Appeals Court Upholds Depomed Patents Asserted against Purdue Pharma

March 24, 2016

NEWARK, Calif., March 24, 2016 (GLOBE NEWSWIRE) -- Depomed (NASDAQ:DEPO) announced today that the U.S. Court of Appeals for the Federal Circuit has affirmed the decisions of the Patent Trial and Appeal Board of the United States Patent and Trademark Office (PTAB) confirming the patentability of two Depomed patents (U.S. Patent Nos. 6,340,475 and 6,635,280). In January 2013, Depomed sued Purdue Pharma ("Purdue") in New Jersey Federal District Court for infringement of the patents by Purdue's reformulated OxyContin® (oxycodone hcl extended release tablets) product. Purdue subsequently challenged the patents in *inter partes* review proceedings (IPRs) before the PTAB. The PTAB upheld the patents, and Purdue had appealed the decision. As a result of the decision of the appellate court, Depomed expects to resume its lawsuit against Purdue alleging infringement of these patents and is requesting that a stay related to the IPR be lifted. Purdue will not be able to assert invalidity arguments in this trial based on prior art it raised or could have raised in the *inter partes* review proceedings.

"This decision acknowledges the innovation of our patents and builds on our successful track record of aggressively enforcing our intellectual property estate," said Jim Schoeneck president and CEO of Depomed. "We look forward to continuing our litigation against Purdue."

"Safe Harbor" Statement under the Private Securities Litigation Reform Act of 1995. The statements that are not historical facts contained in this release are forward-looking statements that involve risks and uncertainties including, but not limited to, those related to our litigation against Purdue Pharma and our expectations regarding the timing of that litigation, and other risks detailed in the company's Securities and Exchange Commission filings, including the company's Annual Report on Form 10-K for the year ended December 31, 2015. The inclusion of forward-looking statements should not be regarded as a representation that any of the company's plans or objectives will be achieved. You are cautioned not to place undue reliance on these forward-looking statements, which speak only as of the date hereof. The company undertakes no obligation to publicly release the result of any revisions to these forward-looking statements that may be made to reflect events or circumstances after the date hereof or to reflect the occurrence of unanticipated events.

About Depomed

Depomed is a leading specialty pharmaceutical company focused on enhancing the lives of the patients, families, physicians, providers and payers we serve through commercializing innovative products for pain and neurology related disorders. Depomed markets six medicines with areas of focus that include mild to severe acute pain, moderate to severe chronic pain, neuropathic pain, migraine and breakthrough cancer pain. Depomed is headquartered in Newark, California. To learn more about Depomed, visit www.depomed.com.

OxyContin® is a registered trademark of Purdue.

INVESTOR AND MEDIA CONTACT:

Christopher Keenan
VP, Investor Relations and Corporate Communications
510-744-8000

Primary Logo

Depomed, Inc