

Dynavox Group announces legal action to protect patients and safeguard delivery standards for assistive communication solutions

Dynavox Group AB and its wholly owned subsidiary Tobii Dynavox LLC (“Dynavox Group” or the “Company”) today announced that they have filed a complaint in the US against AbleNet, Inc. related to alleged business interference, deceptive trade practices, unfair competition, trademark infringement and unjust enrichment in connection with the delivery, support and billing of speech generating devices and the unauthorized use of the pioneering Tobii Dynavox brand.

Dynavox Group’s objective with this action is both to protect its intellectual property and address alleged practices that, in the Company’s view, risk confusion around delivery, support and reimbursement of assistive communication technology. The Company believes current standards are critical to user outcomes and long-term success, to clinician and caregiver confidence, and to the integrity of reimbursement processes in healthcare markets.

“We take our responsibility to the people who rely on assistive communication very seriously. This legal action is about addressing in our view, the misleading and unfair business practices that cause harm to patients and clinicians, safeguarding appropriate delivery and long-term support, and defending our intellectual property and contractual rights as well as the standards that help ensure successful outcomes,” said Tara Rudnicki, President Tobii Dynavox, North America.

Background

Speech generating devices are specialized assistive communication solutions. They are reimbursed through private and public health insurance, such as Medicare and other government insurance programs, when determined to be medically necessary for the patient after clinical evaluation and prescription from licensed health care professionals. As a supplier of speech generating devices, Dynavox Group works to comply with health insurance coverage and reimbursement requirements and ensures the devices are configured to the individual, provides training for users and caregivers and offers ongoing support to help ensure effective use over time.

In the complaint, filed in the U.S. District Court for the District of Minnesota in Minneapolis, Dynavox Group alleges that AbleNet has engaged in practices that enable and promote the use of Dynavox Group’s software on AbleNet devices without authorization, violating licensing terms and intellectual property rights, while avoiding provision of full support to the patient. In the complaint, it is further alleged that these practices create confusion for patients, clinicians and payors about whether devices are fully integrated and supported solutions.

Dynavox Group has repeatedly engaged directly with AbleNet to address these concerns, including formal correspondence and requests that the conduct cease. When those efforts did not resolve the issue, the Company determined that legal action was necessary to protect its rights and address what it views as risks associated with the integrity of the healthcare system as well as confusion for patients, clinicians and payors.

For more information

Dynavox Group does not comment on ongoing litigation beyond what is contained in public filings and according to applicable regulations. Please see <https://whywearesuingablenet.com/>.





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About Dynavox Group

Dynavox Group AB (publ) is the parent company for Tobii Dynavox, a global leading company in assistive communication. Headquartered in Stockholm, and listed on Nasdaq Stockholm (DYVOX), Dynavox Group, together with its brands has over 1,000 employees and serves customers in 65+ countries. Tobii Dynavox's custom designed solutions enable people with disabilities such as cerebral palsy, ALS, autism and spinal cord injury to communicate with a voice of their own, develop literacy skills and live more independently. To date, hundreds of thousands of people worldwide have benefited from our integrated solutions, which include hardware, software, clinically developed language systems, mounting solutions, training, and dedicated support. We offer extensive funding expertise to facilitate funding for as many people as possible. As voice and motor impairments are common among our users, our solutions are accessed via alternative methods, such as eye gaze or touch screen. Using AI-based speech synthesis, we offer users a personalized voice identity in over 30 languages, for children and adults. For more information, please visit the Dynavox Group website: www.dynavoxgroup.com

