

For immediate release

Court Dismisses TransCore Lawsuit against ETC Corporation ~ TransCore Had Sought up to \$60 Million in Damages ~

Richardson, Texas – May 29, 2008 – Electronic Transaction Consultants Corporation (ETC) today commented further about the dismissal of the lawsuit brought against it by TransCore. The lawsuit alleged ETC infringed four different TransCore patents. According to public records, TransCore sought more than \$20 million in damages, which TransCore sought to treble to \$60 million. The lawsuit was filed in late November 2005 and was dismissed with prejudice by the United States District Court for the Northern District of Texas, Dallas Division on May 22, 2008.

The patent infringement claims revolve around four patents related to automatic vehicle identification (AVI) equipment manufactured and sold by Mark IV. Mark IV produces a significant portion of AVI equipment in North America, including equipment for the Interagency Group (IAG) E-ZPass toll-collection systems in the Northeast and Midwest United States. It is estimated that Mark IV AVI equipment is used to collect more than 1 billion toll transactions annually. TransCore had settled a previous lawsuit with Mark IV in 2001 concerning three patents related to the Mark IV AVI equipment. These patents, as well as one subsequent, overlapping patent, were the foundation of TransCore's lawsuit against ETC.

In the ETC lawsuit, TransCore argued that its previous settlement with Mark IV did not protect Mark IV's customers (toll authorities including members of the IAG) and competing system integrators (such as ETC). Had TransCore won its lawsuit, all customers of Mark IV AVI equipment could potentially have faced legal action by TransCore or been obligated to pay license fees.

This decision comes at a pivotal time for an important part of the U.S. toll industry. The IAG has commenced a technology re-compete, which will determine the electronic toll collection technology used by IAG members for the next 10+ years. According to its website, www.e-zpassiag.com, the IAG currently has 24 agencies in 13 states with more than 10 million account holders who use more than 17 million transponders for electronic toll collection. There are currently 47 roads, bridges, and tunnels, representing thousands of toll lanes in the Northeast and Midwest equipped with E-ZPass toll collection that could have been impacted by this lawsuit. Industry estimates indicate that the IAG collects approximately 80 percent of all electronically collected tolls in the United States.

In addition, it is anticipated that in the near future many toll entities including toll agencies, state departments of transportation, and concessionaires will be updating their existing toll facilities or building new facilities to offer multi-lane, free-flow solutions such as ORT, all-electronic toll collection (All ETC), and high occupancy toll (HOT) lanes.

The foundation of the court's dismissal of the lawsuit is the legal concept of patent exhaustion which, in this case, stems from the 2001 TransCore-Mark IV settlement. As a part of this settlement, Mark IV had effectively purchased a license from TransCore to manufacture and sell the AVI products in question and TransCore agreed not to sue Mark IV for doing so. The following excerpts from the court's opinion discuss patent exhaustion and the protection it provides for those in the industry that wish to use Mark IV equipment:

"The law is well settled that an authorized sale of a patented product places that product beyond the reach of the patent. ... The patent owner's rights with respect to the product end with its sale. ... Further, the purchaser of such licensed products is also free to use and/or resell the products, and such further use of those products is beyond the reach of the patent statutes. ... An authorized sale of a patented product exhausts the patent monopoly as to that product. ... [T]he settlement between TransCore and Mark IV would be meaningless if TransCore could still prevent Mark IV from manufacturing and selling the toll products by suing Mark IV's customers. ... TransCore's argument that it can now sue Mark IV's customers is disingenuous, as it would render the rights granted to Mark IV ... commercially worthless."

Tim Gallagher, Chairman and Managing Director of ETC, stated, "When TransCore filed the suit against us, we immediately understood it held significant implications for our industry. While ETC was no doubt the first test case for TransCore, the dismissal of the lawsuit was an important victory for our industry as a whole."

Mr. Gallagher continued, "We respect a company's right to protect their intellectual property; however, we never believed that ETC was the appropriate target for this action as we did not make or sell the products in question."

ETC has become a leader in electronic toll-collection systems and has installed approximately 240 ORT lanes. ETC's ORT installations for its customers have garnered international industry recognition, including the International Bridge, Tunnel and Turnpike Association's (IBTTA) prestigious President's Award for the nation's first AETC toll road, the Westpark Tollway, a facility of the Harris County Toll Road Authority.

Haynes and Boone, LLP acted as legal counsel for ETC. A copy of the judgment document can be found on ETC's website at www.etcc.com/news/Judgment.pdf.

About ETC:

Recognized for its innovation in the toll industry, ETC is a full-service provider of toll solutions, including systems integration, maintenance, operations and other services. Among its industry-leading accomplishments, ETC successfully delivered the system design and integration for the first all-electronic, open road toll facility in the U.S.; has designed and implemented technically complex 4+ express ORT lanes, and created advanced solutions for HOT (high occupancy toll) lanes. ETC's systems provide interoperability between geographically dispersed toll facilities, airports, parking, and commercial transportation operations. ETC's team introduced the industry's first Web-based toll solution suite, the RITE® Solution, which includes modules for Customer Service Center operations, Violation Processing Center, Audit & Reconciliation Host, Interoperability, Facility Server, and Lane Controller. ETC Corporation is a privately held company headquartered in Richardson, Texas. In December 2007,

Autostrade International U.S. Holdings, Inc., an indirectly wholly owned subsidiary of Atlantia S.p.A., (Autostrade), one of the world's leading toll operators, took an investment position in ETC, creating the foundation for a long-term relationship between the two companies and positioning ETC for additional growth in the U.S. and international toll marketplace. More information on the company can be found at www.etcc.com.

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