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Align Technology to Discontinue Acceptance of Digital Scan Submissions From 3Shape TRIOS Scanners in the United States

3Shape Infringing Conduct and Resulting Litigation Results in Termination of Invisalign Interoperability Contract

SAN JOSE, CA -- (Marketwired) -- 12/20/17 -- Align Technology, Inc. (NASDAQ: ALGN) announced today that due to 3Shape's infringing conduct and the resulting litigation against Shape A/S of Copenhagen, Denmark and 3Shape Inc. of Warren N.J. (collectively "3Shape."), the company terminated its Invisalign interoperability contract with 3Shape and will no longer be able to accept digital scans for new Invisalign treatment and/or retention cases from TRIOS scanners in the United States, effective January 31*, 2018. Doctors who need to submit additional TRIOS scans for an existing Invisalign case (for refinement or additional aligners) will still be able to do so.

Because the current lawsuits involve only U.S. patents, this litigation does not affect non-U.S. Invisalign customers. As a result, we will continue to accept digital scans for new Invisalign treatment and/or retention cases from TRIOS scanners outside of the U.S.

"We understand that the termination of interoperability and discontinuance of accepting digital scans for Invisalign treatment and/or retention cases through TRIOS scanners will inconvenience our customers and we wish it could have been avoided. We have reached out to affected practices and are working to help minimize any disruption," said Roger E. George, vice president, legal affairs and general counsel for Align Technology. "The last thing we want is to impact our customers and their practices. However, Align will not allow competitors to copy our products and their features or infringe our patents, nor can we continue to accept scans from US-based TRIOS scanners that infringe our patents. We will vigorously defend our intellectual property, whether it relates to clear aligners, dental scanners, or digital dentistry more broadly."

Align believes in open systems and will continue to work with other intraoral scanning companies who are interested in developing interoperability with Invisalign treatment and are willing to respect Align's intellectual property. We have defined a qualification process for scan quality and accuracy to ensure a specific scanning technology can adequately replace PVS impressions in Invisalign case submissions. Align's own iTero scanner, the Sirona Cerec Omnicam and 3M True Definition scanner are all qualified for the Invisalign workflow.

On November 14, Align Technology filed six patent infringement lawsuits asserting 26 patents against 3Shape asserting that 3Shape's TRIOS intraoral scanning system and Dental System software infringe Align patents. Align filed two Section 337 complaints with the U.S. International Trade Commission (ITC) alleging that 3Shape violates U.S. trade laws by selling for importation and importing its infringing TRIOS intraoral scanning system and Dental System software. Align's ITC complaints seek cease and desist orders and exclusion orders prohibiting the importation of 3Shape's TRIOS scanning system and Dental System software products into the U.S. Align also filed four separate complaints in the United States District Court for the District of Delaware alleging patent infringement by 3Shape's TRIOS intraoral scanning system and Dental System software. On December 13, 2017, the United States International Trade Commission (ITC) voted to institute two investigations of alleged patent infringement by 3Shape. We expect that within the next two months, the assigned administrative law judges will set target dates for completing the investigations.

* In response to feedback received from dental organizations and customers and Align's desire to minimize customer and patient inconvenience, Align has extended the cut-off date for accepting TRIOS scans until January 31, 2018, from January 17 as originally communicated.

About Align Technology, Inc.

Align Technology designs and manufactures the Invisalign® system, the most advanced clear aligner system in the world, and iTero® intraoral scanners and services. Align's products help dental professionals achieve the clinical results they expect and deliver effective, cutting-edge dental options to their patients. Visit www.aligntech.com for more information.

For additional information about the Invisalign system or to find an Invisalign provider in your area, please visit www.invisalign.com. For additional information about iTero digital scanning system, please visit www.itero.com.

CONTACT

Align Technology, Inc.

Shirley Stacy

(408) 470-1150

sstacy@aligntech.com

Ethos Communication, Inc.

Shannon Mangum Henderson

(678) 261-7803

align@ethoscommunication.com

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