

## NEWS

### **BENITEC AND COMBIMATRIX ENTER CROSS-LICENSING AND COLLABORATION AGREEMENT**

**23 February 2005**

Mountain View and Newport Beach, California – February 23, 2005 – Benitec, Ltd., (ASX: BLT), a leading RNAi therapeutics company, announced today that it has entered into a broad cross-licensing and collaboration agreement with the CombiMatrix group of Acacia Research Corporation (NASDAQ: CBMX :ACTG).

Benitec has nonexclusively licensed its portfolio of 10 issued and 60 pending patents to CombiMatrix for the development of RNAi therapeutics for the treatment or prevention of injuries or diseases in humans resulting from the exposure to biological, chemical, radioactive and other weapons. CombiMatrix has received substantial funds in the last two years from the US Department of Defense for the development of its Biothreat Detection Technology and remains a biotechnology leader in detection of weapons of mass destruction.

CombiMatrix has nonexclusively licensed to Benitec intellectual property related to the use of cocktails, or pools of siRNAs, as therapeutic agents against viral diseases. In addition, Benitec will also receive a co-exclusive sublicense to two specific sequences targeting key genes of HIV that CombiMatrix previously exclusively licensed from its partner irsiCaixa ([www.irsicaixa.org/english](http://www.irsicaixa.org/english)).

In addition to this cross-license agreement, CombiMatrix and Benitec plan to collaborate in a number of other areas including the use of CombiMatrix CustomArrays to study possible off-target effects of RNAi therapeutics. They may also seek joint funding from a number of sources, including the US Department of Defense, for collaborative programs arising from their cross-licensing agreement.

“We are pleased to enter into this agreement with one of the leaders in RNAi therapeutics,” stated Dr. Amit Kumar, President and CEO of CombiMatrix. “As we continue our development of nucleic acid therapeutics, we anticipate establishing closer ties to Benitec. We already share a member of our respective Scientific Advisory Boards, Dr. Mark Kay of Stanford University.”

Sara Cunningham, CEO of Benitec, stated, “CombiMatrix has remained at the forefront of biotechnology in the detection of biological weapons and our collaboration is an opportunity to augment detection with protection. RNAi is a powerful new therapeutic modality and Benitec is the leader in the application of RNAi for multi-targeting of infectious agents and of diseases or disease states that are multi-factorial. We look forward to extending our relationship with CombiMatrix into this frequently overlooked, but critically important aspect of public health and safety.”

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## ABOUT CUSTOMARRAY™

CustomArrays™ are semiconductor-based arrays (approx. 1 cm<sup>2</sup>) integrated onto a standard 1” x 3” slide format. CombiMatrix synthesizes oligonucleotides *in situ* to build CustomArrays. This revolutionary technology allows CombiMatrix to deliver CustomArrays in days. Sensitivity and performance metrics are available on the Company’s main web site and at [www.customarray.com](http://www.customarray.com).

Researchers can place orders for CustomArray products by contacting CombiMatrix at (800) 985-2269 or by accessing CombiMatrix’s order site at [www.customarray.com](http://www.customarray.com).

## ABOUT ACACIA RESEARCH CORPORATION

Acacia Research Corporation comprises two operating groups: Acacia Technologies Group and CombiMatrix Group.

The CombiMatrix group is developing a platform technology to rapidly produce customizable active biochips, which are semiconductor-based tools for use in identifying and determining the roles of genes, gene mutations and proteins. CombiMatrix’s technology has a wide range of applications including DNA synthesis/diagnostics, siRNA synthesis, drug discovery, and immunochemical detection. CombiMatrix provides DNA arrays to researchers under the CustomArray™ brand. CombiMatrix’s Express Track<sup>sm</sup> drug discovery program is a systems biology approach, using its technology, to target common viral diseases with siRNA compounds.

The Acacia Technologies Group develops, acquires, and licenses patented technologies. Acacia’s DMT technology, which is supported by 5 U.S. and 31 foreign patents, relates to audio and audio/video transmission and receiving systems commonly known as audio-on-demand, video-on-demand, and audio/video streaming, and is used for distributing digital content via several means including Internet, cable, satellite and wireless systems.

Acacia Research-Acacia Technologies (Nasdaq: ACTG) and Acacia Research-CombiMatrix (Nasdaq: CBMX) are both classes of common stock issued by Acacia Research Corporation and are intended to reflect the performance of the respective operating groups and are not issued by the operating groups.

Information about the Acacia Technologies Group and the CombiMatrix Group is available at [www.acaciaresearch.com](http://www.acaciaresearch.com).

## ABOUT BENITEC

Benitec is an international biotechnology company focused on developing therapeutics to treat serious diseases using its proprietary RNAi technology. Benitec (ASX: BLT) is listed on the Australian Stock Exchange and has its clinical operations centered in the heart of Silicon Valley in Mountain View, California, USA. Its lead therapeutic programs are designed to create novel RNAi-based therapies for the Hepatitis C Virus (HCV) and the 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 2006.



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## **Benitec 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.*

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