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**Announcement no. 15**

### **BioPorto's NGAL Exclusion patent is ruled invalid by the EPO – BioPorto to appeal decision**

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Today, the European Patent Office (EPO) has ruled in the opposition case againsts BioPorto's BioPorto's NGAL Exclusion patent no. EP 2064553. The EPO ruled the patent invalid.

The decision is a first instance decision and will be appealed by BioPorto. The patent will be valid during the appeal. BioPorto's European NGAL patent portfolio comprises, besides the above-mentioned patent, BioPorto's issued NGAL ratio patent, NGAL forms patent, NGAL trauma patent and BioPorto's NGAL cutoff application. The company estimates that the portfolio of patents provides a sufficient coverage of the NGAL area regardless of the outcome of this case. Please see BioPorto's Annual Report for a description of BioPorto's issued patents, applications and oppositions.

Peter Mørch Eriksen, CEO of BioPorto, comments: "Neither we nor our advisors agree with the EPO's decision, why we will appeal. The other patents provide sufficient coverage, however, maintaining the exclusion patent will add to the strength of the portfolio."

#### **Further details from:**

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#### *The kidney biomarker NGAL*

*Every year about 13 million people are struck by acute kidney injury worldwide, of whom about 4 million die. Nevertheless, there has been no real progress in methods of diagnosing kidney injury over the last half century. Existing methods, such as serum creatinine determination, only signal kidney failure 24-72 hours after the injury has taken place. In contrast, NGAL rises to diagnostic levels within a few hours of kidney injury and thus enables the physician to make vital clinical decisions before the damage progresses to potentially fatal renal shutdown. In addition to helping the patient, cost-benefit analyses show that implementing NGAL testing will contribute to reducing hospital costs in the management of kidney injury and its consequences.*

#### *About BioPorto*

*BioPorto Diagnostics A/S is an in-vitro diagnostics company that provides healthcare professionals in clinical and research settings a range of diagnostic tests and antibodies. Our pioneering product portfolio includes assays for underserved disease states such as NGAL for acute kidney injury. BioPorto has its headquarters in Copenhagen, Denmark and is listed on the Nasdaq Copenhagen stock exchange.*