

## **Regarding the Judgment (Victory) of Patent Infringement Lawsuit Against Tokyo Seimitsu Co., Ltd.**

On April 24, 2024, the Intellectual Property High Court acknowledged the infringement of our patent rights by products of Tokyo Seimitsu Co., Ltd. ("Tokyo Seimitsu") in the patent infringement lawsuit (Intellectual Property High Court Reiwa 5 (Ne) 10052, etc.) that we filed against Tokyo Seimitsu. The court acknowledged the infringement of our patent rights related to stealth dicing technology (Patent No. 3867108) by Tokyo Seimitsu's products and also acknowledged the infringement of some of their products on our patent rights (Patent No. 4601965). As a result, we are pleased to inform you that judgments (victory and partial victory) have been rendered by the Intellectual Property High Court in all three patent infringement lawsuits ("Lawsuit 1" to "Lawsuit 3") that we filed against Tokyo Seimitsu.

Our company is committed to the continuous development of cutting-edge technologies and respects the intellectual property protection system. We will take strict measures against any unauthorized use or infringement of our patents, designs, trademarks, and other intellectual properties.

### **1. Filing of the Lawsuit 1 to 3**

In September 2018, we filed the following lawsuits against Tokyo Seimitsu, claiming that the following products( "Tokyo Seimitsu Products" ) infringed on our patent rights:

- **\*\*Lawsuit 1\*\*** (Tokyo District Court Heisei 30 (Wa) 28929): Claimed infringement of Patent No. 3935188 and Patent No. 3990711.
- **\*\*Lawsuit 2\*\*** (Tokyo District Court Heisei 30 (Wa) 28930): Claimed infringement of Patent No. 3867108 and Patent No. 4601965.
- **\*\*Lawsuit 3\*\*** (Tokyo District Court Heisei 30 (Wa) 28931): Claimed infringement of Patent No. 4509578.

We sought injunctions against the manufacture, use, transfer, and export of Tokyo Seimitsu Products, as well as their disposal in Lawsuit 1 through Lawsuit 3. Additionally, we later added claims for damages in Lawsuit 2 and Lawsuit 3 for the infringement of Patent Nos. 3867108, 4601965 and 4509578.

### **【Tokyo Seimitsu Products】**

The following laser dicing machines (excluding those with our SDE mark on the surface of

the casing):

1. **\*\*ML300 Series\*\***

- "ML300", "ML300EX", "ML300EX WH", "ML300PlusWH", "ML300PlusXWH", etc., containing "ML300" in the model number

2. **\*\*ML200 Series\*\***

- Models: "ML200", "ML200EX", "ML200EX WH", "ML200PlusXWH", etc., containing "ML200" in the model number

#### Our SDE Mark



2. Details of Lawsuit 1

(1). On August 10, 2021, the Tokyo District Court acknowledged the infringement of Patent Nos. 3935188 and 3990711 by Tokyo Seimitsu Products and ordered an injunction against the manufacture, use, transfer, and export of Tokyo Seimitsu Products, as well as their disposal (Tokyo District Court Heisei 30 (Wa) 28929).

- [Court Judgement] ([www.courts.go.jp/app/files/hanrei\\_jp/786/090786\\_hanrei.pdf](http://www.courts.go.jp/app/files/hanrei_jp/786/090786_hanrei.pdf))

(2). On September 5, 2022, the Intellectual Property High Court also acknowledged the infringement of Patent No. 3990711 by Tokyo Seimitsu Products, dismissed their appeal, and upheld the injunction (Intellectual Property High Court Reiwa 3 (Ne) No. 10101).

- [Court Judgement] ([www.courts.go.jp/app/files/hanrei\\_jp/513/091513\\_hanrei.pdf](http://www.courts.go.jp/app/files/hanrei_jp/513/091513_hanrei.pdf))

Note: The injunction claim based on Patent No. 3935188 was withdrawn due to the expiration of its term.

(3). On June 7, 2023, the Supreme Court dismissed the appeal and the judgement to uphold the injunction became final.

Note that the term of Patent No. 3990711 also expired after the appellate court judgement.

### 3. Details of Lawsuit 2

(1). On December 15, 2022, the Tokyo District Court acknowledged the infringement of Patent Nos. 3867108 and 4601965 by Tokyo Seimitsu Products, ordered an injunction against the manufacture, use, transfer, and export of the infringing products, their disposal, and a payment of damages of 1,506,978,762 yen (30% royalty rate etc.) plus delayed damages (Tokyo District Court Heisei 30 (Wa) 28930).

- [Court Judgement] ([www.courts.go.jp/app/files/hanrei\\_jp/186/092186\\_hanrei.pdf](http://www.courts.go.jp/app/files/hanrei_jp/186/092186_hanrei.pdf))

(2). On April 24, 2024, the Intellectual Property High Court acknowledged the infringement of Patent No. 3867108 by Tokyo Seimitsu Products and the infringement of Patent No. 4601965 by some of Tokyo Seimitsu Products. The injunction claims were withdrawn due to the expiration of the patents' terms, but the court ordered Tokyo Seimitsu to pay damages of 831,916,753 yen (based on infringer's profits under Article 102 (2) of the Patent Act etc.) plus delayed damages (Intellectual Property High Court Reiwa 5 (Ne) 10052).

(3). Tokyo Seimitsu did not appeal the appellate judgement, making it final.

### 4. Details of Lawsuit 3

(1). On February 15, 2023, the Tokyo District Court acknowledged the infringement of Patent No. 4509578 by some of Tokyo Seimitsu Products and ordered them to pay damages of 131,161,399 yen (5% royalty rate etc.) (Tokyo District Court Heisei 30 (Wa) 28931).

- [Court Judgement] ([www.courts.go.jp/app/files/hanrei\\_jp/821/092821\\_hanrei.pdf](http://www.courts.go.jp/app/files/hanrei_jp/821/092821_hanrei.pdf))

(2). On March 6, 2024, the Intellectual Property High Court upheld the first instance decision, acknowledged the infringement of Patent No. 4509578 by some of Tokyo Seimitsu Products, dismissed the appeal, and ordered Tokyo Seimitsu to pay damages of 136,840,000 yen (based on damages under Article 102 (1) of the Patent Act etc.) plus delayed damages (Intellectual Property High Court Reiwa 5 (Ne) 10037).

(3). Tokyo Seimitsu withdrew their appeal to Supreme Court, making the appellate judgement final.

### 5. Summary of Court Judgements

The results of the judgments by the Tokyo District Court and the Intellectual Property High Court are as stated above. For Patent Nos. 3935188, 3990711 and 3867108, patent

infringement by Tokyo Seimitsu Products was acknowledged. In Lawsuit 1, the injunction claim was upheld, and in Lawsuit 2, the damages claim was upheld. Additionally, for Patent Nos. 4601965 and 4509578, patent infringement was acknowledged for some of Tokyo Seimitsu Products, and in Lawsuit 2 and Lawsuit 3, the damages claims were partially acknowledged.