

TriStrata Technology, Inc. (“TTI”) won its patent infringement suit against Valeant Pharmaceuticals International, formerly ICN Pharmaceuticals, when the jury in the United States District Court in Wilmington, DE found that seven claims of the two patents at issue were willfully infringed. The jury verdict of willful infringement allows for the damages to be multiplied up to three times. In addition, TTI will ask the Court to declare the case “exceptional” and thus make TTI eligible for an award of attorneys’ fees. TTI also filed a motion for a permanent injunction with the Court today which, if granted, will prohibit sales of infringing products, including Valeant’s Glyquin® product lines. The infringed patents cover the use of alpha-hydroxyacids (AHAs) to enhance the therapeutic effect of other substances. TTI still has suits pending against ICN relating to another product line, as well as Mary Kay® cosmetics, BeautiControl® cosmetics and the companies responsible for the manufacture and sale of the infomercial product called Natural Advantage™.

TTI is a wholly owned subsidiary of NeoStrata Company, Inc., founded by Drs. Ruey Yu, O.M.D., Ph.D. and Eugene Van Scott, M.D., who are widely recognized as pioneers in alpha-hydroxyacid skin care technology and who are the inventors of over 125 patents relating to alpha-hydroxyacids and other skin care technology.

Richard H. Wildnauer, Ph.D., president of TTI, remarked: “We are delighted that the jury recognized the extensive contributions made by Drs. Van Scott and Yu by validating TTI’s patents and stopping the willful infringement by Valeant (ICN). TTI remains committed to the vigorous enforcement of its intellectual property.”

Kevin M. McGovern, principal of McGovern & Associates, worldwide licensing counsel for TTI, stated that “TTI always prefers to achieve business resolutions of its patent disputes as demonstrated by the extensive and impressive list of licensees to date. However, if forced to go to court, TTI has the resolve and the resources to go the distance.”

TTI was represented by Kevin M. McGovern, Esq. and Brian T. Foley, Esq. of McGovern & Associates, Greenwich, CT, Michael O. Warnecke, Esq. of Mayer, Brown, Rowe and Maw of Chicago, IL, and Arthur Connolly III, Esq. of Connolly, Bove, Lodge & Hutz of Wilmington, DE.

About NeoStrata

NeoStrata Company, Inc. is a research-based dermatological company dedicated to the advancement of skin care and dermatological treatments. It is the medical community’s internationally recognized leader in developing alpha-hydroxyacid technology and formulations. NeoStrata Company markets products under the brands NeoStrata®, Exuviance®, Exuviance Professional and CoverBlend®. NeoStrata has been ranked 17th in NJBIZ’s top 50 biotechnology firms in the state of NJ. For more information, visit www.neostrata.com or call 1-800-225-9411.