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PRESS RELEASE

U.S. PATENT OFFICE TO RE-EXAMINE GPS INDUSTRIES (OTCB: GPSN) PATENT '093
The Outcome Will Determine the Future of Pending Lawsuit

SAN DIEGO, December 22, 2008 – GPS Industries filed a claim for infringement of U.S. Patent No. 5,364,093 ('093) against ten golf-related GPS technology companies, including L1 Technologies, Inc. (L1), in a Dallas federal court lawsuit nearly 19 months ago, May 11, 2007.

The case claimed that the ten companies infringed on the '093 patent established by GPS Industries in 1994 called "Golf Distance Measuring System and Method," which outlines "a method for determining the approximate distance of a golf ball to a golf cup using a global positioning satellite system."

Since May 2007, L1, the parent company of iGolf, as well as the other defendants in the case, have asserted confidently that their GPS devices do not infringe on the '093 patent. In fact, iGolf's method to calculate distance is not consistent with the way in which GPS Industries products measure, or the way that the original patented product functioned. GPS Industries patent measures from a golf cart to the golf cup. iGolf's technology measures the distance from the user's position on a golf course to the front, center and back of the green rather than the cup, because golf courses consistently change the cup placement on the green.

L1 believes that its products do not infringe on the patent. However, there is a deeper problem that L1 has identified: the patent has significant questions of validity and L1 believes that the patent should never have been issued. L1, and many of the other major players in the golf GPS industry, assert that GPS is a government provided technology which has always been able to be used for finding the distance from the user to some other point (often called a waypoint), whether the point is a golf green, a sailboat path, a hiking destination or any "point" that one wants to measure or find a distance to or from. In order to prove this, L1 filed a petition for re-examination with the United States Patent and Trademark Office (USPTO), which was granted on Nov. 21, 2008.

The USPTO has clearly acknowledged that the GPS Industries patent has a basis for re-examination by granting the review. In fact, according to the USPTO, statistics state in requests for re-exam by third party companies such as L1, 72 percent are either cancelled or have their claims changed.

However, it seems that the federal district court in Dallas, Texas might force the parties to litigate the entire case only to have the USPTO make a different ruling about the same time that the federal case is complete. The decision of the USPTO will be binding on the federal court. This makes one wonder why a federal court would use its resources and force parties to defend a case when the decision is so likely to be altered by the outcome of the USPTO proceeding.

L1 and the defendants have asked the Texas court to stay the case. The plaintiff has opposed the motion to stay, which L1 Technologies believes is a strategy to put ongoing financial pressure on the defendants. It is yet to be decided whether or not the Texas court will proceed any further with this lawsuit until a decision by the U.S. Patent & Trademark Office has been made.

About iGolf

Pioneering the consumer golf GPS market, iGolf, operated by L1 Technologies, has become a brand uniquely focused on providing technological advances in software, hardware and GPS content for the golfing sector. With a strong global presence, iGolf continually strives to offer innovative and affordable mobile and web-based solutions for golfers around the world with products and services being used in over 20 countries.

As host to the world's largest GPS enabled golf course database, iGolf.com is the backbone supporting both “iGolf” and “Powered by iGolf” partner products. Additional features such as the iGolf Handicap Tracker, the latest golf headlines, equipment, travel, gadget and course reviews make iGolf.com the chosen destination site for golfers of all interests. iGolf.com provides the golfing community many of these valuable services at no cost while maintaining some paid premium services.

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