



For Immediate Release

bioMérieux signs New Agreements with Gen-Probe

*bioMérieux receives a \$ 1 million license fee for access to its markers for blood clotting disorders
bioMérieux to give Gen-Probe an option for the access to bioMérieux NUCLISENS EASYQ platform
bioMérieux Gains Access to ribosomal RNA markers to support its future growth in molecular
biology*

Marcy L'Etoile France, October 7, 2004 -- bioMérieux has signed a licensing agreement with Gen-Probe that gives Gen-Probe access to bioMérieux's intellectual property for detecting genetic mutations that predispose people to blood clotting disorders. Also, bioMérieux has given Gen-Probe negotiation rights for access to the bioMérieux NUCLISENS EASYQ® platform. Furthermore, bioMérieux has been granted an option to access Gen-Probe's ribosomal RNA markers, for molecular microbial identification.

"These agreements with Gen-Probe enable us to value our portfolio of patented technologies. The access to Gen-Probe's ribosomal RNA markers will contribute to our future growth in molecular biology. Our potential collaboration with Gen-Probe, regarding access to our innovative NUCLISENS EASYQ® platform, could be a valuable opportunity in the future for both companies." said Benoit Adelus, Executive Vice President of bioMérieux.

Gen-Probe will pay bioMérieux \$1 million for a non-exclusive, worldwide license to use bioMérieux's intellectual property to develop tests that detect mutations in the genes that code for factor V and prothrombin, proteins that control the blood clotting process. Gen-Probe will pay bioMérieux royalties on the sale of products developed using bioMérieux's intellectual property. Detecting these mutations, which predispose people to blood clotting disorders, is more and more important and concerns patients with a personal or family history of blood clots, for people having surgery, for pregnant women, and for women taking oral contraceptives.

Under the NUCLISENS EASYQ® platform arrangement, Gen-Probe may negotiate to develop TMA amplified assays complementary to bioMérieux products lines for further distribution by bioMérieux in selected territories.

Concerning the access to the Gen-Probe Ribosomal RNA markers, under the terms of the agreement bioMérieux will pay \$ 0.25 million for a limited research license and an option to develop diagnostic products, for certain disease targets, using these technologies. If the option is exercised, bioMérieux may pay up to \$ 7.5 million depending of the number of the target exercised. Under the licenses, Gen-Probe also will receive royalties on the sale of products developed using Gen-Probe's intellectual property.

bioMérieux took the opportunity of these agreements to terminate its previous agreement with Gen-Probe relating to the development of assays for bioMérieux VIDAS PROBE instrument, a project that has been discontinued after bioMérieux acquired the NUCLISENS EASYQ platform from Organon Teknika in 2001. bioMérieux will pay approximately \$ 1.6 million as minimum royalties and to conclude certain outstanding obligations under the license.

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About bioMérieux

bioMérieux is a leading international diagnostics group that specializes in the field of *in vitro* diagnostics for clinical and industrial applications. bioMérieux designs, develops, manufactures and markets systems (i.e. reagents, instruments and software) used in:

Clinical applications: the diagnosis of infectious diseases such as hepatitis, HIV, tuberculosis and respiratory illnesses, as well as pathologies such as cardiovascular diseases and cancer, based on the analysis of biological samples (such as blood, saliva or urine); and

Industrial applications: the microbiological analysis of food, environments (such as water and air), surfaces and pharmaceutical and cosmetic products, based on the analysis of product or environmental samples. bioMérieux has pioneered this business and is world leader.

In 2003, 82 percent of the company's sales were international. The company is present in more than 130 countries through 33 subsidiaries and a large network of distributors, which positions the company well to benefit from the growth potential of the *in vitro* diagnostics market. Some important drivers that underpin this growth are aging populations and age-related illness, illnesses related to life-style and eating habits, the emerging new pathogens, the development of antibiotic-resistant bacteria, the fight against bio-terrorism, the recognition of the importance of the quality of food products, cosmetics and pharmaceuticals.

bioMérieux is listed on the Premier Marché of Euronext, Paris (FR0010096479 – BIM).

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