

ASX/Media Release

'099 Graham Patent Re-examination Hearing at USPTO

5 August 2010, Melbourne, Australia: The Directors of Benitec Limited (ASX:BLT) are pleased to provide this update on the progress of the re-examination of United States Patent 6,573,099 (" '099 Graham Patent"), titled "Control of Gene Expression", currently on appeal at the United States Patent and Trademark Office ("USPTO")'s Board of Patent Appeals and Interferences ("Appeals Board").

A hearing in the re-examination of the '099 Graham Patent was held today at the USPTO in Alexandria, Virginia before a three-judge panel. Arguments were presented by a patent attorney representing CSIRO. Representatives of Benitec were in attendance. As expected, the Appeals Board did not hand down a decision after the hearing. The Company wishes to make it clear that there was no indication from the Appeals Board as to the likely outcome of the hearing, or when a decision will be given. A decision is handed down typically within four months after a hearing.

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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. For additional information, please visit www.benitec.com.