



Occlutech wins German Supreme Court ruling against AGA / St. Jude Medical

Jena, May 12, 2011

Occlutech GmbH, a leading European developer of minimally invasive implants for the treatment of structural heart disease, today announced that it has received a favourable court ruling from the German Supreme Court, (BGH), in Karlsruhe, Germany in patent litigation initiated by AGA Medical Inc., now part of St. Jude Medical Inc.

In the ruling by the BGH, the court does not see any basis for AGA / St. Jude's claim that the Occlutech ASD and PFO occluders violate any patent brought forward in the litigation and declares earlier German ruling to the contrary invalid. The German Supreme Court ruling is similar in many aspects to the first instance ruling in the UK which was confirmed by the appeal court in the UK in mid 2010. The UK ruling is final as the UK supreme court did not allow an appeal requested by AGA. The favourable German ruling is also similar to first instance, as well as appeal court decisions in The Hague, in The Netherlands, the last one obtained in the end of 2010 as well as a district court ruling in Stockholm, Sweden obtained in March 2011.

Throughout the litigation, Occlutech's owners and partners have funded work in maintaining and substantially strengthening Occlutech's own patent position. Meanwhile, a full pipeline of new technologies and products have been developed. In 2011 and 2012 Occlutech expects to launch additional occluders for indications such as PDA and VSD in addition to second generation ASD and PFO occluders. Also, an innovative LAA occluder, a new generation of stent grafts and cardiac valve intervention technologies are being developed.

Occlutech intends to initiate litigation for substantial damages against AGA / St. Jude.

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