

Court of Appeals Rules Boston Scientific's Products do Not Infringe Medtronic Stent Patents

NATICK, Mass., May 26 [/PRNewswire-FirstCall/](#) -- Boston Scientific Corporation (NYSE: BSX) announced today that the Court of Appeals for the Federal Circuit has issued a ruling upholding a trial court's decisions in two patent cases with Medtronic (NYSE: MDT). The trial court judge had ruled that Boston Scientific's TAXUS® Express®, Express®, and NIR® stents do not infringe four Medtronic stent patents. Medtronic had filed an appeal of the trial court decisions. In upholding the trial court, the Court of Appeals agreed that Boston Scientific's products were not within the scope of the Medtronic patents.

"We are very pleased that the Court of Appeals has ruled that Boston Scientific does not infringe," said Paul LaViolette, Boston Scientific Chief Operating Officer. "This ruling reaffirms the strength and innovation of our drug-eluting stent technologies."

The Court of Appeals decision affirmed two 2005 rulings by Judge Robinson of the U.S. District Court in Delaware. In the first decision, the trial court granted summary judgment of non-infringement in favor of Boston Scientific, finding that Boston Scientific's TAXUS and Express stents do not infringe four Medtronic patents. The Express stent is the platform for Boston Scientific's market-leading TAXUS Express2™ paclitaxel-eluting coronary stent system. In the other decision, the court also granted summary judgment of non-infringement in favor of Boston Scientific, finding that the NIR stent does not infringe the Medtronic patents.

Boston Scientific is a worldwide developer, manufacturer and marketer of medical devices whose products are used in a broad range of interventional medical specialties. For more information, please visit: <http://www.bostonscientific.com/>.

This press release contains forward-looking statements. Boston Scientific wishes to caution the reader of this press release that actual results may differ from those discussed in the forward-looking statements and may be adversely affected by, among other things, risks associated with new product development and commercialization, clinical trials, intellectual property, regulatory approvals, competitive offerings, Boston Scientific's overall business strategy, and other factors described in Boston Scientific's filings with the Securities and Exchange Commission.

NIR is a registered trademark of Medinol, Ltd. Jerusalem, Israel.

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