



## **PRESS RELEASE**

Stockholm, September 23, 2003

### **ELEKTA RECIEVES FAVORABLE RULING IN US PATENT DISPUTE**

On Monday, September 22, 2003 the United States Court of Appeals for the Federal Circuit vacated the \$24 million September 10, 2002 judgment entered against Elekta after a trial in the United States District Court for the Southern District of California.

The appeals court's decision absolves Elekta of all liability.

The trial court had ruled that certain Elekta software products infringed two US patents held by Medical Instrumentation and Diagnostics Corporation (Midco).

The appeals court ruled that the District Court had erred because none of the Elekta products infringed the Midco patents. The appeals court remanded with instructions that the trial court enter judgment in favor of Elekta with respect to all products.

The appeals court also ruled that the trial court erred when it dismissed Elekta's defense of invalidity and that Elekta had offered sufficient evidence that the patents were invalid. The court remanded the issue of invalidity to the trial court, where, if Elekta chooses, it may still have the opportunity to invalidate Midco's patents.

Midco may, within ten days, petition the Federal Circuit for reconsideration of the decision. Midco may also file a petition for certiorari with the United States Supreme Court. Grant of either remedy is unusual.

The full opinion of the court can be found at [www.fedcir.gov/dailylog.html](http://www.fedcir.gov/dailylog.html), docket no. 03-1032.

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Elekta is a world-leading supplier of advanced and innovative radiation oncology and neurosurgery solutions and services for precise treatment of cancer and brain disorders. Elekta's solutions are clinically effective, cost efficient and gentle to the patient.

For additional information about Elekta, please visit [www.elekta.com](http://www.elekta.com)