Eagle Pharmaceuticals Announces New Patent Issued for BENDEKA

August 22, 2018

– BENDEKA protected by 16 patents running from 2026 through 2033 –

– Fifteen total Orange Book listed patents –

WOODCLIFF LAKE, N.J.--(BUSINESS WIRE)--Eagle Pharmaceuticals, Inc. (Nasdaq: EGRX) (“Eagle” or “the Company”) today announced that an additional patent has been issued related to BENDEKA ® by the United States Patent and Trademark Office (USPTO). Patent number 10,052,385 will expire March 2033. The USPTO has now issued or allowed a total of 16 patents in the BENDEKA family of patents expiring from 2026 to 2033.

The newly issued patent will be listed in the U.S. Food and Drug Administration’s (FDA) Approved Drug Products with Therapeutic Equivalence Evaluations (Orange Book) bringing Eagle’s total Orange Book listed patents for BENDEKA to fourteen [1]. BENDEKA has Orphan Drug Exclusivity (ODE) until December 2022 as a result of the U.S. District Court for the District of Columbia’s decision issued on June 8, 2018.

“The ODE and growing strength of our intellectual property portfolio may protect the BENDEKA franchise well beyond 2022,” stated Scott Tarriff, Chief Executive Officer of Eagle Pharmaceuticals.

The following table lists issued patents for Eagle’s liquid bendamustine hydrochloride formulations:

U.S. PATENT NO.	PATENT EXPIRATION
8,609,707	1/28/2031
8,791,270*PED (owned by Teva Pharmaceutical Industries Ltd.)	7/12/2026
9,000,021	3/15/2033
9,034,908	3/15/2033
9,144,568	3/15/2033
9,265,831	1/28/2031
9,572,796	1/28/2031
9,572,797	1/28/2031
9,572,887	3/15/2033
9,572,888	3/15/2033
9,579,384	3/15/2033
9,579,397	3/15/2033
9,579,398	3/15/2033
9,579,399	3/15/2033
10,010,533	1/28/2031
10,052,385	3/15/2033

[1]Orange Book patent 270 owned by Cephalon, Inc.

Under a February 2015 exclusive license agreement for BENDEKA, Teva Pharmaceutical Industries, Ltd. is responsible for all U.S. commercial activities for the product including promotion and distribution.

About Eagle Pharmaceuticals, Inc.

Eagle is a specialty pharmaceutical company focused on developing and commercializing injectable products that address the shortcomings, as identified by physicians, pharmacists and other stakeholders, of existing commercially successful injectable products. Eagle’s strategy is to utilize the FDA's 505(b)(2) regulatory pathway. Additional information is available on the company’s website at www.eagleus.com.

Forward-Looking Statements

This press release contains forward-looking information within the meaning of the Private Securities Litigation Reform Act of 1995, as amended and other securities laws. Forward-looking statements are statements that are not historical facts. Words such as “will,” “continue,” “may,” “believe,” “intends,” “anticipate(s),” “plan,” “enables,” “potentially,” “entitles,” and similar expressions are intended to identify forward-looking statements. These statements include statements regarding future events including, but not limited to: Eagle’s ability to defend against third party attempts to design around or invalidate its patents; successful compliance with FDA and other governmental regulations applicable to product approval, manufacturing facilities, products and/or businesses; the FDA’s ability to approve any drug applications referencing BENDEKA prior to December 2022; the ability of generic TREANDA products to enter the market prior to 2022; Eagle’s market protection for BENDEKA; the commercial success of Eagle’s commercial portfolio, including BENDEKA; successful compliance with FDA and other governmental regulations; the ability of Eagle to deliver sustained shareholder value over time; and other factors that are discussed in Eagle’s Annual Report on Form 10-K for the year ended December 31, 2017, and its other filings with the U.S. Securities and Exchange Commission. All of such statements are subject to certain risks and uncertainties, many of which are difficult to predict and generally beyond Eagle’s control, that could cause actual results to differ materially from those expressed in, or implied or projected by, the forward-looking information and statements. Such risks include, but are not limited to whether Eagle’s management and/or board of directors will be effective in managing Eagle’s business and future growth, as well as the other risks described in Eagle’s filings with

the U.S. Securities and Exchange Commission. Readers are cautioned not to place undue reliance on these forward-looking statements that speak only as of the date hereof, and we do not undertake any obligation to revise and disseminate forward-looking statements to reflect events or circumstances after the date hereof, or to reflect the occurrence of or non-occurrence of any events.

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