



Injunction Against Infringing Pro V1 Golf Balls Stays in Effect

Callaway Golf Prevails Against Acushnet in the Court of Appeals

CARLSBAD, Calif., Dec 23, 2008 (BUSINESS WIRE) -- Callaway Golf (NYSE: ELY) today announced that a three judge panel of the United States Court of Appeals for the Federal Circuit has denied a request by The Acushnet Company, the golf business of Fortune Brands, Inc., to stay a previously-granted permanent injunction to stop sales of infringing Titleist Pro V1 golf balls. The injunction is effective January 1, 2009, and reaches Acushnet and those acting together with Acushnet.

Two courts have now validated the injunction against infringing Pro V1 golf balls, effective January 1, 2009.

"Callaway Golf believes it is time for Acushnet to accept its losses in court and get on with the task of helping retailers clean up their inventories over the next week," said Steve McCracken, Senior Executive Vice President, Chief Administrative Officer, Callaway Golf.

Callaway Golf first prevailed against Acushnet in the pending patent litigation when it won a jury verdict in December 2007. In that proceeding it was determined that Acushnet had infringed multiple valid claims in several U.S. golf ball patents owned by Callaway Golf. Following the verdict, Callaway Golf sought an injunction against the infringing Pro V1 models, and Acushnet sought a new trial. In November 2008, the trial court denied Acushnet's motion and granted the injunction, to be effective January 1, 2009. In denying Acushnet's motion to stay the injunction, the Court of Appeals ruled that Acushnet had neither shown that the balance of hardships tipped in its favor nor that it had shown a substantial likelihood of success on the merits in its ultimate appeal.

About Callaway Golf

Through an unwavering commitment to innovation, Callaway Golf Company (NYSE:ELY) creates products and services designed to make every golfer a better golfer. Callaway Golf Company manufactures and sells golf clubs and golf balls, and sells golf accessories, under the Callaway Golf(R), Odyssey(R), Top-Flite(R), and Ben Hogan(R) brands in more than 110 countries worldwide. For more information please visit www.callawaygolf.com or shop.callawaygolf.com

SOURCE: Callaway Golf Company

Callaway Golf
Michele Szynal
760-804-4150 (O)
760-473-4766 (C)
Michele.Szynal@callawaygolf.com