

Where can I find information on the scheduled hearing date, panel of judges, listening instructions, legal briefs and anticipated decision timing in connection with the MARINE patent ANDA litigation appeal at the U.S. Court of Appeals for the Federal Circuit?

September 2, 2020, 10:00 am Eastern Time, has been scheduled as the hearing date and time for the MARINE patent ANDA litigation oral argument at the U.S. Court of Appeals for the Federal Circuit, or Federal Circuit. Related information is available through the court's website at <http://cafc.uscourts.gov/argument/upcoming-oral-arguments>. The posted schedule is subject to infrequent revision. If more than one hearing is scheduled that day, the Amarin argument is expected to be heard in the order listed.

The identity of the three-judge panel that will decide the case is expected to be revealed on the morning of the oral argument through the court's website at <http://cafc.uscourts.gov/argument/upcoming-oral-arguments>.

The oral argument at the Federal Circuit is expected to take place telephonically in accordance with current court procedures implemented in light of ongoing public health concerns.

Based on guidance from the Federal Circuit:

- **Instructions for public access to the live audio** of the hearing is expected to be made available through the court's website at <http://www.cafc.uscourts.gov/public-access-arguments>
- **Archived recording of the argument** is expected to be posted within the day after the conclusion of argument through the court's website at <http://www.cafc.uscourts.gov/oral-argument-recordings>
- **Court-issued notices of changes in court procedures** such as any change back to live hearings at the Federal Circuit courthouse in Washington, D.C. are expected to be available on the court's website here: <http://www.cafc.uscourts.gov/covid-19-information>

Substantive legal briefs filed with the Federal Circuit in connection with the appeal by parties to the litigation and *amicus curie* (friends of the court) are available through the links below:

- Amarin's opening appeal brief (May 12, 2020), [here](#)
- Amicus briefs:
 - BIO in support of Amarin (May 19, 2020), [here](#)
 - Aimed Alliance in support of Amarin (May 19, 2020), [here](#)
- Generics' response brief (June 16, 2020), [here](#)
- Amarin's reply brief (June 26, 2020), [here](#)

These briefs and related appeal filings can be found on the U.S. federal court PACER system at <https://pacer.uscourts.gov/>.

The timing of the Federal Circuit's decision on the merits of the appeal is determined solely by the court and is therefore difficult to predict. There is no required date by which the Federal Circuit must make a

decision. Based on prior history, we believe it is most likely that a decision could be reached and publicly available in the fourth quarter of 2020 or in the first quarter of 2021. It is possible that the decision could occur shortly after oral argument or take longer than anticipated. When decided, the court's practice is to post the decision through the PACER system at <https://pacer.uscourts.gov/>.

General information on the litigation and Amarin's policy regarding updates as the litigation and related events progress is available on the Amarin website at <https://investor.amarincorp.com/static-files/af1b94a9-3453-4ceb-8a07-66f9fe452efa>.

Dated: July 21, 2020

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