

## Information about Appslib

ARCHOS is a French corporation founded in 1988. Since then, ARCHOS has constantly been on the cutting edge of technology, introducing this year ARCHOS' new Internet Tablet. The ARCHOS 5 Internet Tablet is based on the Android platform and is helping the Android developer community to create improved applications by exploiting the features found only in the ARCHOS device.

ARCHOS is a fairly small company considering the competition, but it has managed to compete and play an important role in its sector by securing and working with a large network of partners around the globe and maintaining high quality relationships with each of them.

During the conception and pre-production phases of the ARCHOS 5 Internet Tablet, various groups within ARCHOS contacted several potential partners for various projects. One project was the creation of ARCHOS' own application store, called Appslib. Funky Android was contacted as one of the potential non-exclusive partners on this project.

ARCHOS and Funky Android signed a Non-Disclosure-Agreement (NDA), thus enabling both parties to safely exchange documentations. Discussions started in June 2009. Funky Android and ARCHOS at that point engaged in discussions to come up with an Android application based on the ARCHOS back-end database structure. Despite ARCHOS' best efforts, discussions stalled in August 2009 at which point Archos and Funky Android had not come to an agreement. Discussions were formally stopped on September 2, 2009. In the meantime, negotiations were initiated with an extremely adaptable and productive company that started to work on ARCHOS' request for proposal based on the ARCHOS database model. A contract was ultimately signed with this company.

On September 15, ARCHOS publicly released its Appslib application. Since this time, ARCHOS has been the target of false allegations by Funky Android claiming NDA breach and Intellectual Property "theft" of an architectural model. ARCHOS created the conceptual design of both the client and the database. The Appslib is an extremely market-standard way of presenting applications and parsing a database. Such a model is widely used in the industry.

Funky Android claims that such a structure is covered by their intellectual property rights, while failing to prove such a claim. Indeed, the Appslib architecture is using public file formats, an industry standard platform and a widely shared database structure. None of this is protected under any Intellectual Property rights that ARCHOS is aware of.

Furthermore, there has been no breach of the NDA. Everything that was created by and for ARCHOS during the negotiations was based on ARCHOS' database structure and ARCHOS' created parameters. ARCHOS has always been committed to keeping its NDA undertakings and works in good faith to maintain them.

The unfounded and slanderous allegations by Funky Android not only affect ARCHOS' reputation, but they are also harmful to ARCHOS' partners and to the applications development community. ARCHOS has thus been forced to seek legal advice and has instructed its legal counsel to pursue, if necessary, all forms of recourse before the French courts in order to protect its interests, reputation and image, and consequently those of its partners.