



genOway launches a legal action against Collectis S.A. and claims several millions euros for compensation

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genOway, (ALTERNEXT-NYSE EURONEXT: ALGEN ; ISIN : FR0004053510), the biotechnology company dedicated to the development of genetically modified animal models reports that it has filed a legal action against Collectis S.A. and brings attention to the following details.

Indeed, to develop several genetically modified animal models and “tailor-made” models for its clients, genOway is using, among a panel of other technologies, one specific “Knock-in” homologous recombination technology. For the use of this technology, genOway, holds since 2001 a nonexclusive license agreement granted by the French company Collectis acting in its capacity as the main licensee of Institut Pasteur, owner of the patents related to this technology. This renewable agreement falls due in September 2009.

Collectis has recently decided to modify its sales strategy and started to contact several genOway’s clients to propose them to enter directly into license agreements whereas genOway’s license was precisely intended to allow it to provide its clients with a safe and fast solution where Intellectual Property was cleared up at genOway’s level for any use of the model supplied by genOway in the research area -biological phenomena understanding and active substance sifting- (excluding any use of the models for production -such as recombinant proteins- or for therapeutic purposes -such as cell therapy-, working fields where genOway doesn’t intervene). In this context, Collectis also tried to terminate genOway’s license before its official term and contest genOway’s rights.

genOway contests firmly Collectis’ position in justice and claims several millions euros for compensation.

Despite the fact that Collectis’ technology remains relevant, it’s important to underline (1) the patents filed by Collectis in 1989 are about to become part of the public domain (March 2010) in Europe and Japan (worldwide except USA), (2) several independent technologies of genes replacement have been developed since 1989.

About the licensing agreement granted by Collectis to genOway

The licensing agreement signed in 2001 (whose financial conditions paid by genOway were decreased in 2004) falls due in September 2009 and allows genOway’s customers to use the genetically animal models in the field of pharmaceutical research: target study and compound sifting:

1.3 FIELD

One understands by “Field”, the cellular system development on human culture (in vitro) and/or rodent and rodent animal models, except any other species, for the understanding of biological phenomena and/or the sifting of actives substances concerning any field excepting hormones, cytokines and human growth factor.

The use of these cellular systems on human and/or rodent and rodent animal models culture (in vitro) excepting any other species is exclusively limited for research purposes. Therefore, any use of the models for production (such as recombinant proteins) or for therapeutic use (such as cell therapy) is expressly excluded.



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About genOway

genOway (ALTERNEXT-NYSE: ALGEN) is a biotechnology Company developing genetically modified and high value added research models for bio-pharmaceutical, chemical, agrochemical and food industries as well as academic research. With a highly qualified scientific personnel, the company has a work force of 60 people and operates in over 22 countries in Europe, Asia, North America, and provides more than 250 customers. genOway is a leader in its market in terms of size and customer portfolio. The Company builds its development on both a broad and exclusive technology platform and a strong intellectual property combining patents and licensing. Taking advantage of the world trend towards outsourcing the production of genetically modified research models, genOway has signed many contracts with leaders of the pharmaceutical industry (Pfizer, Bayer, Boehringer Ingelheim, etc.), and with the most prestigious academic research centers (King's College and the University of Manchester in England, Duke University and the National Institutes of Health in the United States, the Institut Pasteur in France, NGFN and the Max Planck Institutes in Germany, etc. ...). To strengthen its technological position and benefit from worldwide business partners, genOway has signed strategic alliances with leading companies in their fields of activity: Charles River Laboratories (NYSE: CRL, a worldwide leader in laboratory animals), Invitrogen (NASDAQ : IVGN, world leader provider in molecular biology). For more information please consult www.genoway.com.

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