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Patentbuero Paul Rosenich AG  
Buero- und Gewerbezentrum (BGZ)  
Rotenbodenstrasse 12  
9497 Triesenberg  
Liechtenstein

Attn: Paul Rosenich, Andrea Dinspel

Date 23 June 2016  
Your ref. BY193P  
Our ref. P41601860WWW00L HHF/PETSTO

## **Re: Alleged risk for infringement**

Dear Mr. Rosenich,

Reference is made to your letter of 16 June 2016, and to previous correspondence in this matter. In the letter, you request detailed explanations from Tomologic AB ("Tomologic").

Again, we ask you to direct all inquiries with regard to intellectual property matters and assessments thereof to Zacco, as Zacco acts as professional representatives for Tomologic. This is also the express desire of respective managements of the two parties to the matter.

Beginning with the validity of the European patent (EP 2485864 B1), patent authorities in several jurisdictions have independently examined the application. Neither formal objections, lack of novelty or inventiveness have been found, as a result of which patents have been issued. Nor are we aware of inherent weaknesses that would negatively affect the validity of the European patent or any of its counterparts internationally. In your letter, you claim to be "*certain that it [the European patent] is invalid under the law for various independent reasons*". That is simply not enough as an explanation and the assertion will therefore not here be addressed in more detail. We are confident that any objections with respect to validity of the European patent already have been or will be raised during the current opposition proceedings before the EPO.

You also claim that "*infringement can be excluded*". Our analysis of features present in Bystronic Laser AG's products has resulted in the opposite conclusion. We have systematically gathered facts and evidence, and our opinion is that a balanced and objective assessment thereof would render a competent court to decide against your client.

In view of the above, we will not offer you any more detailed explanations and you should not expect further comments before 24 June 2016 as requested. As mentioned many times before, Tomologic would prefer to resolve this matter amicably. However, despite our invitations, until now we seem not to have

come any closer to serious business negotiations between the parties. In fact, we fear that time just passes by with little or no real progress.

For that reason, we sincerely regret that also we will have to recommend our client to consider legal actions in order to allow an independent court to settle the dispute. Please be advised that no further notice will be issued.

Yours faithfully,  
Zacco Sweden AB

A handwritten signature in black ink, appearing to read "Henrik Hägglöf", is placed over a rectangular area with a light gray dotted background.

Henrik Hägglöf