

June 8, 2005

Media Alert

DISMISSAL OF PATENT CLAIMS AGAINST GETTY IMAGES PROTECTS INTERNET PHOTOGRAPHY LICENSING INDUSTRY

In a summary judgement ruling dated May 23, 2005, a Federal Court in Washington State dismissed E-Data Corporation's lawsuit against Getty Images for violating its "Freeny" patent. In a similar case against Getty Images in the UK, a court ruling dismissed E-Data's claims in their entirety on June 8, 2005, awarding Getty Images substantial fees and permanently invalidating the UK version of the patent, effectively destroying E-Data's ability to prosecute its now invalidated patent in the EU.

In both cases, E-Data had sought royalties and damages for the period prior to the expiration of its US patent in 2003, and the expiration of its patent in the UK in 2005. E-Data also claimed that Getty Images' customers and business partners had infringed its patent.

The court in both cases found that Getty Images' business, offering commercial customers a method to search, license and download imagery from the gettyimages.com Web site to their computers, did not infringe E-Data's patent. Furthermore, the court in the UK action held that the patent should be invalidated as Getty Images was able to show that technology existed at the date the patent was granted that had anticipated and made obvious the claims made by the patent.

The dismissals of the claims against Getty Images have positive implications for thousands of customers who license images through the Internet everyday, and for other photography libraries with business models similar to Getty Images'. As a result of the dismissals of the claims against Getty Images, E-Data can no longer view the photography industry as a target for collecting royalties. The invalidation of the patent in the UK proceedings also has broader implications for other parts of the e-commerce industry within Europe, as E-Data has effectively lost its ability to sustain patent infringement prosecutions relying on the invalidated patent.

About Getty Images

Getty Images is the world's leading imagery company, creating and distributing the largest and most relevant collection of still and moving images to communication professionals around the globe and supporting their work with asset management services. From news and sports photography to contemporary and archival imagery, Getty Images' products are found each day in newspapers, magazines, advertising, films, television, books and Web sites. Gettyimages.com is the first place customers turn to search, purchase, download and manage powerful imagery. Seattle-headquartered Getty Images is a global company with customers in more than 100 countries. Visit the Getty Images site at <http://gettyimages.com>.