

U.S. Court Confirms the Scope of Evonik's Patent Rights in Metathesis Catalysts Patent

Evonik Industries AG, Essen / Germany, today announced that the United States Court for the District of Delaware issued its claim construction Order and Opinion ("Markman Ruling") in Evonik's patent infringement litigation against Materia Incorporated ("Materia").

In U.S. patent litigation, the District Court interprets the scope and meaning of disputed terms that appear in the relevant patent claims. On September 30, 2013, the Court adopted Evonik's proposed interpretations of all disputed terms. The Court rejected Materia's attempts to narrow the scope of Evonik's patents and also rejected Materia's attempt to broaden the scope of its own patent.

On August 26, 2009, Evonik sued Materia for infringement of United States Patent No. 7,378,528. Evonik filed a second infringement suit against Materia on March 11, 2010, shortly after the issuance of Evonik's U.S. Patent No. 7,652,145. Materia responded by joining with the University of New Orleans Foundation to allege that Evonik infringes U.S. Patent No. 7,622,590. The lawsuit is before the United States Court for the District of Delaware and captioned: Evonik Degussa GmbH v. Materia, Incorporated et al, civil action nos. 1:09-cv-00636-NLH-JS and 1:10-cv-JJF-MPT (consolidated).

The patents concern metathesis catalysts and their use in the chemical industry. Metathesis is an important method for developing and producing, for example, high-tech plastics — including those based on renewable resources — or active ingredients for medicines, personal care products and agrochemicals. Ring-closing metathesis, for instance, is an indispensable reaction step in the synthesis of active ingredients for hepatitis C and cancer medications. Ring-opening cross-metathesis can be used to manufacture highly effective light-guiding polymer materials.

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Contact person specialized press
Frank Gmach
Head of Communications
Inorganic Materials
Phone +49 6181 59-13588
Fax +49 6181 59-713588
frank.gmach@evonik.com

Evonik Industries AG
Rellinghauser Straße 1-11
45128 Essen
Germany
Phone +49 201 177-01
Fax +49 201 177-3475
www.evonik.de

Supervisory Board
Dr. Werner Müller, Chairman
Executive Board
Dr. Klaus Engel, Chairman
Dr. Thomas Haerberle,
Thomas Wessel, Patrik Wohlhauser,
Ute Wolf, Dr. Dahai Yu

Registered office Essen
Registered court
Essen local court
Commercial registry B 19474
VAT ID no. DE 811160003

Company information

Evonik, the creative industrial group from Germany, is one of the world leaders in specialty chemicals. Profitable growth and a sustained increase in the value of the company form the heart of Evonik's corporate strategy. Its activities focus on the key megatrends health, nutrition, resource efficiency and globalization. Evonik benefits specifically from its innovative prowess and integrated technology platforms.

Evonik is active in over 100 countries around the world. In fiscal 2012 more than 33,000 employees generated sales of around €13.4 billion and an operating profit (adjusted EBITDA) of about €2.4 billion (excluding Real Estate in both cases).

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