

FOR IMMEDIATE RELEASE



**SHIONOGI & CO., LTD. AND SHIONOGI INC. ANNOUNCE  
A FAVORABLE DECISION IN FORTAMET<sup>®</sup>  
PRELIMINARY INJUNCTION PROCEEDINGS**

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**OSAKA, JAPAN AND FLORHAM PARK, NJ (December 7, 2011)** – Shionogi & Co., Ltd., together with its U.S. subsidiary, Shionogi Inc. (together “Shionogi”), today announced that the U.S. District Court in New Jersey granted Shionogi’s motion for a preliminary injunction against Lupin Ltd. and its U.S. subsidiary, Lupin Pharmaceuticals, Inc. (together “Lupin”). The preliminary injunction prevents Lupin from further importing and selling a generic version of FORTAMET<sup>®</sup> before the district court renders a decision in the on-going litigation relating to U.S. Patent Nos. 6,099,859 (the “’859 Patent”) and 6,866,866 (the “’866 Patent”) covering FORTAMET<sup>®</sup>. No trial date has been set.

Despite a favorable claim construction ruling (“Markman”) in Shionogi’s favor on September 15, 2011, Lupin launched its generic version of FORTAMET<sup>®</sup> “at risk” on September 30, 2011.

Shionogi’s preliminary injunction motion focused on Lupin’s infringement and the validity of the ’866 Patent. In granting the motion, the district court found that Shionogi “has shown a likelihood that [Lupin’s] drug infringes a claim of the “’866 Patent” and that Shionogi is “likely to succeed on its claim that the patent is valid.”

“We are extremely pleased that the district court recognized the strength of the intellectual property covering FORTAMET<sup>®</sup> and we intend to continue to vigorously defend our rights in this and any other challenges to our intellectual property,” said Dr. Isao Teshirogi, President and CEO of Shionogi & Co., Ltd. and Chairman of Shionogi Inc.

**About Shionogi & Co., Ltd.**

Headquartered in Osaka, Japan, Shionogi & Co., Ltd. is a major research-driven pharmaceutical company dedicated to placing the highest value on patients. Shionogi’s Research and Development currently targets three therapeutic areas: Infectious Diseases, Pain and Metabolic Syndrome. The Company has provided such innovative medicines as Crestor and Doripenem, which have been successfully delivered to millions of patients. In addition, Shionogi is engaged in new research areas such as allergy and cancer. Contributing to the health of patients around the world through development in these therapeutic areas is Shionogi’s primary goal. For more details, please visit [www.shionogi.co.jp](http://www.shionogi.co.jp). For more information on Shionogi Inc., headquartered in Florham Park, NJ, please visit [www.shionogi.com](http://www.shionogi.com).

December 7, 2011

***Forward Looking Statements***

*This announcement contains forward-looking statements. These statements are based on expectations in light of the information currently available, assumptions that are subject to risks and uncertainties which could cause actual results to differ materially from these statements. Risks and uncertainties include general domestic and international economic conditions such as general industry and market conditions, and changes of interest rate and currency exchange rate. These risks and uncertainties particularly apply with respect to product-related forward-looking statements. Product risks and uncertainties include, but are not limited to, completion and discontinuation of clinical trials; obtaining regulatory approvals; claims and concerns about product safety and efficacy; technological advances; adverse outcome of important litigation; domestic and foreign healthcare reforms and changes of laws and regulations. Also for existing products, there are manufacturing and marketing risks, which include, but are not limited to, inability to build production capacity to meet demand, unavailability of raw materials and entry of competitive products. The company disclaims any intention or obligation to update or revise any forward-looking statements whether as a result of new information, future events or otherwise.*

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