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U.S. Court of Appeals Upholds Validity of Lilly's Alimta Compound Patent

INDIANAPOLIS, Aug. 24, 2012 /PRNewswire/ -- Eli Lilly and Company (NYSE: LLY) today announced that the U.S. Court of Appeals for the Federal Circuit has affirmed a prior ruling by the U.S. District Court for the District of Delaware that the company's compound patent for Alimta[®] (pemetrexed) is valid. The compound patent provides protection for Alimta in the U.S. through January of 2017.

"We are pleased with today's ruling from the Court of Appeals affirming the validity of the compound patent for Alimta," said Robert A. Armitage, senior vice president and general counsel for Lilly. "By affirming the district court ruling, we believe that the Court fairly applied long-standing patent law principles. Protection of intellectual property rights is extremely important to the biopharmaceutical industry and the physicians and patients we serve, as these rights help support the development of the next generation of innovative medicines to treat unmet medical needs."

Lilly, a leading innovation-driven corporation, is developing a growing portfolio of pharmaceutical products by applying the latest research from its own worldwide laboratories and from collaborations with eminent scientific organizations. Headquartered in Indianapolis, Ind., Lilly provides answers — through medicines and information — for some of the world's most urgent medical needs. Additional information about Lilly is available at www.lilly.com. C-LLY

This release contains forward-looking statements regarding the U.S. Alimta patent litigation. These statements are based on management's current expectations but actual results may differ materially. There can be no assurance that the company will prevail in any appeal. Also, the company cannot predict with certainty whether generic pemetrexed will be marketed prior to the expiration of exclusivity based on the compound patent. Other risk factors that may affect the company's results can be found in the company's latest Forms 10-K and 10-Q filed with the U.S. Securities and Exchange Commission.

Alimta[®] (pemetrexed, Lilly)

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