



July 5, 2012

Align Technology Comments on Stay of Federal Patent Infringement Lawsuit Against ClearCorrect

Trial Dates for ITC Enforcement and Patent Infringement Complaints Against ClearCorrect and ClearCorrect Pakistan Set for December 2012 and February 2013, Respectively

SAN JOSE, Calif., July 5, 2012 (GLOBE NEWSWIRE) -- Align Technology, Inc. (Nasdaq:ALGN) today responded to a press release issued on June 28, 2012 by ClearCorrect relating to the stay issued nearly two months ago of Align's patent infringement lawsuit against ClearCorrect filed last year in the United States District Court for the Southern District of Texas. ClearCorrect's press release states that "the US District Court recently granted the motion to stay the case in ClearCorrect's favor, effectively stopping the federal case indefinitely and virtually guaranteeing the continued unrestricted operation of the company's US-based manufacturing facility for the foreseeable future."

While it's true that the lawsuit filed in Federal Court in Texas is stayed pending the investigation of Align's complaints filed with United States International Trade Commission (ITC), ClearCorrect's press release mistakenly states the stay is indefinite and incorrectly implies that the issuance of the stay reflects the merit of its claims and defenses. In fact, the Federal Court was required to issue the stay as to those claims that are common to the ITC investigations and the Federal Court action.

"This is a purely routine procedural matter from two months ago — it has nothing to do with the merit of ClearCorrect's claims or defenses — and does not in any way reflect the likelihood that ClearCorrect will succeed in either the ITC investigations or in the Federal Court action," said Roger E. George, Align vice president, legal affairs and general counsel. "When the ITC agreed to investigate ClearCorrect and ClearCorrect Pakistan, we expected that the Federal Action would be stayed until conclusion of the ITC actions as required by the ITC statute. Align only opposed the stay to allow the federal judge the opportunity to rule on a pending sanctions motion against ClearCorrect and a pending summary judgment motion the Court there had suggested Align file, both of which will now be ruled on when the stay is lifted at the conclusion of the ITC actions."

In the Federal Court lawsuit filed on February 28, 2011, Align asserts that ClearCorrect infringes eight Align patents in the production and sale of ClearCorrect aligners. On March 1, 2012, Align filed two complaints with the ITC against both ClearCorrect Operating, LLC, based in Houston, Texas, and ClearCorrect Pakistan (Private) Ltd., based in Lahore, Pakistan. In the first complaint, Align asserts that ClearCorrect infringes seven Align patents, comprised of 280 claims, related to methods for planning and implementing orthodontic treatment using aligners (the "Infringement Complaint"). The second complaint seeks enforcement of a prior Consent Order granted by the ITC on October 27, 2006 in the OrthoClear ITC action (the "Enforcement Complaint"). In April 2012, the ITC subsequently voted to initiate investigations of both complaints against both ClearCorrect and ClearCorrect Pakistan. As a result of the ITC's decisions to investigate Align's two complaints, the Federal Court action against ClearCorrect was stayed.

Separately, Align announced that the trial dates for both complaints have been scheduled by the ITC. The trial date for the Enforcement Action is scheduled for December 3, 2012; the trial date for the Infringement Action is scheduled for February 4, 2013.

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. The Invisalign product family includes Invisalign, Invisalign Teen, Invisalign Assist, Invisalign Express 10, Invisalign Express 5, and Vivera Retainers.

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

Cadent Holdings, Inc. is a subsidiary of Align Technology and is a leading provider of 3D digital scanning solutions for

orthodontics and dentistry. The Cadent family of products includes iTero and iOC scanning systems, OrthoCAD iCast, OrthoCAD iQ and OrthoCAD iRecord. For additional information, please visit www.itero.com.

CONTACT: Investor Relations Contact

Shirley Stacy

Align Technology, Inc.

(408) 470-1150

[sstacy@aligntech.com](mailto:ssstacy@aligntech.com)

Press Contact

Shannon Mangum Henderson

Ethos Communication, Inc.

(678) 261-7803

align@ethoscommunication.com

Source: Align Technology

News Provided by Acquire Media