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Sulzer Mixpac AG gains Preliminary Injunction against DXM Mixing tips

Sulzer announces it has gained a Preliminary Injunction in Sulzer Mixpac AG versus DXM Co. Ltd. and Dentazon Corporation. Sulzer Mixpac AG filed the case in the U.S. District Court for the Southern District of New York to enforce a settlement agreement with DXM and a judgment that prohibited DXM's use of Sulzer Mixpac's Candy Color™ trademarks on mixing tips.

The court found that Sulzer Mixpac AG has a strong likelihood of success on its breach of contract claim and ordered DXM to stop selling its Candy Colored wing cover dental mixing tips. In particular, the court preliminarily enjoined DXM from:

1. Selling, offering for sale, distributing, or advertising
 - a. the Accused Mixing Tips with Candy Colored wing covers (shown below in Figure A) or
 - b. any other dental mixing tips that bear the Mixpac Candy Colors™ in any manner, and/or any colorable imitations thereof;

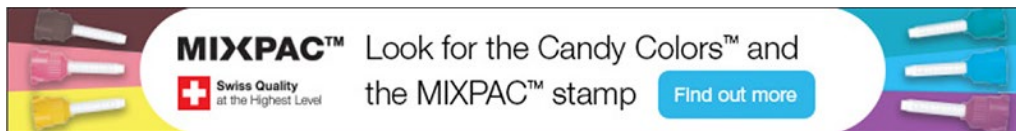


Figure A: Enjoined Mixing Tips

2. Using any of the Mixpac Candy Colors™ in connection with the sale, offering for sale, distributing or advertising of dental mixing tips or accessories including in any manner or location on the products, or on packaging or displays for the products; and
3. Assisting, aiding, or abetting any other person or entity in engaging in or performing any of the activities described in the paragraph above.

For more than 20 years, Sulzer Mixpac AG has used its Candy Colors™ trademarks on dental mixing tips and for accessories like cartridge caps and intra-oral tips. Sulzer Mixpac AG owns numerous U.S. Trademark Registrations for its Candy Colors™ (teal, blue, purple, yellow, pink and brown). In more than 25 successful U.S. court cases, Sulzer Mixpac AG has gained judgments and injunctions that prohibit selling of imitation products.

Sulzer Mixpac AG uses a popular “LOOK FOR the CANDY COLORS” Trademark message – only genuine mixing tips have MIXPAC™ stamped on the top edge. Made only in a modern robotic clean room factory in Switzerland, Sulzer Mixpac AG dental products are engineered to consistently mix and apply dental compositions for proper results.



About Sulzer Mixpac

Sulzer Mixpac AG is a worldwide leading manufacturer and supplier of products and services for liquid application and mixing technology.

As part of the Applicator Systems Division within the Sulzer Group, the Mixpac business unit can draw on a strong international network. The head office is located in Switzerland. For optimal service to its customers, subsidiaries are located in the U.S., UK and China.

Sulzer's core strengths are flow control and applicators. We specialize in pumping solutions and services for rotating equipment, as well as separation, mixing and application technology. Our customers benefit from a network of over 180 production and service sites around the world. Sulzer has been headquartered in Winterthur, Switzerland, since 1834. In 2019, we achieved sales of about CHF 3.7 billion with around 16'500 employees. Our shares are traded on the SIX Swiss Exchange (SIX: SUN). www.sulzer.com MIXPAC™ is a registered trademark of Sulzer Mixpac Ltd., Switzerland.

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