

6312 S Fiddlers Green Circle, Suite 400E  
Greenwood Village, Colorado 80111  
USA  
Voice +1 303 331 1880  
FAX +1 303 331 1879



## NEWS RELEASE

For Immediate Release

CONTACT:

Tom O'Reilly  
MPEG LA, LLC  
Tel: 860.620.0642  
Fax: 301.986.8575  
toreilly@mpegla.com

### **MPEG LA Sues Apex Digital Again for Breach of MPEG-2 License**

(DENVER, CO, US – 21 April 2009) – MPEG LA, LLC, world leader in alternative one-stop patent licenses, today announced that it has commenced an action against Apex Digital, Inc. (“Apex Digital”) for breach of both a settlement agreement, which resolved a prior action, as well as its contractual obligations as a Licensee to MPEG LA’s MPEG-2 Patent Portfolio License (the “MPEG-2 Contract”).

According to the complaint filed in the Supreme Court of the State of New York, County of New York, Apex Digital breached its contractual obligations under the MPEG-2 Contract by failing to report its manufacture or sale of products such as DVD players, televisions and DTV converter boxes that use the MPEG-2 digital video compression standard, and failing to make payments for its manufacture or sale of such products. This is the third time MPEG LA has sued Apex Digital for breach of the MPEG-2 Contract. The second action was settled by execution of a settlement agreement, which MPEG LA also alleges Apex Digital has breached by failing to cooperate in an audit, and failing to pay royalties it owes MPEG LA.

MPEG LA seeks, among other things, monetary damages, an accounting of all products manufactured or sold by Apex Digital that are subject to the MPEG-2 Contract, and an injunction prohibiting Apex Digital from manufacturing or selling products using MPEG-2 patents until it pays all of the royalties it owes MPEG LA.

# # #

## **MPEG LA, LLC**

MPEG LA is the world leader in alternative technology licenses, enabling users to acquire worldwide patent rights necessary for a technology standard or platform from multiple patent holders in a single transaction as an alternative to negotiating separate licenses. Wherever an independently administered one-stop patent license would provide a convenient marketplace alternative to assist users with implementation of their technology choices, the licensing model pioneered and employed by MPEG LA may provide a solution. Among MPEG LA's licenses is one for MPEG-2 digital video compression that has helped produce the most widely employed standard in consumer electronics history. The MPEG-2 Patent Portfolio License, which includes more than 870 MPEG-2 essential patents in 57 countries, has more than 1400 licensees accounting for most MPEG-2 products including set-top boxes, DVD players, digital television sets, personal computers and DVD Video Discs in the current world market. MPEG LA is an independent licensing administrator; it is not related to any standards agency and is not an affiliate of any patent holder. For more information, please refer to <http://www.mpegla.com>.