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Align Technology backs out of patent infringement cases against 3Shape

Copenhagen, October 21, 2020 – On October 19, 2020, apparently recognizing that its litigation strategy against 3Shape in Delaware was not working, Align Technology asked that the entire District Court case DC 1649 be dismissed, along with a patent from the DC 1950 case, thereby giving up its previous assertion of a total of 8 patents against 3Shape in the Delaware litigations.

“While we are pleased that Align has backed out of a patent infringement case, their actions clearly show a continued policy of trying to suppress competitors through litigation attacks whether they have merit or not,” says Mette Carlstedt, General Counsel & Senior vice president of 3Shape.

At the same time, Align filed a new lawsuit against 3Shape in the U.S. District Court for the Western District of Texas alleging infringement of seven patents. As with their previous lawsuits against 3Shape, this new lawsuit and infringement claims continue Align’s apparent strategy of using litigation to attack 3Shape instead of competing in the marketplace. It is especially notable that 6 of the 7 patents asserted against 3Shape in this latest attack belong to the same patent families of Align patents which have been determined to be invalid by one or more U.S. tribunals.

“This new case is just another example of anti-competitive litigation by Align and a waste of 3Shape’s and the Court’s resources,” says Mette Carlstedt. Align’s previous attempts to bully 3Shape through litigation have so far been unsuccessful with the ITC finding in favor of 3Shape in two cases and the U.S. Patent Office finding multiple of Align’s patents invalid.

In addition to defending itself against Align’s waves of litigation, 3Shape has a case pending against Align for infringement of 3Shape patents, 24 petitions to address the invalidity of a number of Align patents, and an antitrust lawsuit to address Align’s abuse of monopoly power. 3Shape’s patent infringement and antitrust lawsuits are currently pending in Delaware.

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 includes the multiple award-winning 3Shape TRIOS intraoral scanner, the upcoming 3Shape X1 CBCT scanner, as well as market-leading scanning and design software solutions for both dental practices and 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