

July 22, 2008

ASTELLAS AND BOEHRINGER FILED LAWSUIT AGAINST FLOMAX[®] GENERIC FOR PATENT INFRINGEMENT IN THE US

Japan, July 22, 2008 - Astellas Pharma Inc. (headquarters: Tokyo; President and CEO: Masafumi Nogimori; “Astellas”) and Boehringer Ingelheim Pharmaceuticals, Inc. (“BIPI”) jointly filed a patent infringement lawsuit in the US against Impax Laboratories, Inc. “Impax” regarding its submission of an abbreviated new drug application (ANDA) for a generic version of Astellas’s tamsulosin hydrochloride capsules sold under the trademark Flomax[®] (brand name in Japan: Harnal[®]), which is used for the treatment of the signs and symptoms of benign prostatic hyperplasia (BPH). The patent infringement action was filed at the United States District Court, Northern District of California on July 18, 2008 requesting, among others, an order that the date of approval of Impax’s ANDA be not earlier than the expiration of Astellas’s US Patent No. 4,703,063 on tamsulosin hydrochloride, or any later date of exclusivity Astellas and BIPI are or become entitled.

Tamsulosin hydrochloride was invented by Astellas and has been marketed in 91 countries since it was launched in Japan in 1993. In the US, under a license from Astellas, BIPI has been marketing the product since 1997 under the brand name Flomax. Since October 2004, Astellas Pharma US, Inc., a US subsidiary of Astellas, has been co-promoting the product with BIPI.

Astellas believes that the patent is valid and intends to enforce it against infringement.

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