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HemCon Medical Technologies Will Appeal Patent Judgment

PORTLAND, Ore. (September 17, 2010) – HemCon Medical Technologies, Inc., announced today that it will appeal a permanent injunction entered by a US District Court in New Hampshire based on a patent held by Marine Polymer Technologies, Inc. The injunction enjoins further manufacture, use and sale of HemCon's HEMCON[®] BANDAGE, CHITOFLEX[®] DRESSINGS, HEMCON[®] DENTAL DRESSINGS and any other products which are no more than colorably different from those products. HemCon intends to file a motion for an emergency stay of the injunction during the pendency of the appeal.

"HemCon will urge on appeal that the Marine Polymer patent is not infringed and/or is invalid, and ask the appellate court to overturn or vacate the judgment. We firmly believe that the lower court made the wrong decision and we are hopeful that the Court of Appeals will correct this and find that HemCon's products do not infringe the patent or that the patent is invalid," said John W. Morgan, HemCon's President and Chief Executive Officer.

Marine Polymer sued HemCon in 2006, alleging that HemCon had violated its patent covering a biocompatible chitosan compound. Marine Polymer's patent describes a chitosan compound that is derived from the sterile culturing of marine micro algae.

HemCon uses a chitosan compound to manufacture highly effective bandages that have been used in battlefield conditions by the U.S. military, among others. HemCon does not use chitosan that is derived from sterile culturing of micro algae, as described in the Marine Polymer patent.

HemCon has separately initiated a proceeding to reexamine the validity of the patent through the US Patent & Trademark Office. In 2009, HemCon filed a request with the Patent Office to reexamine, and possibly invalidate or limit, Marine Polymer's patent in light of prior publications about chitosan. The Patent Office granted the Request for Reexamination in November 2009. On April 1, 2010, the Patent Office issued a first office action, rejecting all claims of Marine Polymer's patent. Marine Polymer has filed a response canceling some patent claims and arguing that the remaining claims are valid as originally issued.

HemCon Medical Technologies Inc. (www.hemcon.com) founded in 2001, develops, manufactures, and markets innovative technologies to control bleeding and infection resulting from trauma or surgery. HemCon products are designed for use by military and civilian first responders as well as medical professionals in hospital, dental and clinical settings where rapid control of bleeding is of critical importance. HemCon is headquartered in Portland, Ore., with additional commercial operations in Ireland and the Czech Republic.

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