

## Press Release

### **CAP Wireless Issues Statement of Clarification Regarding Successful Defense of Patent Infringement Lawsuit**

**NEWBURY PARK, Calif. — Dec. 20, 2007** —CAP Wireless, Inc., a leading supplier of high-performance microwave and RF amplifiers and amplifier based subsystems, today issued a statement of clarification regarding the recent successful defense of a patent infringement lawsuit brought by Wavestream Corporation. Wavestream charged that CAP's coaxial antipodal finline spatial combining technology, which is a key element of its Spatium™ product line of power amplifiers, infringed two patents licensed to Wavestream from the University of California. The lawsuit was dismissed on summary judgment by the U.S. District Court for the Central District of California in April 2007, which found that there was no infringement. That decision, which was appealed by Wavestream, was upheld in its entirety by the U.S. Court of Appeals for the Federal Circuit in Washington, D.C. on December 7, 2007.

CAP Wireless issued the following statement regarding its patented technology:

“CAP Wireless is pleased to have prevailed in this dispute,” said Paul Daughenbaugh, CEO of CAP Wireless. “CAP wishes to clarify that it has maintained from the beginning that its technology is different from that offered by Wavestream and provides a significantly more advanced approach to the design and manufacture of spatially combined high-power amplifiers. These facts were so obvious to the U.S. District Court that the lawsuit was summarily dismissed and upheld on appeal. The favorable outcome of the lawsuit, combined with the award on July 19, 2007 of a U.S. patent for its advanced spatial combining methodology, now gives CAP free rein to develop its Spatium-based technology for a wide range of commercial and governmental applications. This will provide important advantages to our defense electronics and telecommunications customers who require high-quality, solid state microwave power amplification with broad bandwidth capability.”

#### **About CAP Wireless**

CAP Wireless develops and manufactures a broad range of radio-frequency (RF) and microwave amplification products and related subsystems for homeland security, defense electronics, and commercial microwave markets. The company's Spatium product line provides extremely broad bandwidth, high-power, solid state amplifiers for applications such as electronic warfare (EW) systems, radar and communication systems, laboratory instrumentation, and electromagnetic compatibility and interference testing. Applications currently in development include high-power amplifiers for radar,

microwave imaging, and satellite and terrestrial communications systems. CAP Wireless, Inc. is a privately held corporation headquartered in Newbury Park, CA. For more information about CAP Wireless and its products, please visit [www.capwireless.com](http://www.capwireless.com).

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