



Align Technology Files New Federal Lawsuit Against OrthoClear; Alleges False Advertising and Defamation

SANTA CLARA, Calif., June 20, 2006 /PRNewswire-FirstCall via COMTEX News Network/ -- 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 lawsuit in U.S. District Court against OrthoClear, Inc. and OrthoClear Holdings, Inc. for false advertising, trade libel, defamation and unfair competition. The Complaint alleges that OrthoClear has repeatedly made comparative claims of product superiority that are false and unsubstantiated, and that are designed to mislead dental professionals and consumers.

The Complaint includes evidence that OrthoClear has deliberately deceived and confused customers and unfairly competed with Align in violation of California and federal law by making repeated false and unsupported claims regarding OrthoClear's products and Align's Invisalign system.

"Doctors and patients make treatment decisions based in large part on what the manufacturer claims about its product's benefits. Those claims should be true and based on hard evidence," said Roger E. George, Align's Vice President, Legal Affairs and General Counsel. "Not only has OrthoClear attempted to deceive the public regarding its own product attributes and clinical data, that company has also made false and misleading statements regarding the effectiveness, value and safety of Align's products."

In 2005, Align attempted to address concerns regarding OrthoClear's advertising claims without resorting to litigation. Align filed a challenge to OrthoClear's advertising claims with the National Advertising Division of the Council of Better Business Bureaus (the "NAD"), a self-regulatory body designed to help ensure truth in advertising. OrthoClear refused to participate in the NAD confidential review process or to provide evidence to the NAD to support their advertising claims, so the NAD referred OrthoClear to the FTC for further enforcement action. As a result, and in response to subsequent libelous and defamatory statements made about the Invisalign system in OrthoClear materials, Align filed a request to amend the Company's existing multi-claim lawsuit against OrthoClear to include additional causes of action. Rather than delay the trial schedule in that case, the Court denied Align's request to amend and indicated it would be appropriate for Align to file a new, separate complaint against OrthoClear.

By its Complaint, Align seeks 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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SOURCE Align Technology, Inc.

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