

## ***Esker files lawsuit seeking court declaration of invalidity and non-infringement of Catch Curve patents***

**Madison, WI, March 31, 2006**—Esker, Inc., a leading provider of Business Document Delivery solutions, today announced it has filed a lawsuit in Wisconsin seeking a declaration of non-infringement and invalidity of certain U.S. patents alleged to be owned by Catch Curve, Inc., an intellectual property licensing company based in Atlanta, Georgia. The lawsuit asks the federal district court in Madison, Wisconsin to declare invalid, unenforceable and not infringed five Catch Curve patents. In the litigation, Esker asserts that Catch Curve's allegations of patent infringement are without factual and legal merit. It has taken this step as a measure to proactively address what Esker views as unsubstantiated claims of patent infringement.

Esker has endeavored since November 2005 to work with Catch Curve on a resolution of the dispute satisfactory to both parties, but such efforts proved unsuccessful. On March 28, 2006, Esker filed a lawsuit in the United States District Court for the Western District of Wisconsin. The matter, captioned *Esker S.A. et al v. Catch Curve, Inc.*, Case No. 06-C-0160 S, asks the Court to declare the parties' rights and legal relations as to U.S. Patent Nos.: (i) 4,994,926; (ii) 5,291,302; (iii) 5,459,584; (iv) 6,643,034; and (v) 6,785,021. In filing the lawsuit, Esker has asked the Court to declare that its products do not infringe any valid or enforceable claim of these patents.

"Esker has always taken every necessary step to assure that the technology it brings to the marketplace has undergone the due diligence necessary to prove it as its own, including developing and securing its own patents," says Emmanuel Olivier, Esker Worldwide CFO. "We are confident that by taking a proactive approach to the legal dispute, this matter will be resolved quickly in our favor. We are a real company, with products we create and sell to customers who use those products to operate their businesses. Our customers have been assured these misdirected claims will have zero impact on their operations and that we've chosen this legal pathway primarily because we reject any challenge to our hard-earned reputation as a true innovator in this industry," noted Olivier.

### **About Esker**

Esker is a recognized leader in helping organizations streamline manual, paper-intensive processes and reduce the use of paper by automating the flow of documents into, within and outside the organization. With patented document delivery automation software and hosted document delivery services, Esker offers a total solution to automate every phase and every type of business information exchange. Customers gain significant and immediate operational efficiencies, cost savings and measurable ROI in as little as three to six months. Founded in 1985, Esker operates globally and has over 70,000 customers and millions of licensed users worldwide. Esker has global headquarters in Lyon, France and U.S. headquarters in Madison, Wisconsin. For more information, visit [www.esker.com](http://www.esker.com) or [www.eskerondemand.com](http://www.eskerondemand.com).



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