Earth Corporation

Press Release

# Notice Regarding Judgment in Patent Infringement Litigation (Appellate Court) (Winning Case)

November 11, 2026


| | |
|---|---|
| Listed exchanges | : Prime Market |
| Listed company name | : Earth Corporation |
| Code | : 4985 |
| URL | : https://corp.earth.jp/en/index.html |
| Representative Director | : Katsunori Kawabata, Representative Director, President & CEO |
| Contact | : Isao Goji,<br>Senior Executive Officer<br>Director General<br>Corporate Planning Headquarters |
| Tel | : +81-3-5207-7458 |


We hereby announce that, following the judgment in our favor in the court of first instance, we have prevailed in the appellate court proceedings of the patent infringement lawsuit (Intellectual Property High Court Case No. 2026 (Ne) 10008) filed by Dainihon Jochugiku Co., Ltd. (known for its “KINCHO” brand; hereinafter “Dainihon Jochugiku”) concerning our product “Earth Osu Dake No-mat” (hereinafter “our product”).
Although this matter does not meet the criteria for timely disclosure as stipulated by the Tokyo Stock Exchange rules, we are voluntarily disclosing it as we deem it useful information for fostering understanding of our company's legitimacy and providing reassurance to our customers and business partners. Consequently, some items and details of the disclosure have been omitted.

## 1. Background and Details of This Litigation

The ruling in which we prevailed pertains to the appellate proceedings of the patent infringement lawsuit initially filed by Dainihon Jochugiku on March 1, 2024.

Following the judgment in our company's favor rendered in the court of first instance, which determined that Dainihon Jochugiku’s patent (hereinafter “the Subject Patent”) was invalid and dismissed Dainihon Jochugiku’s claims, Dainihon Jochugiku filed an appeal with the Intellectual Property High Court on January 5, 2026. In response, we repeatedly argued, continuing from the first instance, that our product does not fall within the technical scope of the Subject Patent, that the Subject Patent is invalid, and that our acts such as manufacturing and selling our product do not infringe upon the Subject Patent.

On November 11, 2026, the Intellectual Property High Court likewise upheld our company's arguments, ruling that the Subject Patent lacks an inventive step and is invalid, and rendered a judgment dismissing the appeal filed by Dainihon Jochugiku. Through these two consecutive judgments in both the court of first instance and the appellate court, we view these rulings as clear recognition of our company's legitimacy in a judicial forum and as fair judgments.

Prior to this litigation, in response to a warning letter sent by Dainihon Jochugiku, our company provided a thorough and courteous explanation that our product does not fall within the scope of the Subject Patent, that the Subject Patent is invalid, and that our company had already been selling products under the “Earth Osu Dake No-mat” series prior to the application filing that served as the basis for the Subject Patent; thus, our company's acts of manufacturing and selling our product do not infringe upon the Subject Patent. Subsequently, this lawsuit was initiated without an opportunity for dialogue between the two parties. The judgments in both the court of first instance and the appellate court uphold the arguments our company has consistently presented since before this litigation; therefore, we believe that this matter was fundamentally a case that did not necessitate a lawsuit.

Should Dainihon Jochugiku file a final appeal or a petition for the acceptance of a final appeal seeking a review by the Supreme Court, we will continue to respond appropriately to ensure that our legitimacy is recognized.

2. Initiatives for Product Development and Intellectual Property Rights

The “Earth Osu Dake No-mat” series is an innovative product line that our company began selling in 2009—prior to 2014, when the application serving as the basis for the Subject Patent was filed by Dainihon Jochugiku—based on the achievements of our own independent research and development. To popularize this innovative product and provide a comfortable living space for our customers, our company has conducted steady sales and promotional activities, creating and expanding the one-push aerosol market. Going forward, we will continue our research and development of innovative products and lead the creation and development of the insect care market with the responsibility and pride of a leading company in the insect care field.

We regard intellectual property rights, including patents, as vital management resources. Following this ruling, we will further expand and utilize our intellectual property rights. Furthermore, while respecting the intellectual property rights of others, we will continue to take a resolute stance against any unjustified assertions of rights by others. In addition, we plan to claim litigation costs and other expenses associated with this lawsuit from Dainihon Jochugiku through legitimate legal procedures.

Continuing under our management philosophy, “We act to live in harmony with the Earth.” we will pursue customer-centric product development and deliver high-quality products, including the “Earth Osu Dake No-mat,” to many customers.

3. Future Outlook

The impact of this matter on our consolidated results for the current fiscal period is immaterial.

(Ref.)

Current Consolidated Earnings Forecasts (announced on February 13, 2026) and Previous Consolidated Earnings

(millions of yen)

| | Consolidated net sales | Consolidated operating profit | Consolidated ordinary profit | Profit attributable to owners of parent |
|---|---|---|---|---|

| | | | | |
|---|---|---|---|---|
| Forecast consolidated results for the fiscal year.<br>(Fiscal year ending Dec 31, 2026) | 188,000 | 9,000 | 9,550 | 6,200 |
| Actual consolidated results for the previous fiscal year.<br>(Fiscal year ended Dec 31, 2025) | 179,182 | 8,087 | 8,893 | 5,238 |

Note: The above forecast of financial results is based on certain information available to the Company at the time of announcement, and actual operating results may differ from the forecast due to various factors.

- END –