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Comvita Wins UK Patent Appeal

Global natural health and beauty products company Comvita, has succeeded in its appeal against an earlier judgment by UK courts to rule one of its patents invalid.

Apimed Medical Honey Limited (Apimed), a wholly owned subsidiary of Comvita Limited, was granted leave by the UK Court of Appeal to appeal the decision made by the English Patents County Court in January 2011 that one of Comvita's UK patent for honey-impregnated wound dressing was invalid. The Court of Appeal overturned this original ruling and Comvita's patent has been re-instated.

The UK Court of Appeal has also granted a Certificate of Contested Validity, which has the effect of confirming the Patent claims were contested in proceedings before a Competent Court.

Comvita Chief Executive Brett Hewlett said, "It means the Medical grade Manuka honey gel sheet patent has not only been restored, but has survived comprehensive scrutiny by the UK legal system. This will now have a considerable deterrent value both in the UK and elsewhere."

"In addition, there would be cost benefits to Comvita in any subsequent revocation proceedings which might be launched against the patent in the UK or elsewhere."

Apimed and Brightwake Limited (trading as Advancis Medical) settled Apimed's claim for patent infringement in respect of Brightwake's Algivon product last September.

This grants Brightwake a sub-licence to manufacture, distribute and sell its Algivon products in territories such as the UK, Europe, New Zealand, Australia, South Africa, Singapore and Japan. This sub-license does not include the United States or Canada.

In terms of the financial impact on Comvita, the costs of this Appeal Hearing were capped and provided for in the announcement of 14 September 2011.

Ends

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About Comvita www.comvita.co.nz

Comvita is an international natural health and beauty products company with a strong New Zealand heritage. We are committed to the development of innovative natural health and wellbeing products, backed by credible scientific research.

We develop and manufacture products in the categories of Health Care, Personal Care (Skincare and Wound Care) and Functional Foods (Health Foods). Manuka (*leptospermum*) honey is at the core of the Comvita product range and we are the largest manufacturer and marketer of this uniquely New Zealand resource.

We sell into more than 14 countries through a network of wholesale and third-party outlets, more than 470 branded retail outlets throughout Asia – including 400 stores in 40 cities in mainland China and online. We have offices in New Zealand, Australia, Hong Kong, Japan, Taiwan, South Korea and the United Kingdom.