

December 7, 2018

## Letter to Hytera Customers

Dear Valued Customer,

It has come to our attention that Motorola Solutions (MSI) is actively pursuing a misinformation campaign regarding the state of Hytera's business and the effect of recent litigation and that you may have been deliberately misinformed. MSI is already a defendant in a federal antitrust complaint as a result of its earlier campaign of misinformation and deceptive practices.

While we prefer to focus on competing on innovation and the merits of our products, we feel it prudent to provide you with a proactive update about MSI's latest round of deceptive fear mongering and false advertising. First, Hytera is more confident than ever about our commitment to the U.S. marketplace and our ability to continue to lead the way in the land-mobile radio industry through innovation. We are excited about our future plans and products, including our new i-Series products. Second, and to be clear, the ITC found that Hytera's new generation i-Series products do not infringe MSI's asserted patents – the commission went so far as to expressly list these products as products that do not infringe and that are not subject to any exclusion nor cease and desist order. Finally, the ITC's orders do not affect the ability of Hytera, our dealers, or our end-users to sell and operate i-Series products, nor does it affect Hytera's ability to service Hytera's legacy products that have been upgraded to the non-infringing i-Series firmware.

Despite being well aware of these facts, MSI, through emails and statements on its website, has made numerous false or misleading statements that require correction. For example:

1. MSI claimed the ITC complaint asserted Hytera was unlawfully importing equipment. **This is verifiably false; there has been no illegal import of any equipment. Hytera will comply with the ITC's order regarding imported products.**
2. MSI claimed Hytera was misleading about the final order. **Not so. The ITC's final decision expressly "found that Hytera's redesigned products do not infringe the '701, '869, or '991 patents." Accordingly, Hytera new generation i-Series products are cleared, and our customers can order our new generation products with no concerns.**
3. MSI implied that Hytera is impeding public release of the ruling. **MSI and Hytera both have provided the ITC with their proposed redactions according to the schedule set by the ITC. The ITC will release a public version of the ITC's final decision in due course. Hytera has been and will always be transparent with our customers.**
4. MSI overstated the importance of the features it contends are covered by its patents. **MSI has no basis to comment on how Hytera's customers use our radios, and such statements are simply untrue, as removing certain minor features will not**

**functionally impact the radios. In contrast to MSI's exaggerations about trivial features, Hytera's new generation i-Series products offer many significant new features, such as optimized PTT (push-to-talk), duplex calling, over-the-air programming, enhanced GPS, and as an industry first – single frequency repeater mode. MSI's radios do not offer these features. More details on these features can be found [here](#).**

5. **MSI claimed that neither Hytera nor third-party providers will be able to service or import parts for legacy radios. Hytera is providing its customers with free upgrades to the non-infringing i-Series firmware, and the ITC's rulings do not impact Hytera's ability to continue to repair and/or replace non-infringing i-Series products.**

In addition, MSI claimed that it embraces competition to drive innovation. To the contrary, MSI is a defendant in an anti-trust case alleging a range of anticompetitive behaviors within the land-mobile radio market, including exclusive dealing, sham petitioning of government agencies, and wide-ranging misrepresentations about Hytera.

MSI has expended tremendous resources and effort in its attempt to reduce choice in the marketplace, control pricing, and maximize its profit, all at the expense of its customers and investors. MSI's campaign of false and misleading information should stop.

To be clear, Hytera remains focused on the future and on rolling out its industry-leading range of products that expand choice and value within the land mobile radio market. Hytera greatly appreciates your continued support, and I would be happy to discuss this further with you to explain and answer any questions you may have.

Sincerely,



Steve Cragg  
VP Sales  
**Hytera America, Inc.**



Tom Wineland  
VP Sales  
**Hytera Communications America (West), Inc.**