

September 30, 2024
SymBio Pharmaceuticals Limited
Fuminori Yoshida
Representative Director
President and Chief Executive Officer
(Securities Code: 4582)

SymBio Reaches Settlement Agreement in Patent Infringement Litigation Related to TREAKISYM®

TOKYO, Japan, September 30, 2024 – SymBio Pharmaceuticals Limited (headquarters: Tokyo, hereinafter “SymBio” or the “Company”) announces that, on September 30, 2024, the Company has reached a settlement agreement with Towa Pharmaceutical Co., Ltd. (headquarters: Osaka, hereinafter “Towa”) in a lawsuit where SymBio and Eagle Pharmaceuticals, Inc. (headquarters: New Jersey, United States, hereinafter “Eagle”) jointly filed an action against Towa seeking an injunction against patent infringement and seeking compensation in damages (hereinafter “Lawsuit”).

The products subject to the Lawsuit, which have been manufactured and sold by Towa, are generic versions of SymBio’s TREAKISYM® Injection Solution 100mg/4mL (generic name: bendamustine hydrochloride hydrate, hereinafter “TREAKISYM®”).

The Company expects this matter to have only a minor impact on its financial results for the fiscal year ending December 31, 2024.

Outline of Lawsuit

Date of filing of lawsuit	: December 16, 2022
Plaintiffs	: SymBio and Eagle
Defendant	: Towa
Products	: Bendamustine Hydrochloride Intravenous Infusion 25mg/1mL “TOWA” Bendamustine Hydrochloride Intravenous Infusion 100mg/4mL “TOWA” (hereafter referred to as the “Towa Products”)
Description of lawsuit	: Injunction against the manufacture and sale of the Towa Products and a claim in damages based on patent infringement

Background to this Settlement

The Company, together with Eagle, the licensor of TREAKISYM®, filed a lawsuit against Towa, who has approval for the manufacture and sale of the Towa products, which are the generic versions of TREAKISYM®, seeking injunction against the manufacture and sale of the Towa Products and seeking compensation in damages based on infringement of Eagle’s patents relating to Bendamustine Injection Solution. The parties have now reached a settlement.

Terms of Settlement

The Company refrains from disclosing the terms of the settlement given that the settlement agreement includes a confidentiality clause.

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