



Press Release

OGT's DNA array patent upheld in Europe

Oxford, 18 October 2005. Oxford Gene Technology's European patent for DNA microarrays was upheld last week by the Technical Board of Appeal of the European Patent Office ending a 10-year opposition.

OGT's European Patent number 0373203 was granted in 31 August 1994 and was opposed after grant by seven parties including Roche, Abbott and Nanogen. The Opposition Division upheld the patent with amendments after oral proceedings in November 2001 but appeals were made against this decision. The oral hearing last week dealt with these appeals and the patent was again upheld by the EPO. The Board's decision is final and not open to further review or appeal within the EPO.

Amendments were introduced to the patent by OGT both prior to and during the hearing to clarify the patent's coverage to arrays of oligonucleotides covalently attached to a smooth impermeable surface of a glass support.

Dr Peter Hotten, OGT's Director of Licensing, said "We are pleased to have resolved the opposition issues with the EPO confirming the enabling and inventive nature of Professor Southern's pioneering work and the validity of OGT's patent. This decision will help in progressing OGT's licensing programme and to make the technology as widely available as possible"

OGT has several current licensees under the '203 patent including, for example, Affymetrix, Agilent Technologies and GE.

OGT was represented at the EPO by Cameron Marshall and Mark Chapman of London-based patent attorneys, Carpmaels & Ransford.

About OGT

Oxford Gene Technology (OGT) is a privately owned company founded in 1995 by Professor Sir Edwin Southern. The mission of the company is to develop advanced molecular tools for biologists and to make them widely available through licensing and service activities. The key business areas of OGT include

- licensing which has successfully provided access for a number of companies to OGT's fundamental intellectual property, particularly in the area of microarrays
- a services business which provides a flexible and cost-effective, customised DNA microarray service covering a range of applications and offers specialist support to assist customers with every aspect of their research.
- Tridend, which is developing 'mass tags' to enhance the amount of information that researchers can generate from mass spectrometry experiments in genomics
- Oxamer, which is generating novel array formats based on electrochemical deposition methods for use in life science and diagnostics

OGT's intellectual property covers three general areas that are relevant to the biological sciences; these incorporate microarrays, genomics and electrochemistry.

Further information:

Oxford Gene Technology IP Limited
Begbroke Business and Science Park,
Sandy Lane, Yarnton, Oxford, OX5 1PF, UK
Tel: +44 (0) 1865 856340
Fax: +44 (0) 1865 379 433
Email: licensing@ogt.co.uk
Web: www.ogt.co.uk

- copy ends -