

## ACRUX SIGNS SETTLEMENT AGREEMENT TERMINATING VIVUS LICENSE AND TRANSFERRING LURAMIST RIGHTS AND ASSETS TO ACRUX

AcruX today signed an agreement with Vivus Inc., under which all disputes relating to Luramist™, the testosterone spray for women, have been settled.

Under the settlement agreement, which resolves all claims and potential claims by either party, the Testosterone Development and Commercialization Agreement between the parties has been terminated with immediate effect. Vivus will assign the trademark “Luramist” to AcruX and will transfer related assets, including clinical trial materials, applicator inventories, FDA correspondence, improvements and know-how. No cash payments will be exchanged.

The settlement follows an arbitration process convened by the Judicial Arbitration and Mediation Service (JAMS) in California. AcruX demanded arbitration after Vivus failed to progress Phase 3 development of Luramist. The arbitration panel will retain jurisdiction over the matter in order to enforce the terms of the settlement agreement.

“We are now in a position to consider all options for the global development and partnering of Luramist, in order to realise full value for AcruX’s shareholders”, said AcruX CEO Richard Treagus. “We are very pleased with this outcome, which has vindicated the action taken to enforce our rights under the original licence agreement. Luramist has the potential to be a best-in-class product for the treatment of hypoactive sexual desire disorder in women,” he added.

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### About AcruX

[www.acruX.com.au](http://www.acruX.com.au)

- AcruX is an Australian drug delivery company, developing and commercialising a range of patient-preferred, patented pharmaceutical products for global markets, using its innovative technology to administer drugs through the skin.
- Fast-drying, invisible sprays or liquids provide a delivery platform with low or no skin irritation, superior cosmetic acceptability and simple, accurate and flexible dosing. The technology platform is covered by broad and well-differentiated, issued patents.
- AcruX has one product marketed by a licensee in the USA, two products in registration in the USA, one product in registration in Europe and further products at earlier stages of development.