



U.S. Court of Appeals Affirms Validity of Lilly's Strattera Patent

Appeals Court Decision Overturns Prior District Court Ruling

INDIANAPOLIS, July 29, 2011 /PRNewswire/ -- Eli Lilly and Company (NYSE:LLY) today announced that the U.S. Court of Appeals for the Federal Circuit has overturned a prior ruling by the U.S. District Court for the District of New Jersey and has upheld the validity of the company's method-of-use patent on Strattera® (atomoxetine). In the case of *Eli Lilly and Company v. Actavis Elizabeth LLC, et al*, the court ruled in favor of Lilly, upholding the method-of-use patent which provides protection for Strattera through May of 2017.

"We are pleased with today's ruling from the Court of Appeals regarding Strattera's method-of-use patent and remain confident that the patent is valid and enforceable," said Robert A. Armitage, senior vice president and general counsel for Lilly. "In overturning the prior district court ruling, we believe that the Court fairly applied long-standing patent law principles."

Lilly, a leading innovation-driven corporation, is developing a growing portfolio of pharmaceutical products by applying the latest research from its own worldwide laboratories and from collaborations with eminent scientific organizations. Headquartered in Indianapolis, Ind., Lilly provides answers — through medicines and information — for some of the world's most urgent medical needs. Additional information about Lilly is available at www.lilly.com. C-LLY

This release contains forward-looking statements regarding the U.S. Strattera patent litigation. These statements are based on management's current expectations but actual results may differ materially. There can be no assurance that the company will prevail in any appeal. Other risk factors that may affect the company's results can be found in the company's latest Forms 10-K and 10-Q filed with the U.S. Securities and Exchange Commission.

Strattera® (atomoxetine, Lilly)

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