

Press Release

Daiichi Sankyo Confirms that a Texas Court has Entered Judgment on the Jury Verdict in Seagen Patent Dispute

- **No Enhancement of Damages Awarded by Court Despite Jury’s Finding of Willfulness**

Tokyo and Basking Ridge, NJ – (July 19, 2022) – Daiichi Sankyo Co., Ltd. (TSE: 4568) (hereinafter, Daiichi Sankyo) confirmed today that the U.S. District Court for the Eastern District of Texas has entered judgment on the April 8, 2022 jury verdict finding that ENHERTU[®] infringes Seagen’s U.S. Patent 10,808,039 (the ’039 patent), that the infringement was willful, and awarding Seagen \$41.8 million in damages. Despite the jury’s finding of willfulness, the Court decided under the totality of the circumstances that enhancement (an increase) of damages was not warranted, and therefore did not enhance the damages award.

Daiichi Sankyo will continue to vigorously defend its rights and explore available post-trial motions and remedies to contest the judgment and damages awarded to Seagen.

The Court has not yet addressed whether to award a running royalty on future sales of ENHERTU[®] until the expiry of the ’039 patent in 2024. Any impact on Daiichi Sankyo’s consolidated financials for fiscal year ending March 31, 2023, is currently being evaluated and will be announced as soon as possible.

About Daiichi Sankyo

Daiichi Sankyo is dedicated to creating new modalities and innovative medicines by leveraging our world-class science and technology for our purpose “to contribute to the enrichment of quality of life around the world.” In addition to our current portfolio of medicines for cancer and cardiovascular disease, Daiichi Sankyo is primarily focused on developing novel therapies for people with cancer as well as other diseases with high unmet medical needs. With more than 100 years of scientific expertise and a presence in more than 20 countries, Daiichi Sankyo and its 16,000 employees around the world draw upon a rich legacy of innovation to realize our 2030 Vision to become an “Innovative Global Healthcare Company Contributing to the Sustainable Development of Society.” For more information, please visit: www.daiichisankyo.com.

Media Contacts:

US:

Kim Wix
Daiichi Sankyo, Inc.
kwix@dsi.com
+1 973-992-6633 (office)

Japan:

Masashi Kawase
Daiichi Sankyo Co., Ltd.
kawase.masashi.a2@daiichisankyo.co.jp
++81 3 6225 1126 (office)

Investor Relations Contact:

DaiichiSankyoIR@daiichisankyo.co.jp