

# DSM Press Release

---



**DSM Desotech, Inc.**  
1122 St. Charles Street  
Elgin, IL 60120 USA  
Telephone: +1-847-697-0400, Fax: +1-847-468-7785  
Internet: [www.dsmdesotech.com](http://www.dsmdesotech.com)

Elgin, Illinois, USA; February 05, 2009

## **Federal Court Rules that DSM Desotech's Antitrust and Patent Infringement Lawsuit Against 3D Systems Corporation Can Proceed**

In March 2008, photochemical resin supplier DSM Desotech filed a complaint in federal court in Chicago alleging that 3D Systems violated federal and state antitrust law, state deceptive trade practices law, tortiously interfered with Desotech prospective business relations and infringed Desotech's patents related to stereolithography ("SL") machines.

On January 26th, 2009, U.S. District Judge Joan H. Lefkow ruled that the majority of Desotech's claims could proceed, including claims for attempted monopolization, unreasonable restraint of trade, deceptive trade practices and tortious interference with prospective business relations. 3D Systems did not move to dismiss Desotech's patent infringement count.

The Court also granted Desotech the right to amend its allegations of illegal tying by 3DS in violation of the federal Sherman and Clayton Acts. The Court observed that, if Desotech ultimately prevails in the litigation, "Desotech's victory would also be a win for consumers."

As Desotech is committed to fair and robust competition in the market for large-frame SL resin and to protecting its intellectual property, it will vigorously pursue its action against 3D Systems. Desotech wants to ensure that customers continue to have a choice of resin suppliers for their large-frame SL machines and that innovation is rewarded 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 industries including telecommunications, rapid prototyping, industrial floor coatings and tube & pipe coatings. The company is a business unit of Royal DSM N.V.

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

-more-

custom UV/EB curable coatings for a wide variety of industries having challenging substrates and coating performance requirements.

### **About DSM Somos®**

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 in rapid prototyping, providing stereolithography liquids used for the creation of three-dimensional models and prototypes directly from digital data. Somos' patented ProtoFunctional® 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).

### **For more information:**

Geri Gashkoff  
General Counsel  
DSM Desotech Inc.  
Tel. +1-847-697-0400  
e-mail: [info.desotech@dsm.com](mailto:info.desotech@dsm.com)

XXX

® : registered trademarks of DSM  
™ : trademarks of DSM



#### **Protection of Trademarks and Copyright:**

DSM cordially asks those who use this press release to use the classic registered trademark symbol ® and indicate DSM as the owner of the trademark quoted. The use of images made available by DSM is authorized only in reference to DSM editorial material. For other uses, please ask DSM authorization. The same indications are extended to the trademarks of the clients of DSM.

#### **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.