

### **U.S. Magistrate Judge Issues Ruling in ASM Patent Case Against Genus, Inc.**

BILTHOVEN, the Netherlands, January 20, 2003 --- ASM International N.V. (Nasdaq: ASMI and Euronext Amsterdam: ASM) and its subsidiary, ASM America (“ASMA”), reported today that in its patent dispute with Genus, Inc. a United States Magistrate Judge has ruled that the Genus atomic layer deposition (ALD) products at issue in the case do not meet the “evacuating” limitation of the U.S. Patent No. 6,015,590 patent.

“We vigorously disagree with the court’s interpretation of the term, ‘evacuating’, and look forward to appeal and vindication in the U.S. Court of Appeals for the Federal Circuit at a later date”, said Daniel Queyssac, President of ASM America.

In the meantime, the Company continues to pursue its case in the Federal District Court in San Francisco claiming that Genus infringes ASMA’s U.S. Patent No. 4,798,165, entitled “Apparatus for Chemical Vapor Deposition (CVD), Using an Axially Symmetric Gas Flow.” This has been referred to as ASMA’s “showerhead” patent, and can be used in a broad number of ALD and CVD applications.

Furthermore, the Company will strongly defend its position in the counterclaim by Genus alleging that the HF Vapor Clean module, a product compatible with the ASM Polygon cluster tool, infringes Genus’ U.S. patent 5,294,568, entitled “Method of Selective Etching Native Oxide”.

ASMA filed the lawsuit in June 2001 against Genus for patent infringement of the two patents applicable to ALD products US Patent No. 6,015,590 and 5,916,365; the showerhead patent was added to the case later. The Court previously ruled that Genus did not infringe the ’365 patent, based on a claim construction ruling as to the claim term “evacuating” in the ’365 patent.

#### **About ASM**

ASM International N.V. is headquartered in Bilthoven, the Netherlands. ASM International is a global company, serving one of the most important and demanding industries in the world. The Company possesses a strong technological base, state-of-the-art manufacturing facilities, a competent and qualified workforce and a highly trained strategically distributed support network. ASM International’s subsidiaries design and manufacture equipment and materials used to produce semiconductor devices. ASM International and its subsidiaries provide production solutions for wafer processing, assembly and packaging through their facilities in the United States, Europe, Japan and Asia. ASM International’s common stock shares trade on Nasdaq (symbol ASMI) and the Euronext Stock Exchange in Amsterdam (symbol ASM). For more information, visit ASM’s web site at <http://www.asm.com>

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*regarding orders, earnings development and the effects of research and new products on ASM's future, and other matters discussed in this statement, except for any historical data, are forward-looking statements. Forward-looking statements involve risks and uncertainties that could cause actual results to differ materially from those in the forward-looking statements. These include, but are not limited to economic conditions in the semiconductor industry, currency fluctuations, the timing of significant orders, market acceptance of new products, competitive factors, risk factors related to litigation and other risks indicated in filings from time to time with the SEC and Stock Exchange Authorities.*

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