



## Federal Appeals Court Finds in Favor of Align and Vacates Patent Board's Decision on ClearCorrect's Challenge to Align Patent

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SAN JOSE, Calif., Aug. 24, 2018 (GLOBE NEWSWIRE) -- Align Technology, Inc. (NASDAQ: ALGN) announced today that on August 22, 2018 the United States Court of Appeals for the Federal Circuit ("Federal Circuit") vacated the Patent Trial and Appeal Board's ("PTAB") decision invalidating certain claims of Align's patent no. 6,699,037, entitled "Method and System for Incrementally Moving Teeth" (the '037 Patent). Although Align is not currently asserting this patent in any litigation against ClearCorrect, ClearCorrect challenged the validity of the patent in an *inter partes* review procedure and the resulting PTAB decision had invalidated four of the patent's claims as obvious. The Federal Circuit disagreed and set aside the obviousness determination because "[n]either the Board's decision nor ClearCorrect's brief on appeal reveals substantial evidence in support of those findings." The Federal Circuit remanded the matter to the PTAB for further proceedings consistent with its opinion.

"We are gratified that the Federal Circuit vacated the PTAB's decision. With the Federal Circuit's guidance, we expect the '037 Patent will be upheld by the PTAB on remand as patentable, joining the numerous other findings of patentability in favor of Align and against ClearCorrect's challenges to this and other patents in the Align portfolio," said Roger E. George, Align Technology senior vice president and chief legal and regulatory officer. "Align will continue to vigorously defend its patents against challenges and enforce them against infringers where appropriate."

### About Align Technology, Inc.

Align Technology designs and manufactures the Invisalign® system, the most advanced clear aligner system in the world, and iTero® intraoral scanners and services. Align's products help dental professionals achieve the clinical results they expect and deliver effective, cutting-edge dental options to their patients. Visit [www.aligntech.com](http://www.aligntech.com) for more information.

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