



Press release, March 27, 2007

## OMX strong intellectual property rights confirmed

**The United States Court of Appeals for the Federal Circuit has affirmed the decision of the District Court declaring that eSpeed's patent is held unenforceable. As a consequence OMX no longer faces any liability claims.**

“As a leading supplier to over 60 exchanges in more than 50 countries, OMX is in the forefront of technological development for the exchange industry. OMX solutions are raising the bar on speed, robustness and business agility for our customers, and this decision also shows that OMX has a solid command of intellectual property rights relating to our products”, says Magnus Böcker, President and CEO, OMX.

As announced in 2003, OMX in its capacity as software supplier to BrokerTec, a US electronic fixed income marketplace, were among those sued by eSpeed in a US court for alleged patent infringement. In February, 2005, the District Court rejected eSpeed's claim, which was appealed by eSpeed in April 2006. However, the United States Court of Appeals for the Federal Circuit has affirmed the decision of the District Court. As a result eSpeed no longer has any claim and eSpeed's patent is invalid.

eSpeed's claim was approximately USD 100 m on January 25, 2005. OMX has not made any provisions for this dispute.

### **For more information, please contact:**

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