

Statement regarding ITC Trial

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Ocado Group PLC
13 December 2021

OCADO GROUP PLC
13 December 2021

Ocado Group plc

Ocado Wins ITC Trial

Ocado does not infringe any valid patent and AutoStore request for import ban rejected

Judgment in the ITC trial was delivered on 13 December and the Chief Administrative Law Judge has found in favour of Ocado. He held that three of the four AutoStore patents are invalid. The fourth is not infringed. A fifth patent was abandoned by AutoStore the night before the trial.

Ocado is pleased that the court has rejected AutoStore's attempt to use the ITC process to obstruct the development of Ocado's business in the United States. AutoStore's complaint to the ITC originally alleged infringement by Ocado of 33 claims spread across five different patents. The decision means that all of the 33 claims have been rejected by the judge, or abandoned by AutoStore.

Separately, Ocado continues actively to pursue its claims against AutoStore for infringement of Ocado's patents in both the United States and Europe. Ocado anticipates court determinations injuncting AutoStore and awarding Ocado damages for AutoStore's infringement of Ocado's patents.

An Ocado spokesperson stated:

"We have consistently stated that Ocado does not infringe any valid AutoStore IP, and we are pleased that the judge has now agreed with us. This was a misconceived attempt by AutoStore to interfere with our business in the United States. We intend vigorously to continue our infringement claims against AutoStore in the United States and Europe."

Contacts

- David Shriver, Director of Communications, Ocado Group plc, on 01707 228 000
- Martin Robinson at Tulchan Communications on 020 7353 4200

Person responsible for arranging the release of this announcement:

Neill Abrams
Company Secretary
Ocado Group plc
Buildings One & Two
Trident Place
Mosquito Way
Hatfield
Hertfordshire AL10 9UL
Fax: +44 (0)1707 227 997
email: company.secretary@ocado.com

Ocado Group plc LEI: 213800LO8F61YB8MBC74

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