



Federal Circuit Affirms International Trade Commission Ruling in Favor of Avago Technologies in Parallel Fiber Optics Case

November 16, 2011

SAN JOSE, Calif. & SINGAPORE--(BUSINESS WIRE)--Nov. 16, 2011-- Avago Technologies (NASDAQ:[AVGO](#)), a leading supplier of analog interface components for communications, industrial and consumer applications, today announced its successful assertion of patents related to its high-bandwidth parallel fiber optic technology used in datacenter equipment and high-performance computing applications. On November 14, 2011, the United States Court of Appeals for the Federal Circuit issued an Order affirming the Final Determination, Cease and Desist Order, and Exclusion Order issued by the International Trade Commission in favor of Avago Technologies upon finding a violation of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337.

The ITC upheld the validity of Avago's patents U.S. Patent Numbers 5,359,447 and 5,761,229, finding that Emcore Corporation infringed U.S. Patent 5,359,447, by importing and selling certain optoelectronics products used in optical communication systems, including parallel fiber optics products and components made and sold by Emcore and used for data communications for core routing and enterprise networking.

Emcore appealed the validity and enforceability of Avago's intellectual property, and the issuance of the Exclusion Order, which appeal was rejected on November 14, 2011, by the Federal Circuit after oral argument on November 10, 2011.

"Avago is pleased the Federal Circuit has upheld the ITC's decision, and we remain committed to protecting and enforcing our patent and intellectual property rights," said Patricia H. McCall, General Counsel of Avago. "The decision validates the strength of our intellectual property in parallel fiber optics."

Avago has developed parallel optics technology that enables industry-leading density and bandwidth for high-performance network and datacenter switches, routers, supercomputers, telecom switching and servers. High-density bandwidth is made possible via high performance VCSEL array and laser driver technology that transmits data through multi-lane ribbon fibers in parallel. As the need for increased data rates and bandwidth grows to support cloud computing, video on demand, server virtualization, storage demand and higher-speed internet traffic, applications are transitioning from copper-based interconnects to parallel optic solutions. Avago provides embedded parallel optic technology in packages that are assembled inside network systems such as POP4, SNAP12 modules, PPOD modules and the small-footprint MicroPOD and MiniPOD modules. In addition, parallel optics technology is used in industry-standard, field-pluggable form factors such as QSFP transceivers, QSFP active optical cables (AOCs), CXP transceivers, CXP AOCs, and multimode CFP transceivers.

The case is Emcore Corporation v. International Trade Commission and Avago Technologies Fiber IP (Singapore) PTE. LTD., Avago Technologies General IP (Singapore) PTE. LTD., and Avago Technologies, LTD., No. 2011-1069. The case below 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.

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 nearly 50 years to its Hewlett-Packard roots. Information about Avago is available on the Web at <http://www.avagotech.com>.

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