

OmniActives to vigorously press its defenses against law suit

Wednesday, August 1, 2007, OmniActive Health Technologies, Inc, Short Hills, NJ

OmniActive Health Technologies (OmniActives) will vigorously press its defenses at all appropriate legal platforms against a law suit filed by Kemin on July 17, 07 in the U.S. District Court for the Middle District of Florida, USA.

"We have been aware of Kemin's 5,382,714 patent and previously considered the scope of protection afforded by this patent to ensure that our activities were well-clear of the patent. Having made deep investments in R&D, OmniActives respects intellectual property, and we have offered and sold our Lutemax® Free Lutein range in the industry with due diligence after ensuring uniqueness of our IP and patents. We believe that there is no merit to the contentions by Kemin. OmniActive's Lutemax® Free Lutein product is covered by the 6,743,953 patent and other patent pending technologies, which describe a very different product and process than the 5,382,714 patent," said Mr. Sanjaya Mariwala, Managing Director of OmniActive Health Technologies Pvt Ltd., Mumbai, India. *"Our US subsidiary has just received a formal notice of the suit. Their complaint papers are being scrutinized by our legal team and attorneys,"* he added.

OmniActives is the first and only company in the world with international patents for both Free Lutein (US Patent # 6,743,953) and Lutein Esters (US Patent # 6,737,535) to provide people across the world with nutritionally sound choices and formulators with the widest range of product options in the Lutein spectrum. In just three years, OmniActives has successfully innovated novel ingredients and technology solutions with validated and unique IP, delivering exceptional value to customers. OmniActives is extending technology and IP to related isomeric forms of lutein such as Zeaxanthin, and novel delivery platforms such as vegetarian and stabilized beadlets for lipophilic nutrients.

"We realize that the technological innovation and value that we have successfully brought to a stagnant and monopolistic Lutein market and to our customers, has been a powerful combination to cause disruptions in our competitors' plans. With the inability to match up, litigation is not a surprising response we face from Kemin who has a well-known history of being litigious. In anticipation, we have been extremely diligent about our IP position. We will take all appropriate legal steps to demonstrate that Kemin's contentions against OmniActives are based on a shaky foundation. It will only assure our partners that we will always bring products to the market that pass the stringent of tests in being unique IP protected inventions," added Mr Mariwala.

OmniActives next-generation, patent pending beadletting technology was the first completely Vegetarian delivery system option for lutein and lutein esters where existing players only offered out-dated animal ingredient based beadlets to an increasingly diverse and safety conscious market. Customers have been delighted by how it has enabled them to better stabilize lutein in complex formulas without worrying about activity loss in manufacturing line or on the shelf. Particularly exciting have been the 5 times more potent 25% Lutein beadlets (in a market where 5-10 % versions are still the norm) to enable formulators to deliver to the consumer higher levels of lutein in keeping with emerging nutritional leads, without adding to the tablet or capsule size.

With a heritage of 135 years in the international food and nutrition business, the OmniActive's Lutein range under the Lutemax® Free Lutein and Lutemax® Lutein Esters trade-mark set the trend for safe xanthophyll-based products for human food and nutrition applications by show-casing its own supply chain for Lutemax® products from seed to finished ingredient forms. Keeping in mind the end-use for human nutrition, OmniActives has completely eliminated the use of undesirable preservatives like ETQ, BHA, BHT, TBHQ, etc unlike many others in the marigold processing industry, and highlighted the need for GMO-free, trans-fat free ingredient systems. As a result, Lutemax® brand Free Lutein and Lutein Esters is now used in over 100 dietary supplements.

About OmniActives

OmniActive Health Technologies (www.omniactives.com) is promoted by Kancor Ingredients of India and is focused on innovating novel products and technologies for health and nutrition, building on Kancor's 135 years history of developing and producing specialty extracts from plant origins.

OmniActives effectively uses Science and Technology to bring intelligent solutions that are patent protected, delivering exceptional value to pharmaceutical, nutritional and food companies.