

# U.S. International Trade Commission rules in Lexmark's favor

## **ITC issues General Exclusion Order banning importation and sale of infringing laser toner cartridges for Lexmark manufactured devices**

LEXINGTON, Ky., Sept. 30, 2011 /[PRNewswire](#)/ -- Lexmark International, Inc. (NYSE: LXX) announced today that the United States International Trade Commission (ITC) has ruled in its favor in connection with litigation [initiated by Lexmark last year](#) against 24 companies engaged in the manufacture, importation and sale of replacement laser toner cartridges for various Lexmark devices.

On September 27, 2011, the ITC issued a [Final Determination](#) holding that these replacement laser toner cartridges infringe at least 15 U.S. patents owned by Lexmark. Accordingly, the ITC issued a General Exclusion Order that bans all imports of infringing cartridges by any party, as well as a Cease and Desist Order that bars the named parties from selling infringing cartridges.

The accused cartridges covered by the ITC's orders include:

- Remanufactured, cloned (new), counterfeit, and/or compatible laser toner cartridges, and
- Empty cartridges or components first sold outside the United States,

for use in any of the following Lexmark laser printer and multifunction devices: T520, X520, T522, X522, T610, T612, T614, T616, T620, X620e, T622, T630, T632, T634, T640, T642, T644, E120, E220, E230, E232, E234, E238, E240, E250, E320, E322, E321, E323, E330, E332, E340, E342, E350, E352, and/or E450 or similar laser printers manufactured by Lexmark for third parties.

After a standard 60-day Presidential review period, the ITC orders will take full effect. Lexmark will coordinate with U.S. Customs & Border Protection on enforcement of the ITC's orders, and will work vigorously to prevent any continuing infringement.

In addition to the ITC proceeding, Lexmark also filed a related patent infringement complaint against the same 24 companies in the U.S. District Court for the Southern District of Ohio, containing allegations similar to those in the ITC complaint and seeking injunctive relief, monetary damages and attorneys' fees.

### **Supporting Quote:**

"Lexmark has made substantial investments in research and development of our laser toner cartridge technology to ensure that our customers receive the best possible quality and value," said Robert Patton, Lexmark vice president and general counsel. "The decision by the ITC is an important milestone in our ongoing effort to protect that investment and our customers from products that violate the intellectual property laws."

### **About Lexmark**

Lexmark International, Inc. (NYSE: LXX) provides businesses of all sizes with a broad range of printing and imaging products, software, solutions and services that help customers to print less and save more. Perceptive Software, a stand-alone software business within Lexmark, is a leading provider of enterprise content management software that helps organizations easily manage the entire lifecycle of their documents and content, simplifying their business processes, and fueling greater operational efficiency. In 2010, Lexmark sold products in more than 170 countries and reported more than \$4 billion in revenue.

To learn more about Lexmark, please visit [www.lexmark.com](http://www.lexmark.com). For more information on Perceptive Software, please visit [www.perceptivesoftware.com](http://www.perceptivesoftware.com).

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