

Girindus AG:

Düsseldorf district court of first instance awards three patent registrations to former employees

Hanover, 02 March 2011. On 1 March 2011 the Düsseldorf district court issued a decision in connection with a patent dispute between Girindus AG and several of its former employees. The court ruled that the rights to three patent registrations belong to the prosecuting employees. These patents are about certain synthesis and purification steps in the production of oligonucleotides in the so-called liquid phase process.

The court demands that Girindus AG must effect a transfer of the patent registrations, provided that the plaintiffs repay the costs of approx. 200,000 euros paid by the company for the registration proceedings to Girindus AG. In accordance with the decision, Girindus AG must compensate the plaintiffs for any damages sustained due to the delayed transfer of the patent registration.

Six former employees had taken legal proceeding against Girindus AG in 2008 in order to obtain the rights to three patent registrations originating from the time when they were employed by the company. No patents have yet been awarded based on the registrations in question by either the European Patent Office or in the USA. The decision will have no negative effects on the company's ongoing business, because oligonucleotides for pharmaceutical companies that do research in that field are currently produced in a solid-phase process.

Ongoing research projects at Girindus using liquid-phase synthesis make use of other technologies, for which the company has filed further patent registrations, which are unaffected by the verdict.

The court decision of first instance is not yet final. As soon as the written court decision is published, Girindus AG will decide whether or not it will lodge an appeal.