



PRODUCTS & APPLICATIONS | SUPPORT | NETAFFX | SCIENTIFIC COMMUNITY | **CORPORATE**

- > About the Company
- > Investors
- > Compliance
- > Newsroom
- > Events
- > Careers
- > Licensing
- > Outreach

[printable version](#)

Affymetrix (ticker: AFFX, exchange: NASDAQ Stock Exchange (.O))
News Release - 3/13/07

Affymetrix Granted Favorable Verdict in Patent Infringement Case Against Illumina

Jury Verdict Establishes Ongoing Royalty Rate of 15% and Awards Affymetrix More Than \$16 Million in Total Damages

SANTA CLARA, Calif.--(BUSINESS WIRE)--March 13, 2007--Affymetrix Inc. (NASDAQ:AFFX) today announced that the United States District Court for the District of Delaware returned a verdict in favor of Affymetrix in its patent infringement suit against Illumina Inc. The jury found that Illumina's arrays, scanners, software, and related products infringed on one or more claims of all five of Affymetrix' (5,535,531, 5,795,716, 6,355,432, 6,399,365, and 6,646,243) patents-in-suit. The jury found that the proper royalty rate was 15 percent, and awarded total damages of more than \$16 million for the period of 2002-2005.

Affymetrix has developed one of the industry's strongest patent portfolios, featuring more than 375 patents granted. The company continues to license its technology under appropriate circumstances to stimulate the broad commercialization of genome analysis technologies.

"We respect the United States judicial process and are gratified with the jury's decision. This ruling recognizes Affymetrix' patent portfolio and the value of our licensing program," said Kevin King, president of life sciences business and executive vice president at Affymetrix. "We have always believed, and continue to believe, in the strength of our intellectual property. We remain confident of our position in the next phases of the trial."

The next phase of the trial will occur later this year. Affymetrix believes that it will focus on the validity of Affymetrix' patents and whether Illumina's infringement was willful. Affymetrix has also requested injunctive relief in this case, which will be taken up at the conclusion of all phases of the trial.

About Affymetrix

Affymetrix GeneChip(R) microarray technology is the industry-standard tool for analyzing complex genetic information. After inventing microarray technology in the late 1980s, Affymetrix scientists have been dedicated to developing innovative products that provide researchers with a more complete view of the genome. These products continue to accelerate genetic research and enable scientists to develop diagnostics and tailor treatments for individual patients by identifying and measuring the genetic information associated with complex diseases.

Today, Affymetrix technology is used by the world's top pharmaceutical, diagnostic and biotechnology companies, as well

アフィメトリクス・ジャパンへはこちら

RESOURCES

- > Corporate Donations
- > Ethics & Policy
- > Events
- > Scientific Publications

Stock quote

Security
AFFX (Common Stock)
28.19
+1.57

Current Day's High
29.10
Current Day's Low
27.43
Current Day's Volume
5,625,650
Last Trade
03/14/07 04:00 PM
Stock Exchange
NASDAQ

* The stock price performance shown on the quote above is not necessarily indicative of future price performance

as leading academic, government and not-for-profit research institutes. More than 1,500 systems have been shipped around the world and more than 8,500 peer-reviewed papers have been published using the technology.

Affymetrix is headquartered in Santa Clara, Calif., and has manufacturing facilities in Sacramento, Calif., and Singapore. The company has about 1,100 employees worldwide and maintains sales and distribution operations across Europe and Asia. For more information about Affymetrix, please visit the company's website at www.affymetrix.com.

Forward Looking Statements

All statements in this press release that are not historical are "forward-looking statements" within the meaning of Section 21E of the Securities Exchange Act as amended, including statements regarding Affymetrix' "expectations," "beliefs," "hopes," "intentions," "strategies" or the like. Such statements are subject to risks and uncertainties that could cause actual results to differ materially for Affymetrix from those projected, including, but not limited to: risks and uncertainties associated with the final outcome of the litigation against Illumina discussed in this press release; risks of the company's ability to achieve and sustain higher levels of revenue, higher gross margins, reduced operating expenses; uncertainties relating to technological approaches, manufacturing, product development; personnel retention; uncertainties related to cost and pricing of Affymetrix products; dependence on collaborative partners; uncertainties relating to sole source suppliers; uncertainties relating to FDA and other regulatory approvals; competition; risks relating to intellectual property of others and the uncertainties of patent protection and litigation. These and other risk factors are discussed in Affymetrix' Form 10-K for the year ended December 31, 2006, and other SEC reports, including its Quarterly Reports on Form 10-Q for subsequent quarterly periods. Affymetrix expressly disclaims any obligation or undertaking to release publicly any updates or revisions to any forward-looking statements contained herein to reflect any change in Affymetrix' expectations with regard thereto or any change in events, conditions or circumstances on which any such statements are based.

NOTE: Affymetrix, the Affymetrix logo and GeneChip(R) are registered trademarks owned or used by Affymetrix Inc.

CONTACT: Affymetrix Inc.
Wes Conard
Sr. Director, Corporate & Marketing Communications
408-731-5791 (Media)
Doug Farrell
Vice President, Investor Relations
408-731-5285 (Investors)

SOURCE: Affymetrix Inc.