



Federal Appeals Court Affirms TKT Infringement; Remands Certain Validity Issues to Lower Court

January 6, 2003

SITE DEVELOPMENT COULD CREATE 600 NEW JOBS OVER THE NEXT FOUR YEARS

FOR IMMEDIATE RELEASE

THOUSAND OAKS, Calif. - January 6, 2003 - Amgen (Nasdaq: AMGN) today announced that the U.S. Court of Appeals for the Federal Circuit upheld the District Court's decision that TKT and Aventis infringe two of Amgen's patents relating to erythropoietin. The Appeals Court remanded the case to the District Court of Massachusetts for further consideration of certain validity issues.

The Appeals Court decision addressed TKT's and Aventis' appeal from the District Court's decision, which held three of five Amgen patents infringed, valid, and enforceable. In its decision, the Appeals Court:

- affirmed the finding of infringement by TKT and Aventis of two patents ('349 and '422 patents),
- vacated the finding of infringement of a third patent ('080) and remanded this issue to the District Court for further consideration,
- vacated the District Court's holding of non-infringement of a fourth patent ('698) and remanded to the District Court thereby allowing Amgen to pursue infringement of those claims,
- affirmed the rejection by the District Court of the majority of the validity attacks raised by TKT and Aventis,
- remanded to the District Court consideration of the effect of two references on the validity of the patents,
- affirmed the invalidity of a fifth patent ('933), and
- affirmed the enforceability of all of the patents.

In light of the Appeals Court decision affirming TKT's infringement of at least two Amgen patents and the issues to be decided on remand to the District Court, Amgen continues to believe that it will successfully enforce its patent rights against TKT and Aventis.

Because forward-looking statements involve risks and uncertainties, actual results may differ materially from current results expected by Amgen. Amgen is providing this information as of January 6, 2003 and expressly disclaims any duty to update information contained in this press release.

Amgen is a global biotechnology company that discovers, develops, manufactures and markets important human therapeutics based on advances in cellular and molecular biology.

Contact: Amgen, Thousand Oaks

Barbara Bronson Gray, 805/447-4949 (media)

Cary Rosansky, 805/447-4634 (investors)

###

EDITOR'S NOTES: An electronic version of this news release may be accessed via our web site at <http://www.amgen.com>. Visit the Corporate Center and click on Amgen News. Journalists and media representatives may sign up to receive all news releases electronically at time of announcement by filling out a short form in the Amgen News section of the web site.