

## **TASER Filing Invalidity Challenges to Digital Ally's Patents in U.S.P.T.O. Public Documents Show Digital Did Not Invent Auto-Activation Technology In Patent Dispute**

SCOTTSDALE, Ariz., Dec. 1, 2016 /PRNewswire/ -- TASER International (NASDAQ: TASR), the global leader in Smart Weapons and digital evidence management solutions for body-worn cameras, today announced it is challenging the validity of Digital Ally patents in the U.S. Patent and Trademark Office. Public documents, including TASER's own presentations from as early as 2009, clearly establish that Digital Ally did not invent "auto-activation" camera technology. Under U.S. law, a patent is not valid if it claims technology publicly described by another before the patent's filing date. Digital's patents therefore cannot cover TASER's (and others') prior, public innovations in this area.

Digital sued TASER earlier this year for alleged infringement of two patents with priority dates in 2013. TASER asserts the complaint is meritless, that its Axon Signal technology does not infringe, and that the asserted patents are invalid. Regarding invalidity, TASER previously filed counterclaims against Digital Ally alleging inequitable conduct in the patent office based on its nondisclosure of highly relevant prior art, including the ICOP 20/20-W system, an in-car video recorder system designed for law enforcement and initiated by a number of automatic triggers including light bar and speed triggers. In addition to its litigation defenses, TASER now affirmatively challenges the validity of Digital's patents directly in the patent office. A petition challenging Digital's second patent in suit will follow in December.

"Normally, we do not comment on ongoing litigation," said Doug Klint, TASER's General Counsel. "However, because Digital Ally has repeatedly and falsely claimed that it invented the technology to wirelessly activate cameras, we felt it appropriate to share our recent filings on this matter to provide our customers and investors with an accurate invention timeline. We believe these public documents clearly demonstrate that Digital Ally did not invent the technology in question, and has attempted improperly to claim the inventions of TASER International and others."

As disclosed in TASER's recent patent office petitions and in litigation discovery, TASER designed and disclosed its own "TACOM" (TASER Communications) wireless auto-activation technology at least as early as April 2009, years before Digital's 2013 patent applications. Public proof of TASER's prior design includes at least the following:

- The PowerPoint slide below was presented at TASER's April 28-29, 2009 Evidence.Com Technology Summit, and clearly shows TACOM architecture with wireless activation from both weapons and vehicle light bar.
- The TACOM wireless activation technology was also described in TASER's version 15 training program (Slide 52 below), which was mailed to all TASER instructors and shipped on DVDs with every weapon sold starting in July 2009:  
<https://youtu.be/A54-Q73vOsQ>
- TASER's CEO Rick Smith further described this technology publicly at a 2009 TASER User Conference, which was webcast live on July 27, 2009. Click this link to see the relevant video segment: <https://youtu.be/Urxgh58OOJI>
- TASER's website also disclosed its TACOM technology, which allows a TASER device to communicate wirelessly to Axon cameras for time synchronization, event triggering and logging. Click this link (then select the "technology" link under the photo of the X3) to visit the independent internet archive to see the original web page with the TACOM description below from March 27, 2010.

### **Links to Key Litigation and U.S.P.T.O. Filings**

TASER's U.S.P.T.O. petitions and litigation counterclaims listed below may be accessed at [www.taser.com/legal](http://www.taser.com/legal). The current petitions address invalidity of Digital's U.S. Patent No. 8,781,292. An additional petition regarding the invalidity of Digital's second patent-in-suit, U.S. Patent No. 9,253,452, will be filed later in December.

- TASER's 7-20-16 Amended Answer and Counterclaims in Digital Ally patent litigation pending in the District of Kansas, No. 2:16-cv-02032-CM-TJJ
- TASER's 12-1-16 IPR Petition pending in U.S.P.T.O. No. IPR2017-00375 (Pierce/ICOP prior art references)
- TASER's 12-1-16 IPR Petition pending in U.S.P.T.O. No. IPR2017-00376 (Vasavada/Kashiwa prior art references)

### **TASER Social Media Links**

- Facebook: <https://www.facebook.com/TASER.International>
- LinkedIn: <http://www.linkedin.com/company/71228>
- TASER Blog: <http://blog.taser.com/>

- Twitter: <http://www.twitter.com/OfficialTASER>
- YouTube: <http://www.youtube.com/taserinternational1>

## **About TASER International, Inc.**

TASER International makes communities safer with innovative public safety technologies. Founded in 1993, TASER first transformed law enforcement with its electrical weapons. TASER continues to define smarter policing with its Axon brand which includes a growing suite of connected products and services from body cameras and digital evidence management tools to mobile apps. More than 175,000 lives and countless dollars have been saved with TASER's products and services.

Learn more at [www.TASER.com](http://www.TASER.com) and [www.axon.io](http://www.axon.io) or by calling (800) 978-2737.

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Visit our Investor Relations Safe Harbor Statement at: <http://investor.taser.com/safeHarbor.cfm>

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For further information: Media ONLY Hotline: (480) 444-4000

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Additional assets available online: [Photos \(4\)](#)

<https://investor.axon.com/2016-12-01-TASER-Filing-Invalidity-Challenges-to-Digital-Allys-Patents-in-U-S-P-T-O>