
ERBE Perseveres yet again in Opposition to Dr. Jerome Canady, and is Awarded more than One Million Dollars

Innovative Family Firm Continues to protect its Intellectual Property that has been employed in Minimally Invasive Surgical Procedures for more than one decade

MARIETTA, Ga., March 7, 2008 /PRNewswire/ -- In a much anticipated decision, Judge Joy Flowers Conti recently ruled that Dr. Jerome Canady of McKeesport, Pennsylvania is *personally liable* for expenses and attorneys' fees incurred by ERBE while defending against Dr. Canady's claim that ERBE had infringed a European patent in the U.K.

On March 21, 2005 Dr. Jerome Canady sued ERBE in the United Kingdom claiming that ERBE's Argon Plasma Coagulation (APC™) probes infringed European Patent No. 0595967, a foreign counterpart to Canady's U.S. Patent No. 5,207,675. Before Canady filed the U.K. case, two American courts had already found that ERBE's probes did not infringe Canady's intellectual property rights in the U.S. ERBE denied that it infringed the U.K. patent and in December 2005, the British court agreed and ordered Dr. Canady to pay ERBE more than \$1M. While Dr. Canady did not dispute that he owed the money to ERBE, Dr. Canady returned to the United States without paying ERBE.

In order to collect per court decree, on March 23, 2007, ERBE filed a complaint in the United States District Court for the Western District of Pennsylvania. Since Canady had no substantive defenses, almost immediately ERBE filed a motion for summary judgment that was granted by Judge Conti on February 19, 2008. Christian O. Erbe, Managing Director of ERBE Elektromedizin GmbH, a fifth generation family owned and operated business, expects Dr. Canady to abide by Judge Conti's order.

If necessary, ERBE will aggressively seek payment from Dr. Canady, with Mr. Erbe expressing his frustration in saying, "While it may take years for full restitution, ERBE will continue to use all legal means at its disposal including garnishment, seizure of property, and/or attachment to insure Dr. Jerome Canady's debt to ERBE is paid in full per court judgment." In a previous release dated May 12, 2006 referencing the UK court ruling, Mr. Erbe avowed that "I sincerely hope that Dr. Canady will abandon his attempts to use the legal process to shake down ERBE, so that we here at ERBE can get on with our business of providing medical practitioners worldwide with innovative, quality products that optimize patient outcomes, without the time-consuming distractions of baseless litigations."

About ERBE ELEKTROMEDIZIN GmbH and ERBE USA, Inc.

ERBE ELEKTROMEDIZIN GmbH is a 161-year innovator of interventional surgical devices and the holder of many European and US Patents. Its USA subsidiary, ERBE USA, Inc. is located in Marietta, GA. ERBE is the world's leading manufacturer and distributor of Electrosurgical Units and Argon Coagulators. The company has several inventions and patents related to its APC™

technology used in flexible endoscopes that explore the gastrointestinal tract (esophagus, stomach, colon and small bowel) and the tracheobronchial system (trachea, bronchi and lungs) without incisions of any type. APC™ technology is used to treat various bleeding diseases and lesions within the aforementioned anatomy. In the case of APC™, ERBE first introduced this innovation to the European markets in 1992 and the United States market in 1996.

Website:<http://www.erbe-usa.com/>

Website:<http://www.erbe-med.com/>