

# DSM Press Release

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## **DSM Desotech Inc. Files Antitrust and Patent Infringement Lawsuit Against 3D Systems Corporation**

In response to recent speculation in the stereolithography ("SL") industry, DSM Desotech Inc. ("Desotech") confirms that on March 14, 2008, it filed a lawsuit against 3D Systems ("3DS") in federal court in Chicago. The lawsuit is in response to what Desotech believes is repeated anticompetitive conduct by 3DS in the market for large-frame SL machines – particularly, 3DS's Viper™ Pro SLA® System ("Viper Pro") – and the resin used in those machines, as well as 3DS's infringement of Desotech's intellectual property.

In the lawsuit, Desotech alleges that 3DS's conduct has violated federal and state antitrust laws, state deceptive trade practice law, tortiously interfered with Desotech's prospective business relations, and infringed several of Desotech's patents. Broadly speaking, Desotech alleges, among other things, that 3DS is improperly conditioning the sale and maintenance of its large-frame SL machines on the purchase of 3DS's own resin for use in those machines, despite the fact that customers would prefer to purchase Desotech's SOMOS® resins for use in their large-frame SL machines. Desotech also believes that 3DS has infringed two patents owned by Desotech through 3DS's sale of the Viper Pro, SLA® 7000, and SLA® 5000 Systems. The Complaint containing the specific charges is publicly available and was filed on March 14, 2008, in the United States District Court for the Northern District of Illinois, No. 08 C 1531.

Desotech's two primary goals by bringing this lawsuit are to preserve fair and robust competition in the market for resin used in large-frame SL machines and to protect its intellectual property rights. Desotech wants to ensure that customers continue to have a choice as to resin suppliers for their large-frame SL machines and that innovation is rewarded in the SL industry through the protection of intellectual property rights.

### **About DSM Desotech**

DSM Desotech ([www.dsmdesotech.com](http://www.dsmdesotech.com)) is a world leader in the development of high performance UV-curable materials. For the telecommunications industry, Desotech is the leading global supplier of UV-curable coatings, inks and matrix materials for the production of glass optical fiber and optical cable.

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In the rapid prototyping industry, DSM Desotech's Somos<sup>®</sup> group is a leading innovator of UV-curable stereolithography resins. In 2007, DSM Desotech launched its UVention<sup>™</sup> group, which is dedicated to the formulation of custom UV/EB curable coatings for a wide variety of industries having challenging substrates and coating performance requirements.

## **About DSM Somos<sup>®</sup>**

DSM Somos ([www.dsmsomos.com](http://www.dsmsomos.com)) is an unincorporated subsidiary of DSM Desotech and one of the world's leading material suppliers to the rapid prototyping industry, providing stereolithography liquids used for the creation of three-dimensional models and prototypes directly from digital data. Somos' patented ProtoFunctional<sup>®</sup> materials are used by a variety of industries, including automotive, aerospace, medical and telecommunications. More information about DSM Somos can be found at [www.dsmsomos.com](http://www.dsmsomos.com).

## **DSM – the Life Sciences and Materials Sciences Company**

DSM creates innovative products and services in Life Sciences and Materials Sciences that contribute to the quality of life. DSM's products and services are used globally in a wide range of markets and applications, supporting a healthier, more sustainable and more enjoyable way of life. End markets include human and animal nutrition and health, personal care, pharmaceuticals, automotive, coatings and paint, electrics and electronics, life protection and housing. DSM has annual sales of almost EUR 8.8 billion and employs some 23,000 people worldwide. The company is headquartered in the Netherlands, with locations on five continents. DSM is listed on Euronext Amsterdam. More information: [www.dsm.com](http://www.dsm.com).

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### **Forward-looking statements**

This press release contains forward-looking statements. These statements are based on current expectations, estimates and projections of DSM management and information currently available to the company. The statements involve certain risks and uncertainties that are difficult to predict and therefore DSM does not guarantee that its expectations will be realized. Furthermore, DSM has no obligation to update the statements contained in this press release.

