a proprietary method of straightening teeth without wires and brackets, announced today the favorable outcome of the patent litigation suit filed by Ormco Corporation, a division of Sybron Dental Specialties, Inc. (NYSE: SYD).

The United States District Court for the Central District, Southern Division, granted Align's motion for summary judgment of non-infringement in the patent infringement case brought against Align by Ormco Corporation in January 2003. Accordingly, Align has been found not to infringe Ormco's Patent Nos. 5,447,432, 5,683,243, 6,244,861 and 6,616,444. Align is represented by intellectual property specialty firm, Townsend and Townsend and Crew LLP.

"We are very pleased with the Court's ruling which vindicates our position that we do not infringe any of Ormco's patents. We will continue to vigorously assert our rights and defend our intellectual property," said Thomas M. Prescott, President and CEO of Align Technology, Inc. "With this favorable ruling, we can continue to focus on providing the best quality product to our customers and returning excellent shareholder value."

About Align Technology, Inc.

Align Technology designs, manufactures and markets Invisalign, a proprietary method for treating malocclusion, or the misalignment of teeth. Invisalign corrects malocclusion using a series of clear, nearly invisible, removable appliances that gently move teeth to a desired final position. Because it does not rely on the use of metal or ceramic brackets and wires, Invisalign significantly reduces the aesthetic and other limitations associated with braces. Invisalign is appropriate for treating adults and older teens. Align Technology was founded in March 1997 and received FDA clearance to market Invisalign in 1998.

To learn more about Invisalign or to find a certified Invisalign doctor in your area, please visit www.invisalign.com or call 1-800-INVISIBLE.

Forward-Looking Statements

This news release contains forward-looking statements, including statements regarding Align's belief that the summary judgment will enable it to continue to focus on delivering quality product to its customers and returning excellent shareholder value and Align's intention to continue to defend its intellectual property. In addition, there is no assurance that the court's decision will not be overturned on appeal. Forward-looking statements contained in this news release relating to expectations about future events or results are based upon information available to Align as of the date hereof. Readers are cautioned that these forward-looking statements are only predictions and are subject to risks, uncertainties and assumptions that are difficult to predict. As a result, actual results may differ materially and adversely from those expressed in any forward-looking statement. Factors that might cause such a difference include, but are not limited to, risks relating to Align's ability to protect its intellectual property rights and potential intellectual property or product liability claims or litigation. These and other risks are detailed from time to time in Align's periodic reports filed with the Securities and Exchange Commission, including, but not limited to, its Annual Report on Form 10-K for the fiscal year ended December 31, 2003, which was filed with the Securities and Exchange Commission on March 9, 2004, and its Quarterly Reports on Form 10-Q. Align undertakes no obligation to revise or update publicly any forward-looking statements for any reason.

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SOURCE Align Technology, Inc.

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/Web site: <http://www.invisalign.com/>
(ALGN)

CO: Align Technology, Inc.; Ormco Corporation; Sybron Dental

ST: California
IN: CPR HEA MTC STW
SU: LAW