

Press Information

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PHILIPS LUMILEDS' PATENT INFRINGEMENT CASE AGAINST EPISTAR STRENGTHENED BY APPEALS COURT RULING

San Jose, CA -- The U.S. Court of Appeals for the Federal Circuit issued a ruling on May 22, 2009 that rejected Epistar's appeal of the International Trade Commission's (ITC's) interpretation of the claims in Philips Lumileds' U.S. Patent No. 5,008,718 (the '718 patent). In affirming the ITC's interpretation, the Federal Circuit noted that "Epistar does not challenge the infringement determination under the [ITC's] claim construction." Thus, the ITC's ruling that Epistar infringes the '718 patent has now been confirmed on appeal.

The Federal Circuit also upheld the ITC's decision that "Epistar (as a successor to UEC) may not contest validity of the '718 patent with respect to the UEC products that it inherited in the merger" between Epistar and UEC, but overturned the ITC's ruling that Epistar could not contest validity with respect to other products. Philips Lumileds remains confident that any further invalidity challenges by Epistar to the '718 Patent will be rejected. This confidence is supported by the rulings of U.S. District Court Judge Claudia Wilken of the Northern District of California in an earlier case against UEC granting Philips Lumileds summary judgment on multiple different validity challenges to the '718 patent claims.

A change in the law after the ITC decision in this matter called into question the ITC's long-standing practice of issuing Limited Exclusion Orders that bar importation of downstream products manufactured by third parties not named in the case. The Federal Circuit has vacated the existing Limited Exclusion Order and remanded the case back to the ITC for further proceedings. Philips Lumileds had earlier filed a petition with the ITC requesting that the Limited Exclusion Order be converted into a General Exclusion Order that, even after recent changes in the law, could bar the same non-party downstream products covered by the original Exclusion Order.

In addition to the ITC proceeding, Philips Lumileds has a pending patent infringement suit against Epistar in the U.S. District Court before Judge Wilken asserting infringement of not only the '718 patent, but also two other Philips Lumileds patents. The Federal Circuit's decision paves the way for Philips Lumileds' success in that pending dispute.

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About Philips Lumileds

Philips Lumileds is the world's leading provider of power LEDs for everyday lighting applications. The company's recent records for light output, efficacy and thermal management are direct results of the ongoing commitment to advancing solid-state lighting technology and enabling lighting solutions that are more environmentally friendly, help reduce CO₂ emissions and reduce the need for power plant expansion. Philips Lumileds' LUXEON LEDs are enabling never before possible applications in hospitality, outdoor lighting, retail lighting and in homes. More information about the company's LUXEON LED products and solid-state lighting technologies can be found at www.philipslumileds.com.

About Royal Philips Electronics

Royal Philips Electronics of the Netherlands (NYSE: PHG, AEX: PHI) is a diversified Health and Well-being company, focused on improving people's lives through timely innovations. As a world leader in healthcare, lifestyle and lighting, Philips integrates technologies and design into people-centric solutions, based on fundamental customer insights and the brand promise of "sense and simplicity". Headquartered in the Netherlands, Philips employs approximately 116,000 employees in more than 60 countries worldwide. With sales of EUR 26 billion in 2008, the company is a market leader in cardiac care, acute care and home healthcare, energy efficient lighting solutions and new lighting applications, as well as lifestyle products for personal well-being and pleasure with strong leadership positions in flat TV, male shaving and grooming, portable entertainment and oral healthcare. News from Philips is located at www.philips.com/newscenter.