

## **Shionogi Enters into Settlement Agreement with Generic Manufacturers over Crestor<sup>®</sup> Patent**

---

**Osaka, Japan, March 26, 2013** - Shionogi & Co., Ltd. (Head Office: Osaka, Japan; President & CEO: Isao Teshirogi, Ph.D.; hereafter “Shionogi”) announced that it has entered into a settlement agreement in the US patent infringement litigation of Crestor<sup>®</sup> (generic name: rosuvastatin calcium), which was out-licensed to AstraZeneca (Head Office: London, United Kingdom), in the United States Court for the District of Delaware against Watson Laboratories, Inc., Actavis, Inc. (formerly known as Watson Pharmaceuticals, Inc.), and EGIS Pharmaceuticals regarding Watson’s proposed rosuvastatin zinc product. Watson, a successor of Cobalt, also agreed not to further appeal a decision by the United States Court of Appeals for the Federal Circuit that upheld the validity and enforceability of the Crestor<sup>®</sup> substance patent.

Under the agreement, Watson and EGIS concede that the Crestor<sup>®</sup> substance patent is valid, enforceable and would be infringed by Watson’s rosuvastatin zinc product and its rosuvastatin calcium product. The settlement agreement permits Watson to begin selling its generic version of Crestor<sup>®</sup> and rosuvastatin zinc product beginning May 2, 2016, at a fee to AstraZeneca of 39% of net sales of Watson’s products until the end of pediatric exclusivity on July 8, 2016.

Shionogi considers its intellectual property as very important resources and intends to vigorously defend our rights in any challenges to our intellectual property.

This settlement will not give any impact on its 2012 fiscal year results.

### **About the Trial**

Shionogi brought suit with AstraZeneca against Watson and EGIS in the United States Court for the District of Delaware, alleging Watson’s rosuvastatin zinc NDA infringed the substance patent covering Crestor<sup>®</sup>. Watson and EGIS filed counterclaims seeking declaratory judgment of non-infringement and invalidity of the substance patent. The trial took place between December 12 and 19, 2012.

### **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.*

**For further information, contact:**

Corporate Communications

Shionogi & Co., Ltd.

Osaka Telephone: +81-6-6209-7885 Fax: +81-6-6229-9596

Tokyo Telephone: +81-3-3406-8164 Fax: +81-3-3406-8099