

April 27, 2010
Shionogi & Co., Ltd.

Shionogi Appeals Patent Infringement lawsuit for Flomox[®] (Oral cephem antibiotic agent) to the Intellectual Property High Court

Shionogi & Co., Ltd. (Head Office: Osaka; President: Isao Teshirogi; hereafter “Shionogi”) today announced that it appealed a patent infringement lawsuit based on the crystal patent of Flomox[®] (Oral cephem antibiotic agent) to the Intellectual Property High Court on April 26. Shionogi had filed the patent infringement actions for Flomox[®] at the Osaka District Court against Sawai Pharmaceutical Co., Ltd. (Head office: Osaka) and ITOCHU CHEMICAL FRONTIER Corporation (Head Office: Minato-ku, Tokyo); however, the Osaka District Court dismissed the case on April 15. The company appealed against said judgment to the Intellectual Property High Court.

Shionogi sees intellectual property as very important resources and considers above-described crystal patent significant to stabilize its quality in development of Flomox[®], and intends to take legal responses against infringements or the risk of infringements of our intellectual property in the future.

Forward-Looking Statements

This announcement contains forward-looking statements. These statements are based on expectations in light of the information currently available, assumptions that are subject to risks and uncertainties which could cause actual results to differ materially from these statements. Risks and uncertainties include general domestic and international economic conditions such as general industry and market conditions, and changes of interest rate and currency exchange rate. These risks and uncertainties particularly apply with respect to product-related forward-looking statements. Product risks and uncertainties include, but are not limited to, completion and discontinuation of clinical trials; obtaining regulatory approvals; claims and concerns about product safety and efficacy; technological advances; adverse outcome of important litigation; domestic and foreign healthcare reforms and changes of laws and regulations. Also for existing products, there are manufacturing and marketing risks, which include, but are not limited to, inability to build production capacity to meet demand, unavailability of raw materials and entry of competitive products. The company disclaims any intention or obligation to update or revise any forward-looking statements whether as a result of new information, future events or otherwise.

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