



# Tilleke & Gibbins

INTERNATIONAL LTD.

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Our Ref.: S2657-4 PC

Date : August 25th, 2007

To : Bioscience Co., Ltd.  
4/15 Moo 5, Rama II Road,  
Samae-Dam, Bangkhuntien  
Bangkok 10150

Attention: Mr. Suwit Chuwiriyaugul  
Mr. Sopon Manomaya

Re : Patent Infringement of CLOPIDOGREL Products in Thailand

Dear Mr. Chuwiriyaugul and Mr. Manomaya,

We are the authorized attorneys for Sanofi-Synthelabo (hereinafter called "sanofi"), the owner of the registered patent in Thailand titled "Polymorphic Form of Clopidogrel Hydrogen Sulfate," (hereinafter called "Clopidogrel") bearing Registration No. 16116. Sanofi's Clopidogrel-containing product is sold under the trade name Plavix®. Please find enclosed a copy of the Patent Registration Certificate in respect of Patent No. 16116 for your reference.

It has come to our client's attention that your company submitted a quotation for clopidogrel sulfate form II to the Government Pharmaceutical Organization (GPO) on August 21, 2007. It is our firm belief that your action was initiated with the intention of commencing the import, manufacture, sale, or possession for sale of a generic version of Clopidogrel in Thailand prior to the expiry of sanofi's Clopidogrel patent. We are aware that no license or distribution agreement exists between sanofi and your company. Irrespective of the trade name under which the chemical compound may be intended to be sold, any unauthorized importation, manufacture, possession for sale, or sale of a generic Clopidogrel product whilst sanofi's Clopidogrel patent remains in force would be an infringement of sanofi's exclusive patent rights under Thai law.

It is important to stress that no compulsory license is in place in Thailand for Clopidogrel. Sanofi's Clopidogrel patent is in full force and effect until 2019 and confers an exclusive right on sanofi to manufacture, distribute, use, sell, or offer for sale the drug Clopidogrel in Thailand. According to the Patent Act, any person who commits the aforesaid actions without the permission of sanofi shall be subject to a criminal sentence of not more than two years imprisonment and/or a fine of not more than four hundred thousand (400,000) Baht.

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TILLEKE & GIBBINS PRACTICES LAW INDEPENDENTLY AND NOT IN A RELATIONSHIP FOR THE JOINT PRACTICE OF LAW

Mr. Suwit Chuwiriyaugul & Mr. Sopon Manomaya  
Bioscience Co., Ltd.

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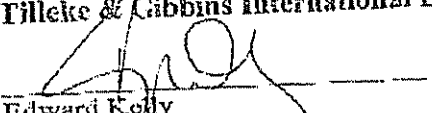
In the event of infringement of sanofi's Clopidogrel patent, sanofi or its authorized representative would also be entitled to sue the infringer in a civil action for compensation with all infringing products being confiscated. If your company were to infringe the Clopidogrel patent, as the authorized directors you would face personal civil and criminal liability for the unauthorized importation, manufacture, possession for sale, or sale of a product containing a chemical compound identical to sanofi's protected Clopidogrel product in clear violation of our client's registered patent.

Sanofi should therefore like to draw to your attention to the existence of its Clopidogrel patent and to the fact that sanofi fully intends to protect its intellectual property to the maximum extent possible under Thai law. As any further preparatory actions of your company with respect to its generic Clopidogrel product would clearly violate sanofi's exclusive patent rights, sanofi demands that your company immediately cease-and-desist from any actions, preparatory or otherwise, being conducted with a view to the manufacture, sale, or distribution of a generic Clopidogrel product, or any other product containing a chemical compound covered by the Clopidogrel patent for as long as the Clopidogrel registered Patent remains in force.

Please reply to us in writing, within ten (10) days of receipt of this letter, confirming that you agree to, and will comply with, the aforementioned demands

Thank you for your anticipated cooperation.

Sincerely yours,  
Tilleke & Gibbins International Ltd.

  
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