



## **Mylan's Dey Pharma Successfully Obtains Patent Reexamination Certificates for Two Performist® Patents**

BASKING RIDGE, N.J., Oct. 20, 2011 /PRNewswire/ -- Dey Pharma L.P., a subsidiary of Mylan Inc. (Nasdaq: MYL), today confirmed that the U.S. Patent and Trademark Office (PTO) has issued Reexamination Certificates for two patents related to Performist® (Formoterol Fumarate) Inhalation Solution 20 mcg/2mL vial thereby confirming the validity of these patents. Sepracor, now known as Sunovion Pharmaceuticals, requested the PTO to re-examine these patents, which now has been completed.

Mylan Chairman and CEO Robert J. Coury commented: "We are pleased that the successful re-examination of these patents is complete as this only further strengthens our confidence in the intellectual property protecting our Performist product as well as our combination product currently in development. We are very excited about continuing to build on our brand division, Dey, which is and will continue to be an important growth driver for Mylan."

In addition to the two re-examined and granted patents, Dey owns five other relevant patents, giving it a total of seven U.S. patents which it believes are infringed by Sunovion's Brovana® product. In addition, Dey believes that Teva's Formoterol Fumarate product, which is the subject of an Abbreviated New Drug Application (ANDA) pending before the FDA, infringes several of Dey's U.S. patents. Mylan intends to vigorously defend its intellectual property in the pending patent litigations against Sunovion and Teva. The terms of the patents protecting Performist extend into 2021.

### **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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