



Minerva Surgical Issues Update on U.S. Supreme Court Ruling on Assignors Estoppel

June 30, 2021

Minerva will continue selling its FDA approved Minerva ES Endometrial Ablation Device

SANTA CLARA, Calif., June 30, 2021 /PRNewswire/ -- On June 29, 2021, the U.S. Supreme Court issued a decision in *Minerva Surgical, Inc. v. Hologic, Inc., et al.* which vacated the judgment of the U.S. Court of Appeals for the Federal Circuit that upheld assignor estoppel, and sent the case back to the Federal Circuit to consider whether the Hologic patent at issue contains claims that are materially broader than the claims of a patent issued to Minerva Surgical's founder, and then assigned to a company that was later purchased by Hologic in 2007.

Minerva Surgical is pleased with the Supreme Court's decision and believes, that as a result of this decision, patent holders who were assigned a patent by an inventor or assignor, will no longer be able to seek new patents with claims that are materially broader than those originally assigned to them, and then assert those new patents against the inventor or assignor, while avoiding judicial review of the new patent's validity under the doctrine of assignor estoppel.

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At the rehearing, Minerva plans to show the Federal Circuit why there is no basis for applying assignor estoppel to bar Minerva from having its patent invalidity defenses heard on the merits. Regardless of the outcome of this case, Minerva Surgical is and will remain free to continue selling its novel Minerva ES Endometrial Ablation Device as the Hologic patent at issue expired in November 2018.

Minerva Surgical was represented by:

Robert N. Hochman, Caroline A. Wong, and Jillian Sheridan Stonecipher of Sidley Austin LLP
Vera M. Elson, Edward G. Poplawski, and Olivia M. Kim of Wilson Sonsini Goodrich & Rosati, P.C.

ABOUT MINERVA SURGICAL – THE UTERINE HEALTH COMPANY

Minerva Surgical is a commercial-stage medical technology company located in Santa Clara, California, focused on developing, manufacturing, and commercializing minimally invasive solutions to meet the distinct uterine healthcare needs of women. The company has established a broad product line of commercially available, minimally invasive products, which are designed to address the most common causes of abnormal uterine bleeding (AUB) in most uterine anatomies. The company's solutions can be used in a variety of medical treatment settings and aim to address the drawbacks associated with alternative treatment methods and to preserve the uterus by avoiding unnecessary hysterectomies.

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