

---

## ERBE Protects Its Intellectual Property in APC™

---

### Innovative Firm Simultaneously Prepares to Introduce 5<sup>th</sup> Generation Argon Plasma (APC™) Catheter - the Circumferential 360° APC Probe

MARIETTA, Ga., April 18 /PRNewswire/ -- The introduction of non-ERBE APC™ catheter probes into the United States market caused ERBE Elektromedizin GmbH and ERBE USA, Inc. (ERBE) to file a lawsuit against Jerome Canady, MD and Canady Technology (CT) on December 07, 2005. In its lawsuit, ERBE alleges that Dr. Canady and CT willfully infringe U.S. Patent No. 5,720,745, which covers Argon Plasma Coagulation (APC™) catheter probes and methods for their use in flexible endoscopy. Because the so-called Canady Plasma Probes are produced in well-known "ERBE blue," the lawsuit also alleges that Dr. Canady and CT willfully infringe ERBE's trademark, U.S. Trademark Registration No. 2,637,630.

John Day, Vice President for Marketing at ERBE USA, recently reaffirmed that, ERBE USA, Inc., has "not authorized the use of non-ERBE APC™ probes in its proprietary VIO/APC 2- or ICC/APC 300-series Argon Plasma Coagulation Units." Since ERBE does not control the manufacture and/or the quality of such probes and cannot be assured that non-ERBE APC™ probes will function according to ERBE's specifications, Mr. Day said that ERBE "shall not be liable under its product warranties, or otherwise, if a customer has a problem or incident with ERBE APC units when non-ERBE APC probes are, or have been, used with the two aforementioned systems."

About ERBE ELEKTROMEDIZIN GmbH and ERBE USA, Inc.

ERBE USA, Inc. is the subsidiary of the 159-year innovator ERBE ELEKTROMEDIZIN GmbH (Tübingen, Germany). ERBE is the world's leading manufacturer and distributor of Electrosurgical Units and Argon Coagulators. The company has several inventions including nine (9) relating to its APC™ technology. Flexible endoscopes 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. The company will introduce its latest technological innovation – the APC™ 360° Circumferential Probe – at this year's DDW (Digestive Disease Week) in Los Angeles.

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

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