



## The Disciplinary Committee at the OMX Nordic Exchange Stockholm fines Nobel Biocare Holding AG

**Nobel Biocare has contravened the listing agreement with the OMX Nordic Exchange Stockholm by not handling price-sensitive information correctly. The exchange's Disciplinary Committee has ordered Nobel Biocare to pay a fine of SEK 768,000.**

The shares in Nobel Biocare Holding AG are listed on the OMX Nordic Exchange Stockholm. According to the listing agreement, price sensitive information published by listed companies must be accurate, relevant and reliable.

On June 25<sup>th</sup>, 2007, the Medical Products Agency published a press release stating that the usage instructions for the implants NobelDirect and NobelPerfect needed to be complemented and clarified. Furthermore, the agency informed that Nobel Biocare was not allowed to actively market their dental implants until Nobel Biocare had pursued certain information activities. At the same day, Nobel Biocare published a press release with the heading "Swedish Medical Products Agency reconfirms safety and efficiency of NobelDirect and NobelPerfect one-piece implants". Furthermore, Nobel Biocare stated in the press release that Nobel Biocare "welcomes the renewed confirmation of market clearance without constraints by the MPA for NobelDirect and NobelPerfect one-piece implants" and that the Medical Products Agency had reiterated "the market clearance for both products".

The Disciplinary Committee has established that the description in the press release does not reflect the information given by the Medical Products Agency in their press release. The Agency has neither confirmed the safety nor the efficiency of the implants nor issued any decision about sales without constraints or market clearance. On the contrary, it is clear from the Agency's press release that the implants could not be marketed. The information in the press release from Nobel Biocare has thereby not fulfilled the listing agreement's demands on published information to be accurate and reliable.

The exchange has previously, in a letter to Nobel Biocare dated March 28<sup>th</sup> 2007, criticized the company for disclosing incorrect information in a press release dated March 27<sup>th</sup>, 2006 about the Agency's handling of the case. According to the Disciplinary Committee the fact that the company has published incorrect information again makes it, among other things, necessary to fine the company this time.

The Disciplinary Committee has fined Nobel Biocare four annual fees, corresponding to SEK 768,000.

**For further information, please contact**

Jonas Rodny, OMX

+46 8 405 72 67

### The Nordic Exchange

**About the Disciplinary Committee** | The role of OMX Nordic Exchange in Stockholm's Disciplinary Committee is to consider suspicions regarding whether Exchange Members, brokers or listed companies have breached the rules and regulations applying on the Exchange. If the Exchange suspects that a member, broker or listed company has acted in breach of the Exchange's rules and regulations, the matter is reported to the Disciplinary Committee. The Exchange investigates the suspicions and pursues the matter and the Disciplinary Committee issues a ruling regarding possible sanctions. The sanctions possible for listed companies are a warning, a fine or delisting. The fines that may be imposed range from one to 15 annual fees. The sanctions possible for Exchange Members are a warning, a fine or debarment, while brokers may be warned or have their brokerage license rescinded. The Disciplinary Committee's Chairman and Deputy Chairman must be lawyers with experience of serving as judges. At least two of the other members of the Committee must have in-depth insight into the workings of the securities market.

Members: Supreme Court Justice Johan Munck (Chairman), Supreme Court Justice Marianne Lundius (Deputy Chairman), Madeleine Leijonhufvud (professor), Stefan Erneholm (company director) and Hans Mertzig (company director). Deputy Members: Hans Edenhammar (MBA), Claes Beyer (lawyer), Jack Junel (company director), Ragnar Boman (MBA) and Carl Johan Högbon (MBA).

**About OMX** | OMX is a leading expert in the exchange industry. The OMX Nordic Exchange comprises over 800 companies including its alternative market First North. OMX provides technology to over 60 exchanges, clearing organizations and central securities depositories in over 50 countries. The Nordic Exchange is not a legal entity but describes the common offering from OMX exchanges in Helsinki, Copenhagen, Stockholm, Iceland, Tallinn, Riga, and Vilnius. OMX is a Nordic Large Cap company in the Financials sector on the OMX Nordic Exchange. For more information, please visit [www.omxgroup.com](http://www.omxgroup.com).