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3Shape wins once again in the ITC - Align Technology vs 3Shape

Copenhagen, November 18, 2020 – 3Shape today announced that the company has received a favorable final ruling from the U.S. International Trade Commission (ITC) in the third patent infringement complaint Align Technology has filed at the ITC against 3Shape since November 2017.

On November 17, 2020, the ITC issued a final decision regarding Administrative Law Judge (ALJ) MaryJoan McNamara’s opinion in Investigation No. 1144 from April 30, 2020.

In its final ruling, the ITC found that 3Shape has not infringed any valid Align patents, and thus, 3Shape has not committed any unfair acts as alleged by Align.

This is the third time the ITC has provided a favorable outcome for 3Shape. Last year, on November 22, 2019, the ITC affirmed ALJ Cheney’s initial determination finding 3Shape had not committed any unfair act and terminated in its entirety Investigation No. 1091. Prior to that, ALJ Dee Lord also ruled in 3Shape’s favor in Investigation No. 1090, finding that 3Shape did not infringe any valid Align patents.

Align’s attempts to obtain an import ban through the three ITC cases have thus completely failed.

“We are pleased that the Commission has found no violation by 3Shape. Following 3Shape’s favorable outcomes in all three ITC Investigations Align initiated, this is yet another victory for 3Shape, innovation, and dental professionals,” says Jakob Just-Bomholt, CEO of 3Shape.

“Align has attempted to use ITC investigations to block 3Shapes innovative products in the intra-oral scanner market and has now completely failed in its attempt. At 3Shape, we believe in fair competition and in giving dental professionals and their patients choice. Unlike Align’s intraoral scanner, the 3Shape TRIOS scanner is an open platform allowing dentists, orthodontists, and patients to choose the best clear aligner treatment solution for each case while driving down costs. Align Technology’s behavior represents the opposite of how 3Shape sees the dental industry should evolve for the benefit of doctors and their patients,” concludes Jakob Just-Bomholt, CEO of 3Shape.

In addition to defending against Align’s infringement claims in the ITC and the District Court of Delaware, 3Shape has filed its own patent infringement claims against Align in the District Court of Delaware to address Align’s infringement of a number of 3Shape patents, 24 petitions for IPRs with the United States Patent and Trademark Office (USPTO) to address the invalidity of a number of Align patents, and an antitrust lawsuit in the District Court of Delaware to address Align’s abuse of monopoly power.

About 3Shape

3Shape is changing dentistry together with dental professionals across the world by developing innovations that provide superior dental care for patients. Our portfolio of 3D scanners and CAD/CAM software solutions for the dental industry includes the multiple award-winning 3Shape TRIOS intraoral scanner, the upcoming 3Shape X1 CBCT scanner, and market leading scanning and design software solutions for dental labs.

Two graduate students founded 3Shape in Denmark’s capital in the year 2000. Today, 3Shape has over 1,600 employees serving customers in over 100 countries from an ever-growing number of 3Shape offices around the world. 3Shape’s products and innovations continue to challenge traditional methods, enabling dental professionals to treat more patients more effectively. www.3shape.com