

To whom it may concern:

May 13, 2015
Nissan Chemical Industries, Ltd.

An appeal of the patent infringement litigation (the third report)

As announced by “Bringing patent infringement actions concerning generic drugs of “LIVALO,” a therapeutic agent for hypercholesterolemia (the fourth report)” dated March 5, 2014, Nissan Chemical Industries, Ltd. (“Nissan Chemical”) had filed complaints against Sawai Pharmaceutical Co., Ltd. On April 28, this year, a sentence rejecting Nissan Chemical’s claim was pronounced by Tokyo District Court.

In the sentence, it was ruled that defendants’ products did not fall within the technical scope of claims of Nissan Chemical’s patented invention. Nissan Chemical filed an appeal against the sentence as of May 12, 2015 with Intellectual Property High Court.

■ About “LIVALO”

“LIVALO” is a pharmaceutical whose API is invented and manufactured by Nissan Chemical, and Kowa Company Ltd. (Head office: Naka-ku, Nagoya-shi; President and Representative Director: Yoshihiro Miwa, hereinafter “Kowa”) is exclusively expanding its business globally (developing, manufacturing formulations, selling, and the business tie up with other companies, etc). In Japan, Kowa is to manufacture and sell the products under the brand names, “LIVALO Tablet 1mg; LIVALO Tablet 2mg; LIVALO Tablet 4mg/LIVALO OD Tablet 1mg; LIVALO OD Tablet 2mg; and LIVALO OD Tablet 4mg,” and Kowa Pharmaceutical Co. Ltd., is selling them. This pharmaceutical is ranked as a strong statin as a HMG-CoA reductase inhibitor which exhibits strong LDL cholesterol lowering activity. Besides its superior improvement effect against dislipidaemia, “LIVALO” is known by various supporting information to have characteristics, such as safety in long term use, less emergence of drug interactions, and clinical benefit with diabetic complication, etc., and is prescribed to many patients having dislipidaemia in Japan and also overseas.

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