

Mr Damian Dinelli
Adviser, Listings Compliance
Australian Securities Exchange
Level 40, Central Park,
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Perth WA 6000
By email: ListingsCompliancePerth@asx.com.au

27 September 2021

Dear Damian,

Response to ASX Price Query

Exopharm Limited (ASX: EX1) ("**Exopharm**" or the "**Company**") refers to your Price Query letter dated Friday 24 September 2021 and provides the following responses:

1. Yes. The Company has become aware of information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in its securities.

On Friday 24 September 2021 (which was a public holiday in Melbourne), the Company received an e-mail alerting key management of the Company to information on the web site of the United States Patent and Trademark Office (USPTO) about the Company's LEAP patent application and the further progress of that patent application (Application 17/147,033) ('Application') under the United States National Phase. Upon inspection, the USPTO web site showed that the Examiner has upgraded the Application to 'Notice of Allowance Mailed', indicating that the Examiner has accepted recent amendments to the Application, sees the Application as meeting their requirements and is ready to issue the requested patent (subject to some further steps and payment of fees). At this point a USPTO patent number has not been issued in relation to the Application and there are some formalities that need to be completed. Normally the US Patent would be issued around 8 weeks after the marked publication date (date which has not yet been set) and the payment of a fee by the Company to the USPTO. Upon publication the Application is not confirmed and is open to objections by other parties.

As announced to ASX on 3 June 2021, the Company has applied for a patent for its Ligand based Exosome Affinity Purification (**LEAP**)

technology in twelve jurisdictions, including the United States. The LEAP patent has been granted in Russia, as announced on 3 June 2021. The Company would normally receive details of the USPTO Notice of Allowance via its United States Patent Attorneys ('Agents') and confirms that it has not yet received such notification from its Agents in the United States. The Company would expect to receive such notification soon. Normally the Company would make an announcement under Listing Rule 3.1 – giving patent number, the expiry date and its importance - upon the final grant of a patent, immediately upon completion.

2. (a) The Company was relying on Listing Rule 3.1A not to announce the information because it concerns an incomplete proposal or negotiation and the Company believed that the information was confidential. As the Company is now aware that the information is not confidential, it is no longer relying on Listing Rule 3.1A.

(b) An announcement has been prepared and will be made immediately.

(c) Not applicable
3. Not applicable
4. The Company confirms that it is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.
5. The Company confirms that this response has been authorised and approved by Dr Ian Dixon, Managing Director, having delegated authority from the Board to respond to ASX on disclosure matters.

Yours sincerely,



Elizabeth McGregor
Company Secretary

Company and Media Enquiries:

Join our mailing list to receive updates:

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ABOUT EXOPHARM

Exopharm (ASX:EX1) is a clinical-stage biopharmaceutical company using exosomes to deliver a new class of transformative medicines funded with near-term revenue generated via partnerships and technology licensing.

As nature's delivery platform for DNA, RNA, and proteins, exosomes are highly-differentiated from synthetic drug delivery systems such as lipid nanoparticles (LNPs). The drug delivery industry is growing at an annual growth rate (CAGR) of 5% and currently valued at around US\$175 billion.

Exosomes are an alternative means of drug delivery inside the body, alongside technologies such as lipid nanoparticles (LNP), cell penetrating peptides, viral vectors and liposomes. In some uses, exosomes have superiority, including delivering DNA and other medicines into the nucleus of the cell, as is required for the rapidly advancing gene therapy market.

Exopharm's LEAP technology solves the challenge of purifying clinical-grade exosomes at large scale and low cost.

Exopharm also has two exclusive proprietary technologies that allow advanced customisation of exosomes – the LOAD technology improves loading of nucleic medicines into exosomes and the EVPS technology allows exosomes to be directed towards selected cell types.

Exopharm uses variations and combinations of LOAD and EVPS to enable its Biopharma partners to improve delivery of their drug candidates and help them design and test new exosome medicines aimed at treating a wide scope of medical problems including neurological disease, infectious disease, cancer, and fibrosis.

