



**KRKA, d. d., Novo mesto**

### **Lawsuit for alleged infringement of the montelukast patent in Finland**

Krka d.d., Novo mesto (hereafter Krka) has received the decision of the Court of Appeals in Helsinki in the litigation filed by plaintiffs Merck Frosst Canada Limited, Canada, Merck Sharp & Dohme B.V., Netherlands and MSD Finland Oy, Finland (hereinafter collectively referred to as MSD) against defendants Krka, d.d., Novo mesto and Krka's subsidiary Krka Sverige AB (hereinafter collectively referred to as Krka), for alleged infringement of two patents held by MSD protecting two manufacturing processes for production of active pharmaceutical ingredient montelukast in Finland. The litigation commenced in September 2009.

Court of Appeals in Helsinki has reversed the decision of the District Court in Helsinki. Court of Appeals in Helsinki decided that Krka did not prove that the manufacturing process employed for production of active ingredient montelukast does not fall into the scope of patented process in Finland. Consequently, Court of Appeals in Helsinki imposed Krka to pay to MSD damages in the amount of €629,737.20, with interest from 31 December 2010.

The judgement is final. Krka is considering appealing against this judgement at the Finnish Supreme Court.

Krka published the announcement considering the litigation on 24 November 2009 and 2 March 2011.

Krka, d. d., Novo mesto

Date: 29.01.2013