



***FOR IMMEDIATE RELEASE***

## **ASM and Genus Agree to Settle Lawsuit**

**BILTHOVEN, The Netherlands – April 10, 2003** –ASM International N.V. (Nasdaq: ASMI and Euronext Stock Exchange in Amsterdam: ASM), along with its subsidiary, ASM America, Inc., has reached an agreement with Genus, Inc. to settle the litigation pending between them. Under the terms of the agreement, ASM has the right to immediately appeal the U.S. District Court’s claim construction rulings on ASM’s U.S. Patent Nos. 6,015,590 and 5,916,365, relating to atomic layer deposition (“the ALD patents”). Genus will pay \$1 million to ASM if the Court of Appeals for the Federal Circuit vacates either of the lower court’s rulings related to the ALD patents based on a change in the claim construction.

ASM and Genus have also granted each other full licenses to each of the patents involved in the litigation, including ASM’s ALD patents and ASM’s U.S. Patent No. 4,798,165 (the “showerhead patent”) and Genus’s U.S. Patent No. 5,294,568 entitled “Method of Selective Etching Native Oxide”. Genus and ASM have also agreed not to sue each other for patent infringement or antitrust violations for the next five years.

Arthur del Prado, CEO of ASM International, said “We began this litigation to protect our intellectual property in atomic layer deposition and we have now reached the point where we need to move on to a higher court. This settlement involves the non-exclusive, non-transferable licensing to Genus of the patents in dispute and will allow ASM to appeal the claims construction rulings which we feel are unduly interpreted. We feel confident that the Court of Appeals will establish the value of our pioneering ALD patents.”

### **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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*Safe Harbor Statement under the US Private Securities Litigation Reform Act of 1995: The statements 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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