

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, DC 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) February 17, 2009

ALIGN TECHNOLOGY, INC.

(Exact Name of Registrant as Specified in Its Charter)

Delaware

(State or Other Jurisdiction of Incorporation)

0-32259

94-3267295

(Commission File Number)

(IRS Employer Identification No.)

881 Martin Avenue, Santa Clara, California

95050

(Address of Principal Executive Offices)

(Zip Code)

(408) 470-1000

(Registrant's Telephone Number, Including Area Code)

Not applicable

(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

ITEM 8.01 Other Events.

On February 17, 2009, Align Technology, Inc. (the "Company") filed a press release responding to litigation filed by ClearCorrect against the Company in the United States District Court for the Southern District of Texas, Houston Division. A copy of the press release issued by the Company on February 18, 2009 is attached hereto as Exhibit 99.1 and is incorporated by reference.

Item 9.01. Financial Statements and Exhibits

(d) Exhibits.

The following exhibit is furnished with this report:

99.1 Press Release issued February 18, 2009

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: February 18, 2009

ALIGN TECHNOLOGY, INC.

By: /s/ Roger E. George

Roger E. George
Vice President, Legal and Corporate
Affairs, General Counsel and
Corporate Secretary

INDEX TO EXHIBITS

Exhibit No.	Description
----- 99.1	----- Press Release issued February 18, 2009

SANTA CLARA, Calif., Feb. 18 /PRNewswire-FirstCall/ -- Align Technology, Inc. (Nasdaq: ALGN) today announced that the Company has been notified of a purported declaratory judgment action filed against the Company on February 17, 2009 by ClearCorrect, Inc. in the United States District Court for the Southern District of Texas. Align Technology became aware of the filing on February 17, 2009, but has not been served with a copy of the Complaint.

In the Complaint, assigned case # H-09-470 and captioned ClearCorrect, Inc., Plaintiff, vs. Align Technology, Inc., Defendant, ClearCorrect alleges that a "controversy exists between Align and ClearCorrect concerning the validity of Align's patents that relate to the manufacture and sale of a clear aligner therapy system" and regarding "the infringement of Align's patents" by ClearCorrect. The Complaint seeks a judgment declaring that unidentified Align patents are invalid and unenforceable and that ClearCorrect does not infringe the unidentified Align patents.

Align Technology is not currently involved in any litigation with ClearCorrect, nor has Align previously communicated with ClearCorrect regarding the subject matter of the Complaint or any of Align's 165 issued patents. ClearCorrect's Complaint is entirely unrelated to a previous lawsuit filed by Align Technology against Dr. Willis Pumphrey, ClearCorrect's CEO, for breach of contract, trademark infringement and copyright infringement. That lawsuit was settled to Align's satisfaction in 2007 by the payment of over \$330,000 to Align by Dr. Pumphrey and a stipulation by the parties that Dr. Pumphrey was decertified by Align and is no longer authorized to treat patients with Invisalign products.

Align has reviewed the allegations contained in the ClearCorrect filing and believes they are without merit. The Company intends to vigorously defend itself against the Complaint.

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. Align Technology was founded in March 1997 and received FDA clearance to market Invisalign in 1998. Today, the Invisalign product family includes Invisalign, Invisalign Teen, Invisalign Assist, Invisalign Express, and Vivera Retainers.

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

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