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BIO-TECHNE SUCCESSFUL ON CLAIM OF REVERSE ENGINEERING BY MILTENYI BIOTEC

MINNEAPOLIS, June 1, 2023 /PRNewswire/ -- Bio-Techne Corporation (NASDAQ: TECH) today announced that it prevailed on a claim that Miltenyi Biotec B.V. & Co. KG commercialized antibodies it developed based on information obtained by reverse engineering Bio-Techne's proprietary R&D Systems branded TIGIT and CCR-7 antibodies. Specifically, the Court held "it has been proven that [Miltenyi's] TIGIT and CCR-7 antibodies are the result of reverse engineering of [Bio-Techne's] antibodies." In addition to finding that Miltenyi has been marketing and selling these reverse engineered antibodies, the court determined that Bio-Techne is entitled to monetary damages and additional detailed information regarding the scope of Miltenyi's unlawful reverse engineering activities.

Bio-Techne took legal action against Miltenyi at the Regional Court of Cologne, Germany (docket no. 33 O 39/20) after discovering the variable regions of Miltenyi's TIGIT and CCR-7 antibodies, including the complementarity determining regions which confer antibody specificity, were almost 100 % identical to the R&D Systems antibodies. This discovery took place following suspicious purchasing activity from Miltenyi for these specific R&D Systems branded antibodies spanning more than a decade. The Court agreed with its appointed expert's determination that "the probability of obtaining two antibodies, independently of each other, which are identical in the VH and VL domains by independently immunizing two different animals at different times in different locations is vanishingly small."

"Bio-Techne has a long history of innovation, which has enabled us to build our extensive catalogue of proteomic research reagents to enable scientific discoveries," said Chuck Kummeth, President and Chief Executive Officer of Bio-Techne. "I am pleased the court sided with Bio-Techne on this matter in finding conclusively that Miltenyi's TIGIT and CCR-7 antibodies were reverse engineered from the R&D Systems branded antibodies they purchased."

Kummeth continued, "Bio-Techne selectively shares its intellectual property with partners across the academic and biopharma spectrum through licensing arrangements, but we will not tolerate the unlawful use of our proprietary discoveries. Bio-Techne operates with the highest ethical standards and takes pride in the fact that our proprietary products are created from our internally developed intellectual property. We will continue to monitor the market for violations of our intellectual property and vigorously defend our position against any potential offenders."

The Regional Court of Cologne's ruling enforced a German law that was in effect until June 2018, after which time reverse engineering ceased to be unlawful. Miltenyi may appeal the Court's ruling.

[About Bio-Techne Corporation](#) (NASDAQ: TECH)

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