

**September 24, 2009**

**Announcement no. 23**

**CCH drops its lawsuit against BioPorto's NGAL patent before the Danish Maritime and Commercial Court**

BioPorto has been notified that Cincinnati Children's Hospital (CCH) has decided to discontinue its case against BioPorto before the Danish Maritime and Commercial Court. In March 2009 CCH issued a writ of summons alleging that BioPorto's NGAL cutoff patent, EP 1 831 699, rightfully belonged to CCH, viz. announcement no. 1 of March 12, 2009. BioPorto replied to this writ by requesting dismissal of the case and is therefore pleased to note that CCH is now dropping the lawsuit.

On the basis of CCH's writ of summons and following standard procedure, the European Patent Office (EPO) suspended grant proceedings for the patent on March 5, 2009. With the withdrawal of the lawsuit, the basis for the staying of grant proceedings has disappeared.

BioPorto therefore expects that grant proceedings will be resumed on October 1, 2009, as originally announced by EPO, and expects to receive further notification on the matter.

**Further information:**

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