

RITA Medical Systems, Inc. Announces Boston Scientific's Patent Claims

Are Rejected in Interference Proceeding

MOUNTAIN VIEW, Calif., Oct. 1 /PRNewswire-FirstCall/ --

RITA Medical Systems, Inc. (Nasdaq: RITA) today announced it received notice of a final decision in a patent interference proceeding in the U.S. Patent and Trademark Office (USPTO) regarding RITA's U.S. Patent No. 5,536,267. The patent interference had been declared by the USPTO in July 1999 and was provoked by RadioTherapeutics Corporation (RTC), a subsidiary of Boston Scientific (NYSE: BSX).

The decision rejected Boston Scientific's request that it be awarded patent claims covering the curved electrode radiofrequency (RF) ablation technology at issue in the interference. It found that the evidence offered by Boston Scientific that it invented this technology before RITA did so was inadequate for a number of reasons.

Barry Cheskin, RITA's President & CEO, said, This demonstrates yet again the strength of RITA's patent portfolio. It also refutes what had been a fundamental assertion by Boston Scientific that, despite the fact that RITA's patent is earlier, they had actually invented key subject matter in the patent first. Cheskin added that with this decision, both of the administrative proceedings relating to RITA's patents in the U.S. and European patent offices have now been decided favorably for RITA.

As previously discussed last year, the USPTO also confirmed that one of RITA's many claims in the disputed patent was found to be invalid. The company continues to believe this decision is in error. Notwithstanding this, it is important to note that RITA has numerous additional patent claims in its approximately 40 issued patents which provide broad and early coverage of its technology.

About RITA Medical Systems, Inc.

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, uterus, 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 approximately 40,000 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. Information regarding these and other risks is included in the Company's filings with the Securities and Exchange Commission.

RITA is a trademark of RITA Medical Systems, Inc.

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(RITA BSX)

CO: RITA Medical Systems, Inc.; U.S. Patent and Trademark Office;

RadioTherapeutics Corporation; Boston Scientific

ST: California

IN: MTC BIO

SU:

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