



Freescale Semiconductor, Inc.

**PHYTEC Messtechnik GmbH**

Robert-Koch-Str. 39

55129 Mainz-Hechtsheim

20. July 2009

Re: Customer inquiry regarding ITC Order

Dear Mr. Huber,

thank you for your inquiry and this opportunity to share with you with a bit of background on this matter.

On 20 May, the International Trade Commission (ITC) ruled that Freescale and five other companies infringed two U.S. patents owned by Tessera relating to chip packaging technology. The ITC's decision reverses a ruling made by an ITC administrative law judge in December that Freescale and others did not infringe the patents.

We disagree with the decision and believe the claims made by Tessera are without merit. However, Freescale will fully comply with the ITC order as the company continues to defend itself against these claims.

The ITC order affects a small number of Freescale customers who purchase certain Freescale MAPBGA and PBGA products that are shipped into the U.S. Freescale's inability to market, sell, import or ship affected products in or into the U.S. will last until **24 September 2010** – the date of expiration of the two Tessera patents.

Please be advised, however, that Freescale product shipments to non-U.S. locations are not affected by the ITC order, and we will continue to satisfy orders placed by non-U.S. locations as usual.

I appreciate your concern. If you have any additional questions, please let me know. As always, we greatly appreciate your business.

Sincerely,

i.A. Gregor Kolb  
Regional Sales Manager Germany North/West