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Press Release

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**Nanion continues opposition against Molecular Devices patent –
"a precautionary measure"**

Nanion Technologies GmbH, a supplier of automated, parallel patch-clamp systems based in Munich, Germany, today announced that they would appeal the decision of the European Patent Office (EPO) to uphold the disputed Molecular Devices patent EP 1,040,349.

The appeal is merely a precaution against problems with future developments in the field and it should be realized that the disputed patent has no relevance for Nanion's currently marketed products such as the Port-a-Patch or the Patchliner. Rather, the disputed patent seeks protection for a well-known physical effect that theoretically can be used to exert electrical force on cells or vesicles.

"All currently marketed planar patch-clamp devices use suction to move cells, not electrical force, which so far has proved unreliable. However, all of them, and many other devices published long before MDC's patent can produce such electrical forces if enough voltage is applied." explains Nanion's CEO Niels Fertig. Jan Behrends, cofounder and chairman of the board concurs: "In its provisional opinion, the Opposition Division at EPO in Munich, seemed to have understood this point very clearly. We were very surprised that during oral proceedings they moved away from

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their original opinion, but we're confident that the Board of Appeal, who will really make the final judgement, will reverse that decision."

The disputed patent was originally filed by the Ecole Polytechnique Federale in Lausanne, Switzerland and then taken over by Cytion SA, a start-up company acquired by Molecular Devices in 2001 and shut down shortly after.

Andrea Brüggemann, CSO at Nanion, comments: "Our customers should know that this patent dispute in no way concerns our present planar patch technology, nor indeed those marketed by Molecular Devices. The recent decision, which is open to appeal, is, therefore, not a concern for our core business."

In both academic and industrial settings, Nanion's Port-a-Patch enjoys great popularity as the world's smallest patch clamp device. Furthermore, the Patchliner, Nanion's higher throughput patch-clamp robot, has seen a very successful market entry in 2006. Both in 2005 and 2006 Nanion's products received top ratings in customer surveys run by HTStec.

Nanion Technologies GmbH is a German Private Limited Company and was founded in 2002 as a spin off from Ludwig-Maximilians-University in Munich, Germany.

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