

# Wiley Rein & Fielding Client Mylan Wins Significant Patent Dispute

September 28, 2005

WRF patent attorneys James H. Wallace, Jr., John B. Wyss, Kevin P. Anderson, Robert J. Scheffel and Andrew L. Shane have successfully represented Mylan Laboratories Inc. in a patent dispute against Johnson & Johnson's Alza Corporation as described in the Mylan press release that follows.

Read the Post-trial Memorandum Opinion.

Mylan Press Release:

## **Mylan Wins Oxybutynin ER Patent Litigation**

PITTSBURGH, Sept. 28 /PRNewswire-FirstCall/-Mylan Laboratories Inc. (NYSE: MYL) today announced that the federal district court in the Northern District of West Virginia ruled in favor of Mylan in its Oxybutynin patent litigation with Alza Corporation, a subsidiary of Johnson & Johnson. The court held that Mylan's unique delivery system did not infringe Alza's patent and further concluded that the patent was invalid as anticipated and obvious.

Mylan is the first generic company to file Abbreviated New Drug Applications (ANDAs) with the FDA for 5 mg and 10 mg Ditropan XL. The Company will be eligible for 180 days of market exclusivity upon final FDA approval, which has been requested. Ditropan XL had U.S. sales of approximately \$440 million during the 12-month period ended June 30, 2005, with more than 80% of the volume in the 5 mg and 10 mg strengths, according to IMS.

## **About Mylan Laboratories**

Mylan Laboratories Inc. is a leading pharmaceutical company with three principal subsidiaries, Mylan Pharmaceuticals Inc., Mylan

## Related Professionals

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## Practice Areas

Hatch-Waxman Act Litigation  
Intellectual Property  
Litigation  
Patent

Technologies Inc. and UDL Laboratories, Inc., that develop, license, manufacture, market and distribute an extensive line of generic and proprietary products.

**Forward-Looking Statements**

This press release includes statements that constitute "forward-looking statements," including with regard to pending litigation and final FDA approval. These statements are made pursuant to the safe harbor provisions of the Private Securities Litigation Reform Act of 1995. Because such statements inherently involve risks and uncertainties, actual future results may differ materially from those expressed or implied by such forward-looking statements. Factors that could cause or contribute to such differences include, but are not limited to: risks inherent in legal proceedings and regulatory matters; other uncertainties and matters beyond the control of management; and the other risk factors set forth in the Company's Form 10-K for the year ended March 31, 2005, and in its other filings with the SEC. The Company undertakes no obligation to update statements herein for revisions or changes after the date of this release.

**Source :** Mylan Laboratories Inc.

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