# Merck Sues Merck KGaA, Darmstadt, Germany for Improper Use of “Merck”

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KENILWORTH, N.J. – Merck (NYSE: MRK), known as MSD outside the United States and Canada, has been operating in the United States under the name Merck for 125 years. To protect our long-established brand rights in the United States, we are filing a lawsuit against Merck KGaA, Darmstadt, Germany, operating as the EMD Group in the United States, regarding their improper use of the name “Merck” in the United States.

Our company brand and what it stands for is crucial to our identity and reputation and we will vigorously defend it. We are proud of our unique contributions to patients and society. We are at the forefront of fighting to find treatments and cures to some for the world’s most urgent health challenges, including cancer, diabetes, hepatitis C, Alzheimer’s disease, Ebola, superbugs, HIV, heart disease and many others.

Additionally, on a separate legal matter, we are disappointed with the ruling of the High Court of Justice, London, which decided in favor of Merck KGaA, Darmstadt, Germany, regarding their claims in connection with the use of “Merck” in particular on web sites and social media. This decision reflects one step in a litigation process taking place in a number of countries, and will be appealed.

The U.S. lawsuit is being filed in the United States District Court for the District of New Jersey, and more details will be available in the complaint.

**About Merck**

Today’s Merck is a global health care leader working to help the world be well. Merck is known as MSD outside the United States and Canada. Through our prescription medicines, vaccines, biologic therapies and animal health products, we work with customers and operate in more than 140 countries to deliver innovative health solutions. We also demonstrate our commitment to increasing access to health care through far-reaching policies, programs and partnerships. For more

information, visit www.merck.com and connect with us on Twitter, Facebook, YouTube and LinkedIn.

**Forward-Looking Statement of Merck & Co., Inc., Kenilworth, N.J., USA**

This news release of Merck & Co., Inc., Kenilworth, N.J., USA (the "company") includes "forward-looking statements" within the meaning of the safe harbor provisions of the U.S. Private Securities Litigation Reform Act of 1995. These statements are based upon the current beliefs and expectations of the company's management and are subject to significant risks and uncertainties. If underlying assumptions prove inaccurate or risks or uncertainties materialize, actual results may differ materially from those set forth in the forward-looking statements.

Risks and uncertainties include but are not limited to, general industry conditions and competition; general economic factors, including interest rate and currency exchange rate fluctuations; the impact of pharmaceutical industry regulation and health care legislation in the United States and internationally; global trends toward health care cost containment; technological advances, new products and patents attained by competitors; challenges inherent in new product development, including obtaining regulatory approval; the company's ability to accurately predict future market conditions; manufacturing difficulties or delays; financial instability of international economies and sovereign risk; dependence on the effectiveness of the company's patents and other protections for innovative products; and the exposure to litigation, including patent litigation, and/or regulatory actions.

The company undertakes no obligation to publicly update any forward-looking statement, whether as a result of new information, future events or otherwise. Additional factors that could cause results to differ materially from those described in the forward-looking statements can be found in the company's 2014 Annual Report on Form 10-K and the company's other filings with the Securities and Exchange Commission (SEC) available at the SEC's Internet site (www.sec.gov).

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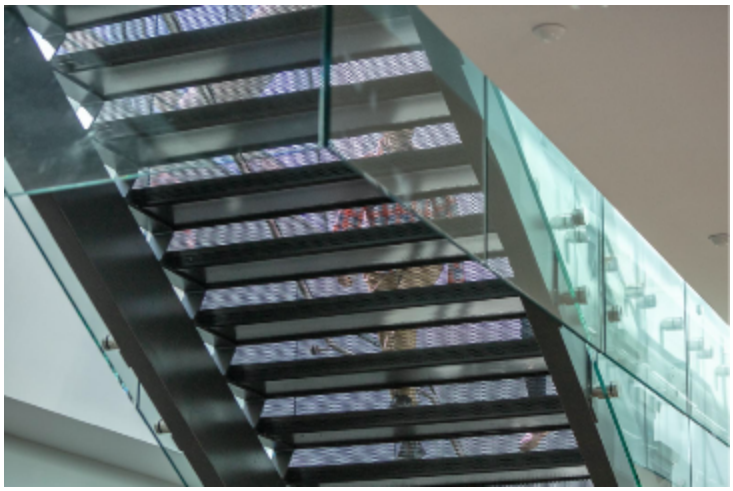

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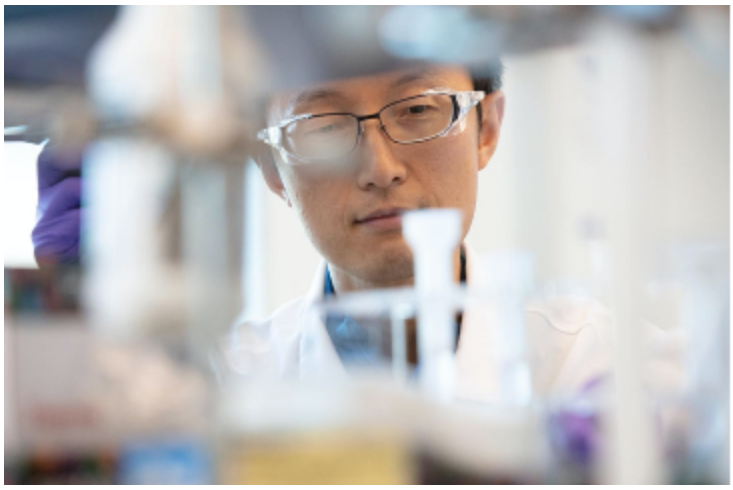

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We are committed to providing leading innovations for today and the future that save and improve lives around the world.

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