



Court Rules in Favor of Finance Express in Last of the Patent Disputes Against DealerTrack

Rancho Santa Margarita, CA, July 13, 2009 -- Finance Express LLC announced today that the United States District Court for the Central District of California granted summary judgment in favor of Finance Express in a patent lawsuit brought by DealerTrack, Inc. over computer-aided systems that facilitate financing transactions between car dealers and lenders over a communications network.

The Court's July 7th rulings confirm that Finance Express does not infringe any of DealerTrack's asserted patents, and that another of DealerTrack's patents is invalid. In an earlier ruling, the Court held a third DealerTrack patent invalid.

"With the current rulings, all of DealerTrack's patent claims against Finance Express have been rejected, and the Court will enter final judgment in favor of Finance Express," said Lawrence Hadley, a partner at Hennigan Bennett & Dorman LLP, the Los Angeles law firm which represented Finance Express. "Finance Express proved that its fully-integrated, Web-based Dealer Management System software did not meet any of the asserted patent infringement claims."

David Huber, President of Finance Express states, "were extremely happy with the court's rulings. We were confident that this would be the eventual outcome. I have always stated this was never about infringing on DealerTrack's patent, which they knew we had not, but this has always been about DealerTrack's attempt to litigate a competitor out of business. As happy as we are here at Finance Express to have this behind us, it would seem that some are not quite as happy". Huber went on to say, he has been contacted by a DealerTrack shareholder since the ruling, questioning the millions of dollars DealerTrack has spent on acquiring Credit Connection and the original patents, applying for new patents, and the millions spent on litigating this case over the last several years. Shareholder questions, the untold millions spent, and with DealerTrack ending up with nothing but invalid patents, there seems to be discussion of a potential class action suit against DealerTrack.

According to David Huber, partners Roderick Dorman and Lawrence Hadley were recently hired to try the case but identified dispositive issues not asserted by prior counsel.

"On the eve of trial, we were pleased that the firm persuaded District Judge Guilford to consider those issues by summary judgment motions of non-infringement and invalidity, both of which were granted," Huber said. "This judicial outcome proves what Finance Express had said all along – Finance Express respects intellectual property rights and never infringed any valid DealerTrack patent."

Finance Express proved that the latest patent ruled invalid was not eligible for patenting under the 2008 Federal Circuit Court of Appeal decision in *In re Bilski*. More specifically, Finance Express established that DealerTrack's patent did not "specify precisely how the computer hardware and database are 'specially programmed,' and the claimed central processor is nothing more than a general purpose computer that has been programmed in some unspecified manner."

DealerTrack began its patent infringement allegations against Finance Express in early 2006, shortly after the parties terminated discussions relating to a possible business arrangement. Besides asserting that Finance Express infringed its three patents, DealerTrack sued Huber as an individual. The Court had earlier dismissed those patent infringement claims against Huber for lack of evidence.

"Although the United States Supreme Court has agreed to review the *Bilski* decision on which the Court granted judgment in the latest invalid ruling, we're confident that the judgment in its favor will be upheld should DealerTrack elect to appeal," Hadley said.

About Finance Express

Finance Express is the leading provider of online services and web-based technology for the independent dealer market including comprehensive DMS functionality such as; inventory management, loan servicing, accounting integration, internet marketing and website hosting, credit application processing, credit data reporting and lender integration. The comprehensive platform provides dealers online access to a single, seamless solution and insures a safe and secure environment for participating lenders. For more information see its web site www.financeexpress.com.

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