

SUMCO press release

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SUMCO RECEIVES FAVORABLE DECISION FROM THE U.S.
COURT OF APPEALS FOR THE FEDERAL CIRCUIT IN A
PATENT LAWSUIT

The United States Court of Appeals for the Federal Circuit in Washington DC (“CAFC”) issued its decision on September 20, 2007 affirming a non-infringement finding of the United States Federal District Court for the Northern District of California (“California Court”) in a lawsuit brought by U.S.-based silicon wafer manufacturer, MEMC Electronic Materials, Inc. (“MEMC”).

MEMC filed this patent lawsuit in December 2001, alleging infringement of U.S. Patent number 5,919,302. MEMC has described this patent as one of two patents that form the foundation of its family of patents covering low defect silicon wafers. Low defect wafers are used in the manufacture of leading edge semiconductor devices. The California Court ruled in favor of SUMCO in February 2006, finding that MEMC’s patent was both invalid and not infringed.

SUMCO’s successful defense of this case also demonstrates that, if competitors unreasonably attempt to assert patent rights against SUMCO in the area of low defect silicon wafers or other products, SUMCO will vigorously defend itself.