



## **Mylan Announces U.S. PTO Intends to Reissue Two Performist® Patents to Dey Pharma**

BASKING RIDGE, N.J., Aug. 2, 2011 /PRNewswire/ -- Dey Pharma L.P., a subsidiary of Mylan Inc. (Nasdaq: MYL), today announced that the U.S. Patent and Trademark Office intends to reissue both of the patents related to Performist® (formoterol fumarate) Inhalation Solution 20 mcg/2mL vial that had been placed into reexamination by Sepracor, now known as Sunovion Pharmaceuticals. Including the two expected reissued patents, Dey believes that seven U.S. patents are infringed by Sunovion's Brovana® product. In addition, Dey believes that Teva's formoterol fumarate product pending before the FDA also infringes several of Dey's U.S. patents. The terms of the patents protecting Performist® extend into 2021.

Mylan Chairman and CEO Robert J. Coury commented: "We are very pleased with today's decision by the U.S. PTO in relation to intellectual property protecting Performist®, as well as our combination product for the treatment of Chronic Obstructive Pulmonary Disease (COPD), currently in development. We look forward to continuing to assert our very strong IP related to these products in the pending patent litigations against Sunovion and Teva. Today's developments further strengthen the potential of the Dey franchise and its portfolio of products."

### **About Dey Pharma**

Dey Pharma, L.P., a subsidiary of Mylan Inc. (Nasdaq: MYL), is a specialty pharmaceutical company focused on the development, manufacturing and marketing of prescription drug products for the treatment of respiratory diseases, severe allergic reactions and psychiatric disorders. The company puts patients first and facilitates efficient, cost-effective partnerships with customers. For more information, please visit [www.dey.com](http://www.dey.com).

### **About Mylan**

Mylan Inc. ranks among the leading generic and specialty pharmaceutical companies in the world and provides products to customers in more than 150 countries and territories. The company maintains one of the industry's broadest and highest quality product portfolios supported by a robust product pipeline; operates one of the world's largest active pharmaceutical ingredient manufacturers; and runs a specialty business focused on respiratory, allergy and psychiatric therapies. For more information about Mylan, please visit [www.mylan.com](http://www.mylan.com).

### **Forward Looking Statements**

This press release includes statements that constitute "forward-looking statements", including with regard to pending litigation, products in development and expectations for Dey's future. These statements are made pursuant to the safe harbor provisions of the Private Securities Litigation Reform Act of 1995. Because such statements inherently involve risks and uncertainties, actual future results may differ materially from those expressed or implied by such forward-looking statements. Factors that could cause or contribute to such differences include, but are not limited to: uncertainties inherent in legal proceedings; other legal or regulatory challenges; the impacts of competition; changes in economic and financial conditions of the company's business; and the other risks detailed in the Company's periodic filings with the Securities and Exchange Commission. The company undertakes no obligation to update these statements for revisions or changes after the date of this release.

SOURCE Mylan Inc.

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