FORWARD LOOKING STATEMENTS

This announcement contains forward-looking statements which incorporate an element of uncertainty or risk, such as 'intends', 'may', 'could', 'believes', 'estimates', 'targets', 'aims', 'plans' or 'expects'. These statements are based on an evaluation of current corporate estimates, economic and operating conditions, as well as assumptions regarding future events. These events are, as at the date of this announcement, expected to take place, but there cannot be any guarantee that such events will occur as anticipated or at all given that many of the events are outside of Exopharm's control or subject to the success of the Development Program. Furthermore, the Company is subject to several risks as disclosed in the Prospectus dated 6 November 2018.



24 September 2021

Reference: 40101

Ms Elizabeth McGregor
Company Secretary
Exopharm Limited

By email

Dear Ms McGregor

Exopharm Limited ('EX1'): Price - Query

ASX refers to the following:

- A. The change in the price of EX1's securities from a low of \$0.47 at close of trading on 23 September 2021 to an intra-day high of \$0.585 today, 24 September 2021.
- B. The significant increase in the volume of EX1's securities traded from 23 September 2021 to 24 September 2021.

Request for information

In light of this, ASX asks EX1 to respond separately to each of the following questions and requests for information:

1. Is EX1 aware of any information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in its securities?
2. If the answer to question 1 is "yes".
 - (a) Is EX1 relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in EX1's securities would suggest to ASX that such information may have ceased to be confidential and therefore EX1 may no longer be able to rely on Listing Rule 3.1A. Accordingly, if the answer to this question is "yes", you need to contact us immediately to discuss the situation.
 - (b) Can an announcement be made immediately? Please note, if the answer to this question is "no", you need to contact us immediately to discuss requesting a trading halt (see below).
 - (c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?
3. If the answer to question 1 is "no", is there any other explanation that EX1 may have for the recent trading in its securities?
4. Please confirm that EX1 is complying with the Listing Rules and, in particular, Listing Rule 3.1.
5. Please confirm that EX1's responses to the questions above have been authorised and approved under its published continuous disclosure policy or otherwise by its board or an officer of EX1 with delegated authority from the board to respond to ASX on disclosure matters.

When and where to send your response

This request is made under Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **5:30 PM AWST Friday, 24 September 2021**. You should note that if the information

requested by this letter is information required to be given to ASX under Listing Rule 3.1 and it does not fall within the exceptions mentioned in Listing Rule 3.1A, EX1's obligation is to disclose the information 'immediately'. This may require the information to be disclosed before the deadline set out in the previous paragraph and may require EX1 to request a trading halt immediately.

Your response should be sent to me by e-mail at ListingsCompliancePerth@asx.com.au. It should not be sent directly to the ASX Market Announcements Office. This is to allow me to review your response to confirm that it is in a form appropriate for release to the market, before it is published on the ASX Market Announcements Platform.

Trading halt

If you are unable to respond to this letter by the time specified above, or if the answer to question 1 is "yes" and an announcement cannot be made immediately, you should discuss with us whether it is appropriate to request a trading halt in EX1's securities under Listing Rule 17.1. If you wish a trading halt, you must tell us:

- the reasons for the trading halt;
- how long you want the trading halt to last;
- the event you expect to happen that will end the trading halt;
- that you are not aware of any reason why the trading halt should not be granted; and
- any other information necessary to inform the market about the trading halt, or that we ask for.

We require the request for a trading halt to be in writing. The trading halt cannot extend past the commencement of normal trading on the second day after the day on which it is granted. You can find further information about trading halts in Guidance Note 16 *Trading Halts & Voluntary Suspensions*.

Suspension

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in EX1's securities under Listing Rule 17.3.

Listing Rules 3.1 and 3.1A

In responding to this letter, you should have regard to EX1's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B*. It should be noted that EX1's obligation to disclose information under Listing Rule 3.1 is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

Release of correspondence between ASX and entity

We reserve the right to release a copy of this letter, your reply and any other related correspondence between us to the market under Listing Rule 18.7A.

Questions

If you have any questions in relation to the above, please do not hesitate to contact me.

Yours sincerely

Damian Dinelli
Adviser, Listings Compliance (Perth)