

AXIRON® PATENT APPEAL PROCEEDINGS

Acrux (ASX: ACR) today confirmed that the Court of Appeals for the Federal Circuit in Washington DC has scheduled the Axiron patent appeal proceedings for 5th October 2017.

Acrux anticipates a decision from the Federal Circuit within 6 months.

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

