

RITA Medical Sues RadioTherapeutics for Infringement of Six Patents

MOUNTAIN VIEW, Calif., Aug. 27 /PRNewswire/ -- RITA Medical Systems, Inc. (Nasdaq: RITA) announced today that the company has filed a complaint in the United States District Court for the Northern District of California against RadioTherapeutics Corporation (RTC), alleging that RTC's radiofrequency ablation products infringe six different RITA patents (U.S. Patent Nos. 6071280, 5935123, 5683384, 5672174, 5672173, 5728143).

RITA's complaint charges that radiofrequency ablation products currently being sold by RTC, including its recently introduced LeVeen CoAccess Electrode System, infringe RITA's patents by utilizing several elements of RITA's proprietary technology. This includes technology related to RITA's curved wire electrode design. Importantly, the complaint also charges that RTC's products infringe RITA's proprietary impedance monitoring technology. Barry Cheskin, RITA's President and Chief Executive Officer, stated "RTC has consistently highlighted the impedance feature of its products. However, impedance monitoring technology is protected by RITA's patents. Having devoted substantial time and resources into the development of our proprietary electrode design as well as impedance monitoring technology, we intend to protect that investment."

The company is seeking an injunction preventing further sales of RTC's infringing radiofrequency products, as well as treble damages. This complaint relates to patents other than those currently being disputed by RITA and RTC in U.S. interference and European opposition proceedings.

RITA Medical Systems develops, manufactures and markets innovative products for patients with solid cancerous or benign tumors. The proprietary RITA system uses radiofrequency energy to heat tissue to a high enough temperature to ablate it or cause cell death. While the company's current focus is on liver cancer, the company believes that its minimally invasive technology may in the future be applied to other types of tumors, including tumors of the lung, bone, breast, prostate and kidney. The company has received regulatory clearance in major markets worldwide, including the United States. In March 2000, RITA became the first radiofrequency ablation company to receive specific FDA clearance for unresectable liver lesions in addition to its previous general FDA clearance for the ablation of soft tissue. The company has sold over 25,000 of its disposable devices throughout the world.

The statements in this news release related to the company's plans to extend its technology to applications beyond the liver are forward-looking statements involving risks and uncertainties that could cause actual results to differ materially from those in such forward-looking statements. Further information regarding these and other risks is included in the company's periodic filings with the Securities and Exchange Commission, including the company's Report on Form 10-K for the year ended December 31, 2000 and the company's Report on Form 10-Q for the quarters ended March 31, 2001 and June 30, 2001.

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