



NID Wins Patent Dispute

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SAN CLEMENTE, Calif., Sept. 8 /PRNewswire-FirstCall/ -- Nichols Institute Diagnostics, Inc. (NID), a manufacturer of specialty diagnostic test kits and systems, announced that the U.S. District Court for the Southern District of California reversed part of a jury verdict and ruled decisively in favor of NID in its patent infringement case against Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.

NID has an exclusive license to a patent for an assay for measuring bio-active parathyroid hormone (PTH). NID sued Scantibodies, claiming that Scantibodies infringed the patent. Following a trial during May and June, 2005, a jury found that Scantibodies' assay infringes NID's patent, but also found that certain claims of the patent were not valid. NID asked the court to set aside portions of the jury's verdict that were unfavorable to NID.

In a decision by U.S. District Judge Rudi M. Brewster, entered on August 30, the court found that portions of the jury's verdict were not supported by substantial evidence, and overturned the jury verdict against NID, ruling instead that NID's patent is valid. In addition, the court let stand the jury's determination that Scantibodies' PTH assays infringe the patent.

NID manufactures and markets immunoassay systems utilizing advanced direct label chemiluminescence and immunoradiometric technology for the clinical laboratory. Multiple instrumentation options are available to meet both large and small throughput needs. NID has offices in the US, Germany and France and our immunodiagnostic kits are routinely used in more than 35 countries around the world. NID is a wholly owned subsidiary of Quest Diagnostics Incorporated (NYSE: DGX), the nation's leading provider of diagnostic testing, information and services.

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