



Align Technology Announces Victory in Ormco Patent Litigation; 86 Ormco Claims Ruled Invalid by U.S. Court of Appeals

SANTA CLARA, Calif., Aug 24, 2007 /PRNewswire-FirstCall via COMTEX News Network/ --

Align Technology, Inc. (Nasdaq: ALGN) today announced that the Federal Circuit Court of Appeals has affirmed Align's victory on 86 out of 92 claims in four Ormco Corporation patents (5,447,432, 5,683,243, 6,244,861 and 6,616,444) that Ormco asserted were infringed by Align. The District Court for the Central District of California had previously ruled that these 86 claims are not infringed by Align's Invisalign system. The Federal Circuit agreed with the District Court and, more importantly, ruled that each of the 86 claims is invalid as not enabled by the specification of Ormco's four asserted patents. These are all of Ormco's asserted claims regarding automatic computer design of orthodontic appliances. The Federal Circuit returned only six out of the original 92 asserted claims to the District Court for consideration of validity and infringement. Notably, the Federal Circuit did not find that any of the six claims are valid or infringed by Align. If pursued, those issues will be decided upon remand by the District Court. Align believes that the six remaining claims will also be found invalid and/or not infringed.

"We are extremely pleased with the Court's confirmation of the previous ruling," said Roger E. George, Vice President of Legal Affairs and General Counsel for Align. "We have every confidence that if Ormco chooses to litigate the six claims not yet found invalid in their case, we will prevail on those claims as well."

The Federal Circuit also considered a cross-appeal by Align and affirmed the District Court's finding that six out of 71 claims in Align's U.S. Patent No. 6,398,548 were invalid. The majority of the claims in the '548 patent, including claims that address methods of fabricating aligners, digital data sets or computer-generated models to fabricate appliances, are unaffected by the Federal Circuit's ruling.

"Contrary to some erroneous reports, today's decision is an overwhelming victory for Align and does essentially nothing to diminish the strength of our patent portfolio or of our unique technology," said George.

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 <http://www.invisalign.com> or call 1-800-INVISIBLE.

Forward-Looking Statement

This news release contains forward-looking statements, including statements regarding Align's belief that the six remaining claims of the referenced Ormco patents will also be found invalid and/or not infringed and Align's confidence that it will prevail if Ormco chooses to litigate the six claims. 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, the risks and uncertainties relating to patent and intellectual property 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, 2006, which was filed with the Securities and Exchange Commission on March 12, 2007, 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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