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Editorial Contact: Michael Solomon
+ 1 (401) 737-3774 ext. 348
msolomon@alcorscientific.com

ALCOR Scientific Prevails in Patent Infringement Case

Alifax falsely claimed that an ALCOR diagnostic product infringed its patents. Those claims were proven to be without merit, and judgment of patent non-infringement issued in ALCOR's favor.

Smithfield, RI (May 7, 2019) — ALCOR prevailed in this case as to the two patent infringement claims, three copyright infringement claims, breach of fiduciary duty claim and 10 of the 12 asserted trade secrets. As to one of the two trade secrets, the jury awarded \$1. As to the other, there was no evidentiary basis for that number, and it is flatly contradicted by plaintiff's expert testimony.

The Court has yet to issue rulings on whether a reasonable jury could find for the plaintiff on any issue, and other post-trial decisions that may affect the verdict. In addition, ALCOR is confident that, in addition to the patent, copyright, trade secret and breach of fiduciary duty claims on which ALCOR prevailed. ALCOR will also prevail on the remaining issue that is the subject of the jury verdict.

For years, Alifax falsely claimed to ALCOR's customers and prospective customers that an ALCOR diagnostic product infringed its patents. Those claims were proven at trial to be without merit, and judgment of patent non-infringement issued in ALCOR's favor.

As to the two patents asserted against ALCOR, following the cross examination of Alifax's technical expert witness, Dr. Bryan Bergeron, during which he admitted that ALCOR's iSED instrument does not infringe the patents, the Court entered Judgment of patent non-infringement in ALCOR's favor and against Alifax. ALCOR and its customers and distributors also received from Alifax an irrevocable covenant not to sue on these patents. This prevents Alifax from continuing to make baseless claims of patent infringement in the marketplace as it has been doing for years. Similarly, Alifax failed to prove its claim of infringement of three copyright registrations and judgment will enter in ALCOR's favor on that count as well. As to the breach of fiduciary duty claim asserted against an ALCOR employee, judgment will enter in his favor as well. With respect to the 12 asserted trade secrets in this case, most were shown to be baseless prior to trial; as to the four alleged trade secrets that went to the jury, the jury found that ALCOR did not misappropriate two of them and that the third one is worth at most \$1.

About ALCOR Scientific: ALCOR Scientific is a designer and manufacturer of innovative diagnostic instrumentation and medical devices for the healthcare industry. Since our founding in 2001, we have revolutionized the medical device marketplace by focusing on historically inefficient, under-served healthcare segments. We research and develop niche technologies that vastly improve outcomes for providers that have previously struggled with outmoded technology. Our products are meticulously designed to provide transformational solutions for a wide range of healthcare applications. We blend creative thinking, a deep understanding of bioscience and state-of-the-art manufacturing techniques to help healthcare providers save time and improve patient care. ALCOR Scientific products are sold through a network of distributors, as well as directly to healthcare providers worldwide. All equipment is designed, manufactured and supported in the USA, in our Smithfield, Rhode Island center of innovation.

ALCOR Scientific Inc.

20 Thurber Boulevard

Smithfield, Rhode Island 02917 USA

TELEPHONE 800.495.5270

FACSIMILE 401.737.4519