



This article first released by:

In: Sep. 2005

*Due to this article's content, it appears within the Transport section in the following areas:
Hybrid, Manufacturers.*

Toyota infringement of Antonov hybrid technology patents alleged

An infringement action has been filed against Toyota by Antonov Automotive Technology BV (a wholly owned subsidiary of Antonov plc), the automotive technology company, at the Patent Court in Düsseldorf alleging infringement of its patents by the driveline of the Toyota Prius and Lexus RX400h. The case will receive its first hearing on the 22nd September 2005.

The action was originally filed on the 12th April 2005, but the first hearing date was postponed to allow more time for negotiations to seek a satisfactory settlement. As the offer received was not satisfactory, no settlement has been reached and Antonov will proceed with the case. Through the case Antonov aims to establish the infringement and seek fair payment for the use of its intellectual property in all relevant vehicles sold to date and for those that will be sold through to the expiry of the patents.

Antonov CEO, John Moore commented: "Whilst we would have preferred to reach a mutually acceptable outcome with Toyota without recourse to the courts, I am confident in the strength of our case. The strategy of pursuing the initial case in Germany ensures we can obtain a binding legal opinion at a cost that does not impact on our ability to pursue our other strategic goals."

The case relates to Antonov patent EP 0414782 and the action has been taken after a process of careful consultation with patent specialists and advisors. The Company has received specialist advice from both legal and automotive industry experts and the action has been taken in Germany as the German legal system provides a relatively rapid and cost effective route to a legally binding decision. Antonov expects the Düsseldorf court to reach a conclusion within 12 months from the first hearing.

As is normal in these cases, Toyota has filed a counter action challenging the validity of the Antonov patent in the Munich Patent Court, which has yet to set a date for its first hearing.

The case has been kept confidential to protect the negotiations on a settlement with Toyota, but these negotiations have not progressed to Antonov's satisfaction. As a consequence of the decision made today by Antonov to proceed with the German litigation it must now make the case public.