



## Concert Pharmaceuticals Announces Decision from Patent Trial and Appeal Board in IPR Proceeding

April 8, 2019

LEXINGTON, Mass.--(BUSINESS WIRE)--Apr. 8, 2019-- [Concert Pharmaceuticals, Inc.](#) (NASDAQ: CNCE) today announced that the Patent Trial and Appeal Board (PTAB) of the U.S. Patent and Trademark Office has issued a final written decision in connection with the inter partes review (IPR) of U.S. Patent No. 9,249,149 (the '149 patent). While PTAB found that the claims of the '149 patent are not patentable, the IPR decision is appealable to the U.S. Court of Appeals for the Federal Circuit, and Concert remains committed to defending the '149 patent. The '149 patent remains valid and enforceable until appeals have been exhausted.

"While we're disappointed in this outcome, we believe we have strong arguments supporting the validity of our patent and intend to appeal the decision as we work to create additional intellectual property protecting CTP-543," stated Roger Tung, Ph.D., President and Chief Executive Officer of Concert Pharmaceuticals. "We remain highly committed to the continued advancement of CTP-543 as a potential treatment for alopecia areata. The outcome of this proceeding does not prohibit us from developing CTP-543 for alopecia areata and our development timelines for CTP-543 remain on track. Importantly, today's decision is specific to certain patent claims covering CTP-543 and does not affect other programs in our portfolio."

In April 2017, Incyte filed a petition challenging the validity of the '149 patent. Documents relating to the IPR can be accessed online at: <http://www.concertpharma.com/technology-overview/intellectual-property/>

### About Concert

[Concert Pharmaceuticals](#) is a clinical stage biopharmaceutical company focused on applying its [DCE Platform®](#) (deuterated chemical entity platform) to create novel medicines designed to treat serious diseases and address unmet patient needs. The Company's approach starts with previously studied compounds, including approved drugs, in which deuterium substitution has the potential to enhance clinical safety, tolerability or efficacy. Concert's [pipeline](#) of innovative medicines currently targets autoimmune diseases and central nervous systems (CNS) disorders. For more information please visit [www.concertpharma.com](http://www.concertpharma.com) or follow us on Twitter at [@ConcertPharma](#) or on [LinkedIn](#).

### Cautionary Note on Forward Looking Statements

Any statements in this press release about our future expectations, plans and prospects, including statements about the strength of Concert's intellectual property, and other statements containing the words "anticipate," "believe," "continue," "could," "estimate," "expect," "intend," "may," "plan," "potential," "predict," "project," "should," "target," "would," and similar expressions, constitute forward-looking statements within the meaning of The Private Securities Litigation Reform Act of 1995. Actual results may differ materially from those indicated by such forward-looking statements as a result of various important factors, including the right to request for reconsideration after a written decision is issued and other factors discussed in the "Risk Factors" section of our most recent Annual Report on Form 10-K filed with the Securities and Exchange Commission and in other filings that we make with the Securities and Exchange Commission. In addition, any forward-looking statements included in this press release represent our views only as of the date of this release and should not be relied upon as representing our views as of any subsequent date. We specifically disclaim any obligation to update any forward-looking statements included in this press release.

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