



ASX release (ASX: PVS)

Pivotal Systems Resolves Outstanding Claims

Fremont, California and Sydney, Australia; 17 October 2023: Pivotal Systems Corporation (ASX: PVS, “Pivotal” or the “Company”), a leading provider of innovative gas flow control (GFC) solutions to the semiconductor industry, reached a comprehensive settlement with Flow Devices and Systems, Inc. (“FDS”) as well as Bhushan Somani and other affiliates resolving all outstanding claims regarding intellectual property among the parties. In the settlement, FDS provided a comprehensive release for Pivotal as well as its customers, distributors, suppliers, and other related parties.

Following the settlement, a dismissal with prejudice was filed by both parties dismissing FDS’ existing claims against Pivotal in United States District Court for the Northern District of California. FDS and Bhushan Somani agreed that Pivotal Systems is not liable for infringement of the Patent, and each agree that neither they nor any Affiliates (as described in the Settlement Agreement) will ever assert any claim for patent infringement against Pivotal Systems Corporation or any of the Pivotal Systems Releasees (as defined in the Settlement Agreement).

If you have been contacted by Flow Devices and Systems, Bhushan Somani, or a representative of the group, please contact Pivotal Systems Corporation at the email and phone number available at www.pivotalsystems.com.

In the litigation, Pivotal Systems Corporation was represented by The Norton Law Firm PC and DLA Piper. Flow Devices and Systems was represented by SML Avvocati PC and the Mahesh Law Group.

Neither Pivotal nor FDS admitted any wrongdoing in the settlement.

THIS ANNOUNCEMENT WAS AUTHORISED FOR RELEASE BY THE BOARD OF DIRECTORS

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About Pivotal

Pivotal Systems Corporation (ARBN 626 346 325), is a company incorporated in Delaware, USA, whose stockholders have limited liability. Pivotal Systems provides the best-in-class gas flow monitoring and control technology platform for the global semiconductor industry. The Company's proprietary hardware and software utilizes advanced machine learning to enable preventative diagnostic capability resulting in an order of magnitude increase in fab productivity and capital efficiency for existing and future technology nodes. For more information on Pivotal Systems Corporation, visit <https://www.pivotalsys.com/>.

Safe Harbor Statement

This press release contains forward-looking statements, which address a variety of subjects including, for example, our statements regarding expected growth rates, expected product offerings, product development, marketing position and technical advances. Statements that are not historical facts, including statements about our beliefs, plans and expectations, are forward-looking statements. Such statements are based on our current expectations and information currently available to management and are subject to a number of factors and uncertainties, which could cause actual results to differ materially from those described in the forward-looking statements. The Company's management believes that these forward-looking statements are reasonable as and when made. However, you should not place undue reliance on any such forward-looking statements because such statements speak only as of the date when made. We do not undertake any obligation to publicly update or revise any forward-looking statements, whether as a result of new information, future events or otherwise, except as required by law or the ASX Listing Rules. In addition, forward-looking statements are subject to certain risks and uncertainties that could cause actual results, events, and developments to differ materially from our historical experience and our present expectations or projections.

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