



Align Technology Alleges Trademark Infringement and False Advertising in New Multi-Claim Federal Lawsuit Against OrthoClear

SANTA CLARA, Calif., July 20, 2005 /PRNewswire-FirstCall via COMTEX/ -- Align Technology, Inc. (Nasdaq: ALGN), the inventor of Invisalign(R), a proprietary method of straightening teeth without wires and brackets, today announced that it has filed a new multi-claim lawsuit in U.S. District Court against OrthoClear, Inc. and OrthoClear Holdings, Inc. Among other things, the lawsuit alleges multiple violations of the federal Lanham Act, including unfair competition, trademark infringement and false advertising. The complaint also alleges violations by OrthoClear of California's Unfair Practices Act.

The complaint includes evidence that OrthoClear has deliberately deceived and confused customers and consumers and unfairly competed with Align in violation of California and federal law by:

- Palming off Align's investment, work, reputation and success as their own, particularly in regards to doctor training and certification, product efficacy and number of patients treated;
- Infringing on Align's trademarks to confuse customers, increase OrthoClear's market share and dilute Align's brand;
- Falsely representing the nature of OrthoClear's actual training and certification "programs" and OrthoClear's lack of treatment and performance history;
- Using all of these illegal and unethical tactics to unfairly compete with Align.

"From the outset, OrthoClear's plan has been to sell its product by free-riding the coattails of Align's consumer marketing and professional training programs, while at the same time attempting to appropriate Align's successful treatment history as its own," said Roger E. George, Align's Vice President, Legal Affairs and General Counsel.

By its Complaint, Align seeks an order requiring OrthoClear to conduct corrective advertising, as well as injunctive relief and monetary damages in an amount to be determined.

More information and a copy of Align's Complaint are available by selecting "Litigation Information" at http://investor.aligntech.com/litigation_OC.cfm

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.

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