Depomed Announces District Court Order Extending Stay in NUCYNTA ANDA Litigation

May 18, 2016

- Decision Expected No Later Than September 30, 2016 -

NEWARK, Calif., May 18, 2016 (GLOBE NEWSWIRE) -- Depomed, Inc. (Nasdaq:DEPO) today announced that on May 18, 2016, Judge Claire C. Cecchi of the United States District Court for the District of New Jersey entered an order enjoining any of Actavis Elizabeth LLC, Actavis LLC and Actavis Inc. (collectively, “Actavis”), Alkem Laboratories Limited and Ascend Laboratories (together, “Alkem”), Roxane Laboratories, Inc. (“Roxane”), and Watson Laboratories, Inc. (“Watson”) from marketing generic versions of any of NUCYNTA ®, NUCYNTA® ER or NUCYNTA® oral solution prior to the Court’s issuance of a decision in the pending patent litigation. The U.S. patents asserted in the consolidated action are: RE39,593; 7,994,364; and 8,536,130, which currently expire on August 5, 2022, June 27, 2025, and September 22, 2028, respectively. An additional six months of patent protection is expected for these patents upon issuance of pediatric exclusivity from the FDA. Judge Cecchi’s order states that she expects to render a decision on this matter no later than September 30, 2016.

On April 27, 2016, a bench trial was completed before Judge Cecchi in the patent litigation between Depomed and each of Actavis, Alkem, Roxane and Watson related to Abbreviated New Drug Applications (ANDA) filed by each party seeking to market generic versions of NUCYNTA®, NUCYNTA® ER or NUCYNTA® oral solution prior to the expiration of the patents asserted in the litigation.

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.

"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, risks related to the outcome of the Company’s ANDA litigation with Actavis, Alkem, Roxane and Watson, and the resulting exclusivity periods for NUCYNTA, NUCYNTA ER and NUCYNTA oral solution, as well as other risks detailed in the company's Securities and Exchange Commission filings, including the company's most recent Annual Report on Form 10-K and most recent Quarterly Report on Form 10-Q. There can be no assurance of a positive outcome in such litigation, or other assurance that actual results will be as expected or anticipated. Readers 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.

Investor Contact:
Christopher Keenan
VP, Investor Relations and Corporate Communications
510-744-8000
ckeenan@depomed.com

Primary Logo

Depomed, Inc