

Edgar Filing: AVIRON - Form 425

AVIRON
Form 425
December 21, 2001

Pursuant to Rule 4

MEDIMMUNE HAS HELD LICENSE TO GENENTECH ANTIBODY PATENT SINCE 1

Gaithersburg, MD, December 21, 2001 -- On December 18, 2001, Genentech, Inc. (NYSE: DNA) announce relating to certain methods and compositions used to produce antibodies by recombinant DNA techno Genentech with a priority date of 1983. Today, a number of biotechnology companies, including Med methods of recombinant DNA technology in the production of their antibody-based products. In anti the issuance of this patent could have, four years ago, MedImmune obtained a license to Genentech MedImmune's antibody-based product Synagis(R) (palivizumab).

MedImmune is in the process of evaluating whether any valid claim of Genentech's patent, as recen Synagis. If so, MedImmune would pay royalties to Genentech on U.S. net sales of Synagis commencin anticipates that incremental Synagis royalties to Genentech, if any, would not change its prior f December 3, 2001. MedImmune is also evaluating whether any of its other antibody-based product ca marketing by the U.S. Food and Drug Administration, could require a license under the Genentech p that if such a license were required and available, it would be available on terms acceptable to

Synagis(R) (palivizumab) is marketed for the prevention of serious lower respiratory tract disease virus in pediatric patients at high risk of RSV disease, which is prominent in the Northern Hemis full prescribing information at www.medimmune.com).

MedImmune, Inc. is a biotechnology company focused on developing and marketing products that addr infectious disease, immune regulation and cancer. Headquartered in Gaithersburg, Maryland, MedImm Frederick, Maryland and Nijmegen, the Netherlands.

This announcement may contain, in addition to historical information, certain forward-looking sta uncertainties. Such statements reflect management's current views and are based on certain assumpt materially from those currently anticipated as a result of a number of factors, including risks a MedImmune's and Aviron's filings with the SEC. MedImmune and Aviron have confirmed that the grant not affect the merger agreement that they entered into on December 2, 2001. MedImmune and Aviron potential future marketing. There can be no assurance that such development efforts will succeed, required regulatory clearance or that, even if such regulatory clearance were received, such prod commercial success. There can be no assurance that MedImmune's exchange offer for Aviron shares o Aviron will be integrated successfully or without unanticipated costs.

We urge Aviron stockholders and other investors to read the registration statement on Form S-4, S supplements, final prospectus and other exchange offer documents which have been filed or will be Securities and Exchange Commission and the related solicitation/recommendation statement filed by documents contain important information which should be read carefully before any decision is mad Documents filed with the SEC are available for free at the SEC's website at www.sec.gov. Document MacKenzie Partners, Inc., 800-322-2885.