



## **Court Rules That Roche Infringes One of Amgen's Erythropoietin Patents**

August 28, 2007

### **Summary Judgment of Infringement Granted on Amgen '422 Patent; Court Also Rules in Amgen's Favor on Certain Defenses Raised by Roche Case Proceeds to Trial on Remaining Issues September 4, 2007**

THOUSAND OAKS, Calif., Aug 28, 2007 (BUSINESS WIRE) -- Amgen (NASDAQ:AMGN) today announced that the U.S. Federal District Court in Boston granted Amgen's motion for summary judgment and ruled that Roche's pegylated-erythropoietin ("peg-EPO") product will infringe Amgen's EPO pharmaceutical composition patent number 5,955,422. In a separate decision yesterday, the Court also granted summary judgment in favor of Amgen on certain Roche defenses against the patents-in-suit.

The case will proceed to trial Sept. 4, 2007 where the court will hear Amgen's claim of infringement for additional patents and also hear other Roche arguments on the validity and enforceability of Amgen's patents. Amgen continues to believe that its patents are valid and enforceable, and that Roche's peg-EPO product will infringe other Amgen patents relating to recombinant erythropoietin and its production.

In addition to infringing its EPO patents, Amgen firmly believes Roche's peg-EPO product provides no clinical or patient benefit over Amgen's innovative therapies, EPOGEN(R) (Epoetin alfa) and Aranesp(R) (darbepoetin alfa).

About Amgen

Amgen discovers, develops and delivers innovative human therapeutics. A biotechnology pioneer since 1980, Amgen was one of the first companies to realize the new science's promise by bringing safe and effective medicines from lab, to manufacturing plant, to patient. Amgen therapeutics have changed the practice of medicine, helping millions of people around the world in the fight against cancer, kidney disease, rheumatoid arthritis and other serious illnesses. With a deep and broad pipeline of potential new medicines, Amgen remains committed to advancing science to dramatically improve people's lives. To learn more about our pioneering science and our vital medicines, visit [www.amgen.com](http://www.amgen.com).

SOURCE: Amgen

Amgen, Thousand Oaks

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