

Patent infringement investigated

Oerlikon Solar takes legal action against Sunfilm AG

Truebbach/Switzerland, 11 June 2008. – Oerlikon Solar, the leading supplier of proven thin-film silicon PV solutions is taking steps to defend its strong Intellectual Property portfolio. In addition to its own proprietary IP, Oerlikon is the worldwide exclusive licensee for production systems for thin film photovoltaic cells on glass for several patent families, in particular under EP 0 871 979 B1. This exclusivity includes the right to enforce the patents against third party infringements. “With this action, Oerlikon Solar is taking steps to protect our core assets and those of our customer’s. Oerlikon’s intellectual property is being knowingly infringed upon by Sunfilm AG”, says Jeannine Sargent, CEO Oerlikon Solar. “Our IP represents the cumulative work product of thousands of scientists and engineers for over twenty years, including millions of dollars of investment.”

Oerlikon Solar’s IP Portfolio includes European Patent EP 0 871 979 B1, which describes fundamentals of micromorph[®] tandem cell technology, an exclusive license to which was obtained by Oerlikon in 2003, from *IMT, University of Neuchatel (Switzerland)*.

Sunfilm AG of Grossroehrsdorf in Germany has publicly announced plans to enter the market with tandem junction photovoltaic modules, in violation of Oerlikon’s exclusive license. In Oerlikon’s view, Sunfilm’s manufacturing setup in Saxony, Germany, is designed to infringe upon both method and product that are protected under EP 0 871 979 B1. Oerlikon has decided to exert its right to enforce EP 0 871 979 B1 against Sunfilm. A complaint for patent infringement has been filed on June 10 with the German District Court of Duesseldorf.

The relevance of this patent has been made clear by the fact that several companies, including Sunfilm AG, have filed a notice of opposition with the European Patent office.

Sargent: “Oerlikon wants to assure our stakeholders that we will enforce and protect our intellectual property and will aggressively pursue all parties who are suspected of violating these rights.”

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Michael M. Schmidt Head of Public Relations OC Oerlikon Balzers Ltd., Solar Tel. +41 79 834 03 74 michael.m.schmidt@oerlikon.com www.oerlikon.com/solar	Burkhard Boendel Head of Corporate Communications Tel. +41 58 360 96 02 Fax +41 58 360 91 93 pr@oerlikon.com www.oerlikon.com
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About Oerlikon Solar

Oerlikon Solar offers cost-effective, proven end-to-end solutions for the mass production of thin-film silicon solar modules. These fully automated manufacturing solutions are focused on reducing device cost and maximizing productivity. They are available as modular end-to-end solutions with metrology and upgradeability in throughput and process technology.

Oerlikon Solar has developed a unique and innovative technology based on its leadership in thin-film technology and in close cooperation with its customers. An in-house pilot line allows producing, testing and optimizing the solar modules in full production size.

Headquartered in Truebbach, Switzerland, Oerlikon Solar maintains an R&D lab in Europe, as well as global customer support and training through sales and service centers in the United States, Europe and Asia. Oerlikon Solar's Asian Hub, located in Singapore, is currently being ramped up and will open in the second half of 2008.

About Oerlikon

Oerlikon (SWX: OERL) is one of the world's most successful high-tech industrial groups specializing in machine and plant engineering. The company is a leader in the field of industrial solutions and innovative technologies for textile manufacture, thin-film solar and thin-film coating, drive, precision and vacuum systems. With roots in Switzerland and a long tradition stretching back 100 years, Oerlikon is a global player with a workforce of more than 19,000 at 170 locations in 35 different countries. The company's sales amounted to CHF 5.6 billion and it ranks either first or second in the respective global markets. In 2007, approx. 5 percent of the turnover was invested in research and development (CHF 274 million).