



מכתשים אגן תעשיות בע"מ

Makhteshim Agan Industries Ltd.

For Immediate Distribution
March 21, 2013

Once Again Makhteshim Agan and Control Solutions Inc. Win in Court, Dismissing BASF Appeal on Patent Infringement Claim

Ruling reaffirms MAI's right to manufacture, market and sell Fipronil based products.

The Federal Circuit decision confirms that customers can continue to use the Taurus™ product as per the labeled instructions.

(Tel-Aviv, Israel & Pasadena, TX) - [Makhteshim Agan Group](#) (MAI) and [Control Solutions, Inc.](#) (CSI) announced today that on March 20, 2013, the U.S. Court of Appeals for the Federal Circuit in Washington, ruled by unanimous decision to dismiss an appeal submitted by BASF. The decision affirmed a ruling by U.S. District Court for the Middle District of North Carolina that the product known as [Taurus™ SC](#), does not infringe U.S. Patent Number 6,414,010 or U.S. Patent Number 6,835,743.

Immediately, the Federal Circuit decision confirms and authorizes the continuation of U.S. marketplace activity and customer engagement in relation to Taurus™ SC product sales.

BASF has maintained longstanding allegations beginning in April 2010, of patent infringement against MANA and CSI in regards to the Taurus™ SC brand. Both in the district and the appeal cases throughout the last three years, MAI has been favored in the Court ruling which determined that they do not infringe the claims of any patent.

The Federal Circuit decision on March 20, 2013 finally puts to rest any question of whether the Taurus™ SC product infringes upon BASF or its patent holdings.

Mr. Shaul Friedland, Head of MAI's Americas region says, "Throughout this case, MAI has maintained a corporate position and opinion that BASF's claims have been without merit. MAI and CSI remained steadfast in their belief that the Court would deny the opposing side's motions and appeals. Fipronil based solutions are one component in our broad portfolio of reliable solutions offered to customers around the globe. With customer needs in our focus we intend to continue to broaden and enhance our offering."



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Mr. Mark Boyd, President and CEO of CSI says, “We are pleased that this matter is finally resolved and are looking forward to service additional customers who still had some concern. CSI is proud to be a leading supplier of high quality, efficacious tools for the professional termite control sector. Taurus™ SC is a trusted product throughout the industry – meeting a specific need with extremely high demand.”

In June 2011, MAI’s affiliate CSI launched sales of fipronil-based products under the brand names Taurus™ SC for the professional pest control market, and Prefurred™ for companion animal use.

Fipronil is utilized for termite prevention and treatment, flea, ant and tick control, and as a broad-spectrum insecticide for crop markets in a variety of branded products throughout the world. The active ingredient is used in crop protection mainly for treatment of cotton, potatoes, rice and seed treatment in addition to broad uses for non-crop applications.

The case as presented in this news release is BASF Agro BV Arnhem v. Makhteshim Agan of North America, 12-01206, U.S. Court of Appeals for the Federal Circuit (Washington). The lower court case is BASF Agro B.V. Arnhem v. Makhteshim Agan of North America, 10-cv-00276, U.S. District Court, Middle District of North Carolina (Greensboro).

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About Makhteshim Agan

Makhteshim Agan Industries Ltd. is a leading manufacturer and distributor worldwide of crop protection solutions and the largest off-patent player in the industry.

The Company supplies efficient solutions to farmers that assist them in combating disease and increasing yields. In 2012, the Company’s revenues were over \$2.83 billion, and it is ranked seventh in the world in the overall agro-chemicals industry. The Company is characterized by its know-how, high-level technological-chemical abilities, expertise in product registration, and observance of strict standards of environmental protection, stringent quality control and global marketing and distribution channels.

Makhteshim Agan Group sells its crop protection products in over 120 countries and together with its strategically located global manufacturing and distribution facilities delivers simplicity in agriculture around the globe.

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