Bayer



Bayer AG
Investor Relations
51368 Leverkusen
Germany
www.investor.bayer.com

Investor News

Bayer appeals invalidity ruling on its Yasmin® Patent

Appeal will be heard by the Federal Circuit

Leverkusen, March 31, 2008 – Today, Bayer filed a Notice of Appeal in the United States District Court for the District of New Jersey.

Bayer is appealing from a March 3, 2008 opinion and order in which District Judge Peter G. Sheridan held that certain patent claims of Bayer Schering's U.S. Patent No. 6,787,531 for the company's oral contraceptive Yasmin (drospirenone 3 mg and ethinyl estradiol 0.03mg) were invalid because they would have been obvious to the person of ordinary skill in the art.

Bayer had sued generic manufacturer Barr Laboratories for patent infringement in connection with Barr's application to the FDA for approval to market a generic version of Bayer's oral contraceptive Yasmin.

Bayer's appeal will be heard by the Federal Circuit, which is the federal court of appeals for patent cases.

About Bayer HealthCare
The Bayer Group is a global enterprise with core competencies in the fields of health care, nutrition and high-tech materials. Bayer HealthCare, a subsidiary of Bayer AG, is one of the world's leading, innovative companies in the healthcare and medical products industry and is based in Leverkusen, Germany. The company combines the global activities of the Animal Health, Consumer Care, Diabetes Care and Pharmaceuticals divisions. The pharmaceuticals business operates under the name Bayer Schering Pharma AG. Bayer HealthCare's aim is to discover and manufacture products that will improve human and animal health worldwide. Find more information at www.bayerhealthcare.com.

About Bayer Schering Pharma

Bayer Schering Pharma is a worldwide leading specialty pharmaceutical company. Its research and business activities are focused on the following areas: Diagnostic Imaging, Hematology/Cardiology, Oncology, Primary Care, Specialized Therapeutics and Women's Healthcare. With innovative products, Bayer Schering Pharma aims for leading positions in specialized markets worldwide. Using new ideas, Bayer Schering Pharma aims to make a contribution to medical progress and strives to improve the quality of life. Find more information at www.bayerscheringpharma.de.

Bayer AG, Investor Relations contacts:

Dr. Alexander Rosar (+49-214-30-81013)
Dr. Juergen Beunink (+49-214-30-65742)
Peter Dahlhoff (+49-214-30-33022)
Ilia Kürten (+49-214-30-35426)
Ute Menke (+49-214-30-33021)
Judith Nestmann (+49-214-30-66836)
Dr. Olaf Weber (+49-214-30-33567)

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