



District Court Affirms Patent Infringement Rulings and Finds That Amgen is Entitled to a Permanent Injunction against Roche

October 2, 2008

Court Also Upholds Validity of Patent Claim in TKT and Aventis Litigation

THOUSAND OAKS, Calif.--(BUSINESS WIRE)--Amgen (NASDAQ:AMGN) announced today that the United States (U.S.) District Court in Boston issued its written decision upholding the prior jury verdict and court rulings regarding the infringement, validity and enforceability of 10 claims of four of Amgen's erythropoietin (EPO) patents. The Court also ruled that Amgen is entitled to a permanent injunction prohibiting Roche from selling its pegylated-erythropoietin (peg-EPO) product MIRCERA in the U.S. Previously, the Court entered a preliminary injunction preventing Roche from selling peg-EPO, and Roche has appealed that ruling. In today's decision, the District Court stated that it would enter a permanent injunction once the appeal of the preliminary injunction is resolved.

In finding that a permanent injunction against Roche is justified, the District Court stated: "Failure to enter a permanent injunction...would risk undermining the incentives for innovation that have produced, and hopefully will continue to produce, medical advances that extend and enhance the value of life. The Court therefore concludes that the public interest will not be disserved by a permanent injunction."

"Amgen is pleased with today's ruling, which recognizes that Amgen is entitled to a permanent injunction against Roche and reaffirms the infringement and validity of our patents," stated David Scott, senior vice president and general counsel at Amgen. "Amgen remains committed to investing in innovative research and to delivering medicines that treat grievous illness and meet unmet medical needs."

In a separate decision involving Amgen's suit against TKT and Aventis, the District Court upheld the validity of claim 1 of Amgen's U.S. Patent No. 5,955,422 that claims pharmaceutical compositions of human EPO and entered a permanent injunction prohibiting TKT and Aventis from selling its gene-activated EPO in the U.S.

About Amgen

Amgen discovers, develops, manufactures 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.

Source: Amgen

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