

Media Release

Synthes Awarded Permanent Injunction and US\$ 21 MM in Enhanced Damages, Interest and Costs in ProDisc Patent Case against Medtronic

West Chester (PA), USA, September 7, 2009

Synthes (SWX: SYST.VX) reported today about recent favorable Court rulings in its ProDisc patent litigation against Medtronic.

On August 26, 2009, the U.S. District Court in Memphis, TN, (the "Court") permanently enjoined Medtronic from infringing Synthes' U.S. Patent No. 6,936,071, covering Synthes' ProDisc-L artificial disc replacement device. The Court also doubled Synthes' actual damages (for the period until the end of 2008), with the total award now exceeding US\$ 21.0 million in damages, interest and costs. In addition, the Court ruled that Synthes is entitled to an award of its attorneys' fees because of Medtronic's willful infringement.

"We are pleased that the Court has upheld the jury's verdict," said Michel Orsinger, President and CEO of Synthes. "Synthes has made substantial investments towards the ProDisc artificial disc replacement devices, and the rulings by the Court confirm our intellectual property rights in that technology," he continued.

In 2007, Synthes filed suit against Medtronic, asserting that their Maverick products infringe the '071 patent. In November 2008, a jury had reached a verdict that Medtronic willfully infringed the '071 patent by its manufacture and sale of the Maverick product lines. On August 19, 2009, the Court denied Medtronic's motion for a new trial. Medtronic is appealing these rulings to the U.S. Court of Appeals.

ProDisc-L is a total disc replacement device used to replace diseased vertebral discs in the lumbar spine. It was approved in 2006 by the FDA (Food and Drug Administration) for commercial sale in the U.S. and has since shown good clinical results.

Synthes: A leading medical device company

Synthes is a leading global medical device company. We develop, produce and market instruments, implants and biomaterials for the surgical fixation, correction and regeneration of the human skeleton and its soft tissues.

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