

**PRESS RELEASE**

**Yakult Honsha Co., Ltd. and Debiopharm International SA File Patent Infringement for Elplat® against Nippon Kayaku Co., Ltd.**

**Tokyo, Japan / Lausanne, Switzerland – May 16, 2016** – Yakult Honsha Co., Ltd. (Yakult, COO: Takashige Negishi) and Debiopharm International SA (Debiopharm, CEO: Bertrand Ducrey) today announce that both companies have jointly filed a patent infringement lawsuit claiming for damage against Nippon Kayaku Co., Ltd. (Nippon Kayaku) to the Tokyo District Court as of May 16 2016, on the ground that Nippon Kayaku is infringing the Japanese patent 4430229, which is owned by Debiopharm and exclusively licensed to Yakult, by its commercialization of generic products of Elplat® (Oxaliplatin) Drip Infusion of 50, 100 and 200 mg.

Yakult and Debiopharm will 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 Yakult Honsha**

Yakult is a leading Japanese company focused on the development and marketing of pharmaceuticals, foods, beverages, and cosmetics. With respect to its pharmaceutical business, Yakult has a strong presence in development and commercialization of the therapeutic products in the field of oncology.

For more information on Yakult, visit: <http://www.yakult.co.jp/english/index.html> or view the following company profile:

[http:// www.yakult.co.jp/company/pdf/company2015-2016.pdf](http://www.yakult.co.jp/company/pdf/company2015-2016.pdf)

**About Debiopharm International SA**

Debiopharm Group™ is a Swiss-based global biopharmaceutical group of four 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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