

December 26, 2022  
Symbio Pharmaceuticals Limited  
Fuminori Yoshida  
Representative Director  
President and Chief Executive Officer  
(Securities Code: 4582)

## **Symbio files lawsuit against Pfizer Japan Inc. for infringement of TREAKISYM® patents**

**TOKYO, Japan, December 26, 2022** -- Symbio Pharmaceuticals Limited (Headquarters: Tokyo, "Symbio" or the "Company") today announced that the Company, together with Eagle Pharmaceuticals, Inc. (Headquarters: New Jersey, U.S.A., "Eagle"), the Company's licensor, jointly filed a complaint in the Tokyo District Court against Pfizer Japan Inc. (Headquarters: Tokyo, "Pfizer") seeking remedies for the infringement of Eagle's patents for TREAKISYM® injection solution 100mg/4mL (generic name: bendamustine hydrochloride hydrate, hereinafter "TREAKISYM®"). Pfizer obtained manufacturing and marketing approval for its generic version of TREAKISYM® in Japan. The remedies sought by the Company and Eagle include an injunction against the manufacture or sale of Pfizer's generic product and compensation for damages.

### **Summary**

#### **1. Date of claim**

December 26, 2022

#### **2. Cause of action and background**

In February 2022, generic versions of TREAKISYM® were approved for manufacturing and marketing in Japan. Given the potential infringement of Eagle's patents related to TREAKISYM® in Japan which are exclusively licensed to Symbio, Symbio notified generic makers of potential patent infringement and requested they take appropriate measures to avoid such infringement. Pfizer began selling its bendamustine generic product in December 2022. Eagle and the Company have therefore commenced the litigation seeking an injunction against the manufacture and sale of Pfizer's generic version of TREAKISYM® and compensation for damages arising from the infringement.

#### **3. Summary of the lawsuit**

Claim for injunction against the manufacture and sale of the generic products and compensation for damages based on patent infringement.

#### 4. Defendant

Pfizer Japan Inc.

3-Chome 22-7, Yoyogi, Shibuya, Tokyo, Japan

President and Representative Director: Akihisa Harada

#### 5. Financial outlook

The Company does not anticipate the information presented herein to have any material impact on its financial outlook for the fiscal year ending December 2022.

#### [Contact]

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