



Align Technology Announces Memorandum of Understanding for Settlement of Proficiency Requirements Lawsuit

SAN JOSE, Calif., Oct 21, 2010 (GlobeNewswire via COMTEX News Network) -- Align Technology, Inc. (Nasdaq:ALGN) today announced that it has entered into a Memorandum of Understanding ("MOU") to resolve a class action lawsuit concerning its proficiency requirements filed earlier this year in the United States District Court for the Northern District of California.

Under the terms of the proposed settlement, class members can obtain reinstatement to prescribe Invisalign(R) treatment under certain circumstances (the "Reinstatement Benefit") that will be described in the final settlement agreement. Certain class members will have the option to elect a cash remedy instead of the Reinstatement Benefit. The proposed settlement remains subject to the execution of a formal settlement agreement and approval by the Court. Align anticipates that a formal settlement agreement will be presented to the Court within 30 to 45 days. If the Court grants preliminary approval of the agreement, notice of the settlement terms will be provided to all class members. In connection with the proposed settlement, and based upon Align's estimates, including attorneys fees and administrative costs, Align recorded a charge of \$3.3 million in its third quarter fiscal 2010 financials.

In May 2010 Align announced that Christopher J. Leiszler, a general practice dentist, had filed a Complaint against the Company. Dr. Leiszler alleged that Align implemented unfair requirements for the prescription of Invisalign through the Company's annual proficiency requirements. Dr. Leiszler's Invisalign provider status was changed in January 2010 for failing to meet the Company's proficiency requirements, which were modified in April 2010 to eliminate the annual case start requirement for Invisalign providers. Dr. Leiszler sued Align on behalf of himself and all others similarly situated, seeking a refund of the price paid to Align for Invisalign training.

Doctors who had their Invisalign accounts deactivated or suspended as a result of the proficiency requirements program are included in the settlement class, and will be notified of their options after a final settlement agreement is preliminarily approved by the Court. Until then, doctors who have questions regarding the status of the Court process can contact Align at settlement@aligntech.com.

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 teens. Align Technology was founded in March 1997 and received FDA clearance to market Invisalign in 1998. Today, the Invisalign product family includes Invisalign Full, 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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