

AXIRON® COMPETITION IN THE UNITED STATES

On 18 August 2017, Teva Pharmaceutical Industries Ltd announced the launch of a generic version of Axiron® in the United States.

Acrux and Eli Lilly and Company (Lilly) continue to believe that the Axiron axilla application patent is valid and enforceable. Acrux and Lilly are committed to asserting their intellectual property rights for Axiron and the Appeal and proceedings remain underway. The Appeal is expected to be heard in the fourth quarter 2017.

For further information, contact

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About the appeal litigation

On 23rd August 2016, Acrux, and its partner Eli Lilly and Company, appealed the decision by the United States District Court for the Southern District of Indiana, in which the Axiron® formulation and axilla application patents granted by the US Patent and Trademark Office were held invalid, and in which the applicator patent was held valid but not infringed by the majority of parties. During the pendency of the appeal, the formulation patent expired and is no longer subject to the appeal proceedings. Lilly and Acrux are represented by Finnegan, Henderson, Farabow, Garrett & Dunner, LLP which is a firm with significant expertise in patent litigation in the United States.

For further information on Acrux, visit www.acrux.com.au

