

## ASX RELEASE

### Benitec Biopharma Announces the End of the Application for Revocation of UK Graham Patent

**Sydney June 25, 2012.** Benitec Biopharma today announced that the challenge to the validity of the UK Graham patent GB 2353282 is over, following the withdrawal of the Application for Revocation of the patent by the applicant, and the acceptance of the amended claims by the United Kingdom Intellectual Property Office (UKIPO).

The Application for Revocation was originally received in late 2010 by the UKIPO from UK-based patent attorneys Sterling IP, acting on behalf of an unknown client. Benitec Biopharma and CSIRO responded to all of the issues raised and in 2011 decided to slightly amend the claims to provide greater clarity, in particular that the claims were to double stranded constructs. Initially the applicant objected to the amended claims, but subsequently recently withdrew the objection to the amendments and withdrew their application for revocation of the patent. The amended claims were published on the UKIPO website on May 16, 2012 allowing for a four week period for objections.

No objections having been received, the amended claims stand and the revocation action is now concluded.

CEO Dr Peter French stated, "This is a great outcome. Whilst I was always confident that we would prevail in the application for revocation of the UK patent, the process was more prolonged than we would have liked. The result is further testimony to the robustness of the Graham patents and of their breadth of their coverage. Our claim amendments bring greater clarity to the patent in what is a complex area and should assist potential licensees to understand the full implications of Benitec Biopharma's dominant patent position in ddRNAi."

#### For Further Information

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#### About Benitec Biopharma

Benitec Biopharma Ltd is developing novel treatments for chronic and life-threatening conditions based on targeted gene silencing activity using a transformational technology: DNA-directed RNA interference (ddRNAi) - sometimes called expressed RNAi. The technology's potential to address unmet medical needs and to cure disease results from its demonstrated ability to permanently silence genes which cause the condition. Importantly, this technology's target gene and related gene pathways will rarely have presented as a therapeutic avenue for research for the traditional small molecule agents, currently accounting for the majority of today's pharmaceutical products.

Founded in 1997 and trading publicly since 2001, Benitec Biopharma is listed on the Australian Securities Exchange (ASX) under the symbol "BLT". Benitec Biopharma aims to deliver a range of novel ddRNAi-based therapeutics to the clinic in partnership with the pharmaceutical industry. Besides a focused R&D strategy in infectious diseases, cancer and chronic cancer-associated pain, Benitec Biopharma is pursuing programs with licensees that have advanced to pre-clinical and/or clinical trials.

Benitec Biopharma videos can be viewed at [www.youtube.com/user/BenitecNews](http://www.youtube.com/user/BenitecNews)