

Solvay's patent enforced against NEO and Hysci re-confirmed by China's Highest Court

Hanover, May 7, 2018 --- Solvay has received confirmation of the validity of its Chinese patent n° 96196505.3 concerning rare earth mixed-oxide materials for automotive emissions-control catalysts, by the Chinese Supreme People's Court. This decision is final and no appeal is possible.

This confirms the previous judgment of the Beijing High People's Court.

The patent at issue, together with 4 other mixed-oxide patents, is also being enforced by Solvay and Daiichi Kigenso Kagaku Kogyo Co. (DKK), in Shandong Zibo Intermediate People's Court against ZAMR (Zibo JiaHua Advanced Material Resources Co. Ltd), a subsidiary of the Neo Performance Material Group ("NEO").

Recently, NEO reported a first instance decision of the Chinese Patent Office to invalidate one of these 5 enforced patents. Solvay will appeal this decision and the patent will remain in force until final judgement. Solvay's recent victory in China's highest court gives confidence that higher courts may confirm the patent's validity.

Furthermore, Solvay strongly believes there is no impact of this Chinese first instance decision on the validity of the European, American, Korean, Japanese or South African patent counterparts nor, notably, on the opposition proceedings in the European Patent Office. This patent was recently asserted against NEO in Germany in the Düsseldorf Regional Court. In all previous proceedings the respective courts have confirmed infringement by NEO of Solvay's patents. Solvay is therefore confident of the outcome of the ongoing Düsseldorf infringement lawsuit against NEO.

If, following the hearing scheduled in October 2018, the Düsseldorf Court holds that the patent (EP 1527028) is infringed, it will order an injunction of mixed oxides falling into the patent's scope. This possibility is already today a risk for NEO's customers and for the automotive manufacturers.

Rare earth oxides are used in automotive catalysts to abate noxious gases from engine exhaust. Ever stricter air quality standards require increasingly complex formulated rare earth oxides that are the result of extensive research and innovation programs. Solvay's OPTalys® and Actalys® product ranges offer tailored solutions for all types of automotive catalysts and contribute significantly to cleaner mobility.

To continue to provide innovation to benefit to global environment, Solvay is committed to vigorously enforcing its intellectual property rights against suspected unauthorized use.

Neo is an indirect wholly-owned subsidiary of Neo Performance Materials Inc., which is headquartered in Toronto, Canada and which has closed its initial public offering on the Toronto Stock Exchange on December 8, 2017.

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Solvay is a multi-specialty chemical company, committed to developing chemistry that addresses key societal challenges. Solvay innovates and partners with customers in diverse global end markets. Its products and solutions are used in planes, cars, smart and medical devices, batteries, in mineral and oil extraction, among many other applications promoting sustainability. Its lightweighting materials enhance cleaner mobility, its formulations optimize the use of resources and its performance chemicals improve air and water quality. Solvay is headquartered in Brussels with around 27,000 employees in 58 countries. Net sales were € 10.9 billion in 2016, with 90% from activities where Solvay ranks among the world's top 3 leaders. Solvay SA ([SOLB.BE](#)) is listed on Euronext Brussels and Paris (Bloomberg: [SOLB.BB](#) - Reuters: [SOLB.BR](#)) and in the United States its shares (SOLVY) are traded through a level-1 ADR program.

Solvay Special Chem is world leader in selected specialties based on Fluorine, Rare Earths, Strontium and Barium. The GBU leverages its distinctive knowledge to provide specialized products and solutions to selected industries, such as: rare earth-based formulations for use in automotive catalysts, luminophores and polishing; NOCOLOK® fluxes for automotive heat exchangers; Solkane® 365 as foam blowing agent in thermal insulation foams; fluorinated intermediates for agrochemicals and pharmaceuticals; process chemicals for semiconductors; barium salts for electronic passive components, etc.

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