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News Release

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## **FURUKAWA ELECTRIC NORTH AMERICA AND OFS FITEL LLC FILE PATENT INFRINGEMENT SUIT AGAINST NUFERN, INC.**

**Norcross, GA, August 11, 2005** - Furukawa Electric North America, and its wholly-owned subsidiary OFS Fitel LLC, designer, manufacturer, and supplier of leading edge fiber optic products, announced today that they have commenced federal litigation against Nufern, Inc. (Nufern) alleging that the Connecticut-based company infringes at least ten (10) U.S. patents related to single-mode and multi-mode optical fiber, processes for making optical fiber and methods for writing gratings onto optical fiber.

OFS, formerly the U.S. optical fiber business of Lucent Technologies purchased by Furukawa in 2001, was an early pioneer in a broad range of optical fiber design, manufacturing processes, and systems-related products for telecommunications technologies. "The decision to proceed with this patent infringement filing was carefully considered," said Tim Murray, president of the OFS Optical Fiber Division. "We want everyone to know that we will vigorously protect our intellectual property from companies that illegally use our technology. OFS invests millions of dollars each year in research and development to create new, patented inventions that bring significant value to our customers and are determined to hold our leadership position by utilizing our superior functionality, performance, reliability, low cost structure, and zealously guarding our intellectual property."

The proceedings instituted by Furukawa and OFS come at a time when the technologies developed for the optical telecommunications industry are being used in new applications such as fiber lasers for industrial and military uses, sensor systems for homeland security and oil production, and amplifiers for video distribution in Fiber to the Home (FTTH) applications. "Fiber optic technology is finding its way into many parts of our lives, just the way integrated circuits have done," Murray continued. "Over more than a decade OFS, has assembled a portfolio of optical fiber manufacturing and related technologies, presenting us

with compelling opportunities as we help drive the convergence of various technologies and features into next generation of applications of fiber optics."

In a complaint filed yesterday in the United States District Court for the District of Connecticut, Nufern is accused of offering, distributing, and selling optical fiber and optical fiber-based products that infringe several U.S. patents, and is seeking unspecified monetary damages from Nufern as well as a permanent injunction barring the manufacture and sale of Nufern's core suite of optical fiber based products.

The OFS and Furukawa intellectual property portfolio today includes several hundred issued U.S. patents, many assigned from the Lucent patent portfolio as part of the 2001 purchase, and more that are the result of OFS research and development efforts since 2001.

## **About OFS**

OFS is a world-leading designer, manufacturer and provider of optical fiber, optical fiber cable, connectivity, FTTx and specialty photonics solutions. Our marketing, sales, manufacturing and research teams provide forward-looking, innovative products and solutions in areas including Telecommunications, Medicine, Industrial Automation, Sensing, Government, Aerospace and Defense applications. We provide reliable, cost effective optical solutions to enable our customers to meet the needs of today's and tomorrow's digital and energy consumers and businesses.

OFS' corporate lineage dates back to 1876 and includes technology powerhouses such as AT&T and Lucent Technologies. Today, OFS is owned by Furukawa Electric, a multi-billion dollar global leader in optical communications.

For more information, please visit [www.ofsoptics.com](http://www.ofsoptics.com).

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**CONTACT:**

Sherry Salyer

OFS Public Relations

[shsalyer@ofsoptics.com](mailto:shsalyer@ofsoptics.com)

Direct: 770-798-4210

Mobile: 678-296-7034