

European Patent Update

25 April, Melbourne, Australia: The Directors of Benitec Limited (ASX:BLT) announced today that the European Patent Office (EPO) has refused to issue European patent application (published as EP1071762). The appeal hearing was held in Munich yesterday and heard arguments from both Benitec and CSIRO. The application was rejected for formal reasons and not for novelty and obviousness. Benitec and CSIRO will pursue these patent claims through the divisional applications already on file.

"While we are disappointed with this outcome, we will be reviewing our options with CSIRO and our patent attorneys. There has never been any doubt in our minds about the patentability of our invention and we have other options to pursue claims for this invention." said Sue MacLeman, CEO, Benitec Limited.

CONTACT:

BENITEC LTD

Sue MacLeman
Chief Executive Officer
+61 437211200

Rudi Michelson
Monsoon Communications
+61 411402737

About Benitec

Benitec is an Australian biotechnology company focused on licensing its extensive intellectual property portfolio and developing therapeutics to treat serious diseases using its proprietary ddRNAi technology. Its current therapeutic program is focused on Human Immunodeficiency Virus (HIV). Benitec's RNA-based HIV therapeutic, co-developed with the Center for Biomedicine & Genetics at the City of Hope in Los Angeles, California, will enter Phase I clinical trials in early 2007. For additional information, please visit www.benitec.com.

Forward-looking Statements

This press release contains forward-looking statements that reflect the Company's current expectations regarding future events. Forward-looking statements involve risks and uncertainties. Actual events could differ materially from those projected herein and depend on a number of factors including the success of the Company's research strategy, the applicability of the discoveries made therein, the successful and timely completion of clinical studies and the uncertainties related to the regulatory process.