



## **FINANCE EXPRESS ACHIEVES SIGNIFICANT LEGAL VICTORY AGAINST DEALERTRACK**

**RANCHO SANTA MARGARITA, CA, October 1, 2008** – Finance Express LLC, which operates the premiere online dealer management system with an integrated auto finance platform exclusively designed for the independent auto dealer, announced today that it has achieved a significant victory over DealerTrack in its ongoing patent dispute.

Yesterday, United States District Court Judge Andrew Guilford issued comprehensive rulings regarding the interpretation of the patent claims in dispute between DealerTrack and Finance Express, and the invalidity and non-infringement of DealerTrack's patents. In his rulings, Judge Guilford effectively dismissed all but 3 of DealerTrack's patent claims against Finance Express.

In his rulings, Judge Guilford rejected all of the claims asserted by DealerTrack related to U.S. Patent No. 5,878,403 by holding those patent claims invalid. Further, for the same reasons that the court granted summary judgment of non-infringement to RouteOne, his rulings also effectively reject all of the claims asserted by DealerTrack related to U.S. Patent No. 6,587,841 against Finance Express' accused products. As a result of these rulings, DealerTrack is left with only three claims of a single patent to pursue at trial. As a further result of the Court's ruling, DealerTrack's damages in the case, if DealerTrack were to be successful in proving infringement at trial, are limited to February 20, 2007 forward. However, DealerTrack must also prevail on Finance Express's invalidity and unenforceability claims at trial in order to be entitled to any damages. Should Finance Express prevail on any of its several grounds for inequitable conduct, DealerTrack may be liable to Finance Express for Finance Express' attorneys' fees. Moreover, DealerTrack has dropped its claim against Finance Express for willful infringement as to the '427 patent.

"This decision by the court could not have been more favorable for Finance Express", stated David Huber, President of Finance Express. "While we never expected the dismissal of all DealerTrack's claims, only 3 out of all their original patent claims remain in the case. The fact that 2 out of their 3 patents were found to be either non-infringing or invalid is an incredible victory not only for our company, but the industry in general. We could not have hoped for a better outcome, and it supports our belief that we will prevail at trial on the remaining few issues, succeed with our counterclaims, and will recover our attorneys fees from DealerTrack for having to defend this case."

According to Finance Express' attorneys, "DealerTrack's claims against Finance Express have been crippled by this decision". Dave Huber added, "DealerTrack has spent an enormous amount of their shareholders money to stop Finance Express and RouteOne. This decision virtually guarantees that, in the unlikely event they were to prevail on the remaining few claims, the resulting damages to Finance Express would be negligible. Without question, this is a huge victory for Finance Express, and we are

looking forward to prevailing on the remaining 3 claims at trial. Yesterday's court rulings are so decidedly in favor of the defendants that it is hard to imagine that DealerTrack could tell the public and its shareholders that it prevailed. How DealerTrack could put a happy face on this outcome is beyond me."

#### **About Finance Express**

**Finance Express is the leading provider of online services and web-based technology for the independent dealer market including a comprehensive DMS with functions such as dealer inventory management, credit application processing, electronic contracting, links to lending sources, dealer management tools, loan servicing and accounting systems and licensed escrow services. The comprehensive program provides dealers online access to a single, seamless solution and insures a safe and secure environment for participating lenders.**

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