



NEWS RELEASE

Thermage® Remains Confident in Patent Infringement Lawsuit Against Syneron

Hayward, Calif – October 4, 2004. Thermage announced a development in its lawsuit for patent infringement against Syneron for its sales of the Aurora, Polaris, and Galaxy skin treatment devices. Thermage has been granted over 20 U.S. patents on its innovative non-invasive, non-ablative skin treatment technology with cooling. In the Court's September 27th ruling, which addressed only a single claim of one of these patents, the court found that there was likely patent infringement, but did not issue a preliminary injunction to immediately stop shipment of Syneron products because Syneron raised a substantial question of validity as to that one claim. The ruling does not address the other claims of that patent or any other Thermage patent. Additional court proceedings will now allow Thermage to prove that its patent rights are valid and infringed by Syneron.

“This is just one small step in a complicated legal process,” says Bob Byrnes, President and CEO of Thermage. “We will continue to vigorously pursue this action and are eager to present our full infringement case at trial. While denials of preliminary injunction motions are common, we are confident that our patent infringement case against Syneron will ultimately succeed. We believe that the inferior form of radiofrequency deployed by Syneron using efficacy claims similar to Thermage devices infringes our patent rights, creates confusion in the market, and damages the reputation of non-ablative radiofrequency.”

Thermage commercially launched its ThermaCool™ System for tightening skin in July 2002 and now has over 1,100 systems installed worldwide. The ThermaCool System recently received FDA clearance for full-face treatment, adding to the clearance obtained in November 2002 for treatment of periorbital (around the eyes) wrinkles and rhytids.

The ThermaCool System uses capacitive RF technology to non-invasively generate deep, uniform volumetric heating of surface tissue to tighten both skin and underlying tissue, while protecting the skin's outer layer with a cooling cryogen spray. The deep volumetric heating action promotes immediate collagen contraction beneath the skin surface and generates new collagen growth over time.

About Thermage

Thermage is a leading developer and manufacturer of innovative aesthetic technologies designed to achieve a desired cosmetic or therapeutic effect on and under the skin surface. Founded in 1996, the company is privately held and is headquartered in Hayward, California, proximate to the San Francisco Bay Area and the Silicon Valley. Additional information about Thermage and its proprietary radiofrequency technology is available at www.thermage.com.

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