



## ASX RELEASE

### **Additional Benitec gene silencing patents granted and allowed in Europe and the US.**

Sydney, Monday October 24, 2011. The Directors of Benitec Ltd (ASX:BLT), a world leader in RNA-based gene silencing for human therapeutics, are pleased to announce that further significant progress has been made in its global patent estate.

In Europe, the European Patent Office has issued a certificate of grant on one of Benitec and CSIRO's key platform patents in the "Graham" patent family, EP1555317 entitled *Control of Gene Expression*.

"Europe is a major strategic jurisdiction for human therapeutics, and it is very pleasing to add this patent to Benitec's already extensive portfolio which already includes patents in all other key jurisdictions", said Dr Peter French, Benitec's Chief Executive Officer. He went on to say, "The grant of the EP patent represents further significant validation of this technology in key markets".

The patent, which is owned by CSIRO and for which Benitec is the exclusive licensee in the human therapeutics field, includes claims to a synthetic gene which can reduce the expression of a target gene. The synthetic gene comprises multiple copies of a nucleotide sequence of greater than 20 nucleotides, which is substantially identical to the nucleotide sequence of a target gene.

In the United States, three further patent applications have been allowed or granted which complement Benitec's existing focus on hepatitis viral therapies.

10/759,841 "*Synthetic Genes and Genetic Constructs Comprising Same*" ('841) is scheduled to issue on 1 November 2011 as US Patent No. 8048670. Further, 10/821,726 "*Synthetic Genes and Genetic Constructs*" ('726) is scheduled to issue on 8 November 2011 as US Patent No. 8053419. These patents derive from applications in the Graham patent family for which Benitec is the exclusive licensee in the human therapeutics field. The claims of the '841 and '726 applications are complementary to those of the re-issued '099 patent, and the recently allowed 10/346,853 continuation application. Grant of these patents by the USPTO underlines Benitec's exclusive position in this foundational patent family for expressed RNAi as human therapeutics.

Further to these cases, the United States Patent and Trademark Office (USPTO) has issued a Notice of Allowance on 19 October 2011 for US patent application 11/731,198. The allowed claims of the application are directed to a construct with a specific enhancer and promoter for expressing RNA silencing agents in liver cells. This technology, which was originally developed with researchers at Stanford University, represents an important tool for silencing genes in the liver, such as in treatment of viral hepatitis.

"Benitec's patent position in ddRNAi increasingly dominates the gene silencing field. The grant or allowance of these US cases further increases the value of Benitec's patent assets, especially in the field of viral disease therapeutics, including, but not limited to, Benitec's hepatitis B program and Tacere Therapeutics' hepatitis C program" said Dr French.

## **For Further Information**

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## **About Benitec [www.benitec.com](http://www.benitec.com)**

Benitec Limited is developing novel treatments for chronic and life-threatening conditions based on gene silencing using a transformational technology; DNA-directed RNA interference (ddRNAi) - sometimes called expressed RNAi. The technology's potential to address unmet medical needs and to cure disease results from its demonstrated ability to permanently silence genes which cause the condition.

Benitec now either owns or exclusively licences from CSIRO more than 40 granted or allowed patents in the field of RNA interference for human therapeutic applications. Patents have been granted in key territories such as the USA, the UK, Japan, Europe, Canada and Australia. In addition, Benitec has almost 50 patent applications pending for which it is the owner or exclusive licensee from CSIRO, and has further intellectual property under development as a result of its pipeline program.

Benitec trades on the Australian Securities Exchange (ASX) under the symbol "BLT". The company was founded in 1997 and has been publicly held since 2001. Benitec aims to deliver a range of novel ddRNAi-based therapeutics to the clinic in partnership with the pharmaceutical industry. Benitec is pursuing a focused R&D strategy in infectious diseases, cancer and chronic cancer-associated pain, as well as programs with licensees that have advanced to pre-clinical and/or clinical trials.