**16th April 2019**

**FUJIFILM SPECIALITY INK SYSTEMS WINS LEGAL BATTLE OVER PATENT INFRINGEMENTS**

*Successful legal suit filed against Nazdar and its German distributor Zaro, shows that FUJIFILM Speciality Ink Systems Ltd takes the protection of its intellectual property extremely seriously*

Commenting on the ruling handed down by the Regional Court in Düsseldorf, Germany, Rob Fassam, R&D Director at FSIS said: “This sends a clear message to anyone thinking of infringing our intellectual property. We will continue to protect our investment by filing patents that cover our technology and we will take appropriate action against those who infringe.

“I am delighted that the Regional Court in Düsseldorf has ruled in our favour. We invest significant time and resource developing new and exciting technology that benefits the inkjet industry.”

In 2017 FUJIFILM Speciality Ink Systems Ltd (FSIS) filed suit against Nazdar Co., US and Nazdar Limited, UK as well as its German distributor Zaro GmbH before the competent Regional Court Düsseldorf (docket nos. 4b O 22/17 and 107/17). FSIS claimed Nazdar had infringed its UV ink patents EP 1 803 784 B3 and EP 2 383 314 B3 in Germany by offering its 702 & 703 Series UV inkjet inks and declaring them to be chemically compatible with the original inks designed for Fujifilm’s Acuity range of flatbed UV printers.

The patents on these inks protect specific inkjet ink compositions providing a range of properties including improved flexibility, jetting performance and adhesion.

In reaction to the infringement actions, Nazdar filed nullity actions against the patents in Germany before the German Federal Patents Court and asked the Regional Court Düsseldorf to stay the infringement proceedings. Furthermore, Nazdar contested infringement, but did also, in reaction to FSIS’ patent claims, change the chemical composition of its UV inkjet inks. However, despite redesigning the inks, Nazdar continued to market its UV inkjet inks as 702 & 703 Series and failed to indicate to customers the change in chemical composition in a way that FSIS considered necessary to avoid patent infringement.

With its judgements, the Regional Court in Düsseldorf has now confirmed infringement, injuncted Nazdar and Zaro from offering, bringing to market and any further use of patent infringing UV inkjet inks. It has also sentenced them to pay damages and render account. The Court also approved FSIS’s position that the change in chemical composition of the 702 & 703 Series is not sufficient to avoid infringement because Nazdar continues to market their UV inkjets inks as 702 & 703 Series without sufficient indication of the product change.

Finally, while without prejudice of the nullity proceedings at the Federal Patents Court in Munich, the Regional Court in Düsseldorf did not follow Nazdar’s invalidity arguments and therefore also rejected the stay motion.

Nazdar/Zaro have filed appeals against the judgements. Irrespectively, the judgements remain provisionally enforceable under the condition that FSIS will provide sufficient enforcement security. A date for the appeal hearing has been set for 7th November 2019. A date for a hearing in the nullity proceedings has not yet been set.

FUJIFILM Speciality Ink Systems Limited is the Technology Centre of Excellence for UV curable ink within the FUJIFILM Inkjet Business Division. Its core skills are the development and manufacture of high performance UV curing inks that are used in many of the world’s leading printers.

**ENDS**

**About FUJIFILM Corporation**

FUJIFILM Corporation is one of the major operating companies of FUJIFILM Holdings. Since its founding in 1934, the company has built up a wealth of advanced technologies in the field of photo imaging, and in line with its efforts to become a comprehensive healthcare company, Fujifilm is now applying these technologies to the prevention, diagnosis and treatment of diseases in the Medical and Life Science fields. Fujifilm is also expanding growth in the highly functional materials business, including flat panel display materials, and in the graphic systems and optical devices businesses.

**About Fujifilm Graphic Systems**

Fujifilm Graphic Systems is a stable, long term partner focussed on delivering high quality, technically advanced print solutions that help printers develop competitive advantage and grow their businesses. The company’s financial stability and unprecedented investment in R&D enable it to develop proprietary technologies for best-in-class printing.  These include pre-press and pressroom solutions for offset, wide-format and digital print, as well as workflow software for print production management. Fujifilm is committed to minimising the environmental impact of its products and operations, proactively working to preserve the environment, and strives to educate printers about environmental best practice. For more information, visit [www.fujifilm.eu/eu/products/graphic-systems/](http://www.fujifilm.eu/eu/products/graphic-systems/), or [www.youtube.com/FujifilmGSEurope](http://www.youtube.com/FujifilmGSEurope) or follow us on @FujifilmPrint

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