

September 17, 2008

Düsseldorf District Court in Germany Issued Preliminary Injunctions Regarding Consumable Products On Brother's Request.

Brother Industries, Ltd. (President: KOIKE Toshikazu) announces that Brother obtained in Germany two of four preliminary injunctions based on alleged intellectual property infringements. The injunctions were issued in summary proceedings by the Düsseldorf District Court in Germany against Pelikan Vertriebsgesellschaft mbH & Co. KG (Germany, hereinafter “Pelikan”) and German Hardcopy AG (Germany, hereinafter “Geha”), who sell compatible ink cartridges for Brother devices. Brother filed for four preliminary injunctions in the Düsseldorf District Court claiming that Pelikan and Geha infringed Brother's intellectual property rights with a part of their compatible ink cartridges. Brother requested Pelikan and Geha to be prevented by a preliminary injunction from selling such compatible ink cartridges for Brother multifunction devices. The Court held in two cases in favour of Brother. Pelikan and Geha have the possibility to appeal.

In June 2008, Brother sent warning letters to four companies, including Pelikan and Geha who were selling such compatible ink cartridges for Brother devices. The letters were based on an alleged infringement of two utility models which were in effect in Germany for Brother from June 19, 2008 on. Two companies responded to the letters confirming they had stopped sales of the respective cartridges. However, Pelikan and Geha did not. In July 2008, Brother filed for corresponding preliminary injunctions in Düsseldorf District Court against Pelikan and Geha.

On September 11, 2008, the Düsseldorf District Court issued two preliminary injunctions preventing Pelikan and Geha in two of these four cases from selling the compatible ink cartridges.

The Brother Group publishes “The Brother Group Global Charter” to provide the basic policies and codes of practices on which all Brother’s associates must base their decisions and actions. Brother acts with the highest integrity with respecting the rules and spirit of laws in accordance with “The Brother Group Global Charter” and esteems other companies’ intellectual property rights. At the same time, Brother legitimately asserts its intellectual property rights and will take necessary actions against illegal use of its intellectual property rights.

Brother will vigorously publicise and promote the use of Brother genuine consumables to ensure optimum performance of all Brother products for a long period of time.