

# Wiley Rein Clients Mylan and Esteve Today Won The Generic Prilosec® Litigation

June 10, 2008

Mylan, Laboratorios Dr. Esteve, S.A and Esteve Quimica, S.A. today won the generic Prilosec® litigation. Wiley Rein Intellectual Property Practice partners James H. Wallace Jr. and Mark A. Pacella represented Mylan at trial and on appeal. Mylan described the victory in the following press release.

## Practice Areas

- Hatch-Waxman Act Litigation
- Intellectual Property
- Litigation
- Patent
- Technology Transactions

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### Mylan Wins Generic Prilosec(R) Patent Litigation Court of Appeals Affirms No Infringement

PITTSBURGH, June 10 /PRNewswire-FirstCall/ – Mylan Inc. (NYSE: MYL) announced today that the U.S. Court of Appeals for the Federal Circuit has affirmed a May 2007 District Court ruling stating that Mylan's 10 mg and 20 mg Omeprazole delayed-release capsules do not infringe patents asserted against Mylan by AstraZeneca. Omeprazole is the generic version of AstraZeneca LP's Prilosec(R).

Mylan launched its Omeprazole products on August 4, 2003, despite the patent infringement litigation, which at the time was unprecedented in the generic pharmaceutical industry.

"Once again, we are pleased to have prevailed in court, and we believe that this decision ends the patent litigation surrounding this product for our company," said Mylan Vice Chairman and CEO Robert J. Coury. "Our original decision to launch this product means that consumers, the government and third-party payors have benefited significantly for nearly five years because they've had access to a lower-cost generic version of Prilosec."

Mylan Inc., with a presence in more than 90 countries, ranks among the leading diversified generic and specialty pharmaceutical companies in the world. The company maintains one of the industry's broadest – and highest quality – product portfolios, supported by a robust product pipeline; owns a controlling interest in the world's second largest active pharmaceutical ingredient manufacturer; and operates a specialty business focused on respiratory and allergy therapies.