Boston Scientific

Boston Scientific Announces Stipulation Of Dismissal Of Nevro Corporation's Patent Infringement Case In California

MARLBOROUGH, Mass., Dec. 14, 2020 /PRNewswire/ -- Boston Scientific Corporation (NYSE: BSX) today announced that a stipulation of dismissal has been filed in the Nevro Corporation (NYSE: NVRO) patent infringement case against Boston Scientific in the United States District Court for the Northern District of California. Nevro sought preliminary and permanent injunctive relief against further infringement as well as damages and attorney's fees. The case has now ended, with Nevro receiving none of its requested relief. There was no ruling which would impose any restrictions on any current or future Boston Scientific product. The official dismissal of the case is subject to the approval of the Court.

"We are pleased that every single claim brought by Nevro in this case will be dismissed," said Desiree Ralls-Morrison, senior vice president, general counsel and corporate secretary, Boston Scientific. "This dismissal will allow us to focus our legal efforts on upholding our company's intellectual property in this dynamic category of innovation."

Separately, the Boston Scientific-initiated patent infringement and trade secret misappropriation cases against Nevro in Delaware will continue and are not impacted by the dismissal of the California litigation. The first trial is currently scheduled for October 2021 in the United States District Court for the District of Delaware.

About Boston Scientific

Boston Scientific transforms lives through innovative medical solutions that improve the health of patients around the world. As a global medical technology leader for 40 years, we advance science for life by providing a broad range of high performance solutions that address unmet patient needs and reduce the cost of healthcare. For more information, visit www.bostonscientific.com and connect on Twitter and Facebook.

Cautionary Statement Regarding Forward-Looking Statements

This press release contains forward-looking statements within the meaning of Section 27A of the Securities Act of 1933 and Section 21E of the Securities Exchange Act of 1934. Forward-looking statements may be identified by words like "anticipate," "expect," "project," "believe," "plan," "estimate," "intend" and similar words. These forward-looking statements are based on our beliefs, assumptions and estimates using information available to us at the time and are not intended to be guarantees of future events or performance. These forward-looking statements include, among other things, statements regarding our business plans and product performance and impact. If our underlying assumptions turn out to be incorrect, or if certain risks or uncertainties materialize, actual results could vary materially from the expectations and projections expressed or implied by our forward-looking statements. These factors, in some cases, have affected and in the future (together with other factors) could affect our ability to implement our business strategy and may cause actual results to differ materially from those contemplated by the statements expressed in this press release. As a result, readers are cautioned not to place undue reliance on any of our forward-looking statements.

Factors that may cause such differences include, among other things: future economic, competitive, reimbursement and regulatory conditions; new product introductions; demographic trends; intellectual property; litigation; financial market conditions; and future business decisions made by us and our competitors. All of these factors are difficult or impossible to predict accurately and many of them are beyond our control. For a further list and description of these and other important risks and uncertainties that may affect our future operations, see Part I, Item 1A – *Risk Factors* in our most recent Annual Report on Form 10-K filed with the Securities and Exchange Commission, which we may update in Part II, Item 1A – *Risk Factors* in Quarterly Reports on Form 10-Q we have filed or will file hereafter. We disclaim any intention or obligation to publicly update or revise any forward-looking statements to reflect any change in our expectations or in events, conditions or circumstances on which those expectations may be based, or that may affect the likelihood that actual results will differ from those contained in the forward-looking statements. This cautionary statement is applicable to all forward-looking statements contained in this document.

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