



Align Provides Update on Patent Infringement Case Against 3Shape

May 3, 2019

- **Administrative Law Judge (ALJ) Finds 19 of 20 Asserted Align Patent Claims Valid**
- **ALJ Initial Determination Finds No Section 337 Violation Based on Her Construction of Relevant Claim Terms**
- **ALJ Ruling Not Final and Align Will Seek Commission Review**

SAN JOSE, Calif., May 03, 2019 (GLOBE NEWSWIRE) -- Align Technology, Inc. (NASDAQ: ALGN) announced today that on April 26, 2019 an Administrative Law Judge (ALJ) with the United States International Trade Commission (ITC) issued an Initial Determination regarding her investigation of 3Shape's infringement of Align's patents. While the ALJ determined that 19 of the 20 patent claims Align asserted are valid, she did not find that 3Shape infringed these patents based on her construction of the relevant claim terms, and as a result declined to find a violation of Section 337. The ALJ did find, however, that an order excluding the accused 3Shape products from import into the United States is appropriate should the full International Trade Commission find a violation occurred; accordingly, Align will seek review of the Initial Determination by the full Commission.

"While we are disappointed that the ALJ declined to find a Section 337 violation, we are pleased that the Initial Determination confirms the validity of the vast majority of the claims we asserted against 3Shape," said Roger George, Align senior vice president and general counsel. "The ALJ's ruling is not final and we will seek appropriate review. We remain committed to protecting our ongoing investment in technologies and products that help our customers and their patients, and to preventing the unauthorized use of our intellectual property."

The Initial Determination is now subject to review by the Commissioners at the ITC. Align intends to petition for review of the findings it believes are incorrect. 3Shape may also petition for review of the Initial Determination. The Commission will then decide whether to review any portion of the Initial Determination.

At present, Align has three ITC cases and six Federal District Court patent infringement cases pending against 3Shape. One ITC case is set for hearing in October 2019 and two District Court cases are set for trials in the first half of next year.

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 for more information.

For additional information about the Invisalign system or to find an Invisalign doctor in your area, please visit www.invisalign.com. For additional information about the iTero digital scanning system, please visit www.itero.com.

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