

**PRESS RELEASE**

**Debiopharm International SA Appeals to the Supreme Court regarding Nippon Kayaku Co., Ltd. case**

**Lausanne, Switzerland – February 21, 2017** –Debiopharm International SA (Debiopharm – [www.debiopharm.com](http://www.debiopharm.com)), a Swiss-based global biopharmaceutical company, today announced that it has filed an appeal before the Supreme Court of Japan against the decision from the IP High Court (a special branch of the Tokyo High Court), according to which the generic products of Elplat® (Oxaliplatin) commercialized by Nippon Kayaku Co., Ltd. (Nippon Kayaku) have not infringed the Japanese patent JP 4430229 , which is owned by Debiopharm and exclusively licensed to Yakult Honsha Co., Ltd. (Yakult) in Japan.

Debiopharm continues to take any and all reasonable legal actions against any activity that infringes the intellectual property rights owned by Debiopharm and exclusively licensed to Yakult.

**About Elplat®**

Elplat® is an anticancer platinum drug, for which Yakult acquired development and commercialization rights in Japan from Debiopharm in 1997. Elplat® was approved for the indication for the treatment of “curatively unresectable advanced/recurrent colorectal cancer” in March 2005, and launched on the market in April of the same year. In August 2009, Elplat® became indicated for “postoperative adjuvant chemotherapy for colon cancer”. An additional dosage and administration for “curatively unresectable advanced/recurrent colorectal cancer” was approved in September 2009, and an additional dosage and administration for “postoperative adjuvant chemotherapy for colon cancer” was approved in November 2011. Subsequently, Elplat® was approved for the indication for the treatment of “curatively unresectable pancreatic carcinoma” in December 2013. And furthermore, Elplat® was approved for the indication for “unresectable advanced or recurrent gastric cancer” in March 2015 and then “gastric cancer” in November 2015, integrating “unresectable advanced or recurrent gastric cancer” and “postoperative adjuvant chemotherapy for gastric cancer”.

**About Debiopharm International SA**

Debiopharm Group™ is a Swiss-headquartered global biopharmaceutical group of five companies active in drug development, GMP manufacturing of proprietary drugs, diagnostics, and investment management. Debiopharm International SA is focused on the development of prescription drugs that target unmet medical needs, and in-licenses and develops promising drug candidates. The products developed by Debiopharm International SA are commercialized by pharmaceutical out-licensing partners to give access to the largest number of patients worldwide.

For more information, please visit [www.debiopharm.com](http://www.debiopharm.com)

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