

Press release

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Uppsala, September 11, 2014

Biotage success in re-examination proceedings – U.S. Court of Appeals for the Federal Circuit have affirmed US Patent and Trademark Office’s Patent Trial and Appeal Board decisions to reject all claims in US patents 7,138,061, 7,381,327 and 7,410,571.

A lawsuit was filed against Biotage by Scientific Plastic Products, Inc. (“SPP”) concerning alleged infringement of the US patents no 7,138,061, 7,381,327 and 7,410,571. Biotage then filed requests with the US Patent and Trademark Office for re-examination of all patent claims in the three patents mentioned above. At the same time Biotage moved to stay the lawsuit in the district court pending the outcome of the re-examination proceedings with the consent of SPP, and the court stayed the district court lawsuit pending resolution of the reexamination proceedings.

The US Patent and Trademark Office’s Patent Trial and Appeal Board affirmed the Examiner’s decision to reject all claims of US patents 7,138,061, 7,381,327 and 7,410,571. SPP filed an appeal to the U.S. Court of Appeals for the Federal Circuit. On September 10, 2014, the appeals court affirmed the rejections of all claims.

“We have all the way believed that we have a strong position and that the plaintiff did not have good cause for the alleged patent infringement. This decision confirms our initial analysis of the legal situation.”, says Torben Jørgensen, CEO, Biotage AB.

Biotage discloses the information provided herein pursuant to the Swedish Securities Markets Act and/or the Swedish Financial Instruments Trading Act. The information was submitted for publication at 2pm on 11 September 2014.

About Biotage

Biotage offers efficient separation technologies for use within analytical all the way up to industrial scale as well as highly qualitative solutions for analytical chemistry in research and at commercial analytical laboratories. Biotage’s products are used by e.g. governmental authorities, academic institutions, pharma and food industries. The company is headquartered in Uppsala and has offices in the US, UK, China and Japan. Biotage has approx. 290 employees and had sales of 445 MSEK in 2013. Biotage is listed on the NASDAQ OMX Nordic Stockholm stock exchange. Website: www.biotage.com