



ITC Rules in Favor of Avago Technologies in Parallel Fiber Optics Case

March 16, 2010

SAN JOSE, Calif. & SINGAPORE, Mar 15, 2010 (BUSINESS WIRE) -- Avago Technologies (Nasdaq:AVGO), a leading supplier of analog interface components for communications, industrial and consumer applications, announced today that on Friday March 12, 2010, the International Trade Commission issued the Initial Determination finding a violation of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in favor of Avago Technologies, upholding the validity of Avago's patents and finding that Emcore Corporation infringes Avago's intellectual property by importing and selling certain optoelectronics products used in optical communication systems. After a one-week hearing in November 2009, and post-hearing briefing, the ITC also rejected Emcore's invalidity and other defenses.

In March 2009, the ITC announced that it would take up Avago's complaint, which accused New Mexico-based Emcore of making fiber optic components that infringe Avago's U.S. Patent Numbers 5,359,447 and 5,761,229. Prior to the ITC matter, Avago sued Emcore for infringement of the patents in December 2008 in the U.S. District Court for the Northern District of California. The District Court case against Emcore for damages is temporarily stayed until an ITC Order becomes final. Avago will pursue the infringement charges in the District Court when the stay is lifted.

This past week, the ITC found that Avago patents cover parallel fiber optics products and components made and sold by Emcore and used for data communications for core routing and enterprise networking.

Avago's General Counsel, Patricia H. McCall, stated "Avago is pleased by the ITC's decision and remains committed to protecting and, where necessary, taking action to enforce its valuable patent and intellectual property rights. Our belief in the strength of our intellectual property in parallel fiber optics is validated by this decision."

In the next phase of the case, the ITC will consider the appropriate scope of an exclusion order enjoining Emcore from importing the infringing optoelectronic products and systems employing these components into the United States for the term of Avago's patents. The ITC has recommended an exclusion order to prevent further importation, and also recommended a cease and desist order to prevent Emcore from selling already imported infringing products.

The case is In the Matter of Certain Optoelectronic Devices, Components Thereof and Products Containing the Same, case number 337-TA-669, in the U.S. International Trade Commission. Avago was represented by Novak Druce + Quigg LLP.

About Avago Technologies

Avago Technologies is a leading supplier of analog interface components for communications, industrial and consumer applications. By leveraging its core competencies in III-V compound and silicon semiconductor design and processing, the company provides an extensive range of analog, mixed signal and optoelectronics components and subsystems to approximately 40,000 end customers. Backed by strong customer service support, the company's products serve four diverse end markets: wireless communications, wired infrastructure, industrial and automotive electronics, and consumer and computing peripherals. Avago has a global employee presence and heritage of technical innovation dating back 40 years to its Hewlett-Packard roots. Information about Avago is available on the Web at www.avagotech.com

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Safe Harbor Statement

This announcement and supporting materials may contain forward-looking statements which address our expected future business and financial performance. These forward looking statements are based on current expectations, estimates, forecasts and projections of future Company or industry performance based on management's judgment, beliefs, current trends and market conditions, and involve risks and uncertainties that may cause actual results to differ materially from those contained in the forward-looking statements. Accordingly, we caution you not to place undue reliance on these statements. Avago Technologies Registration Statement on Form S-1, as amended, filed with the SEC on January 27, 2010 and other filings with the U.S. Securities and Exchange Commission ("SEC") (which you may obtain for free at the SEC website at <http://www.sec.gov>) discuss some of the important risk factors that may affect our business, results of operations, and financial condition.

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