

TAYLOR JOYNSON GARRETT

Our reference

SCC

Addleshaw Booth & Co.
Sovereign House
PO Box 8
Sovereign Street
Leeds
LS1 1HQ

Your reference

SJA/HLF/28397-2

Carmelite

50 Victoria Embankment
Blackfriars
London EC4Y 0DX

Telephone 0171-353 1234

Facsimile 0171-936 2666

Telex 268014

DX 41 London

Web www.tjguk.com

RECEIVED

8 SEP 1998

BY FAX & POST

8 September 1998

Dear Sirs

Nutrinova Nutrition Specialties and Food Ingredients GmbH and Nutrinova UK Limited -v- Scanchem UK Limited

We refer to your letter of 1 September. Dealing with your various numbered points:-

1. (i) As you know, Nutrinova GmbH is a German Company. It has substantial assets in Germany in excess of 105 million Deutsch Marks and is a wholly owned subsidiary of Hoechst AG. We believe that in view of the Brussels Convention, the Court would view these assets as adequate, and this would preclude the need for an award of security.
- (ii) Nutrinova UK is indeed a newly formed limited company which is why it has not yet published any accounts. However, we can tell you that the company currently has net assets of in excess of £300,000.

In light of this information, we assume that you will not be pursuing any application for security.

Michael Morrison

Simon Cohen

Martin Goodwin

Marcus Mackay

Kiran Sandford

Neil White

EU Office

Alison Askwith

Elaine Colville

Andrew Granger

Paul Manser

Carolyn Saunders

John Whitfield

14 Rue Montoyer

Martin Baker

Michael Dark

David Greig

Richard Marsh

Raman Sharma

John Williams

1000 Brussels, Belgium

Christopher Bell

Simon Dayes

Paul Harrison

James Marshall

Peter Shaw

Executive Consultant

Telephone + 322 514 0402

Kerry Beattie

Martin Dillon

Jonathan Haydn-Williams

Edward Mercer

Peter Shepherd

Philippa Blake-Roberts

Facsimile + 322 514 0088

Christopher Bell

Rodney Dukes

Andrew Hine

Paul Mitchell

James Sleightholme

(Non solicitor)

DX 1090 Brussels

Christopher Bell

Timothy Eyles

Mark Hodgson

Glyn Morgan

Michael Stanford-Tuck

Bucharest Office

Douglas Bell

Clare Ferguson

Ian Hunter

Gary Moss

Tim Stocks

Consultants

Piata Victoriei nr. 155

Mark Bennett

James Ferguson

Gordon Jackson

Martin Newey

Deborah Stones

David Brown

Bloc D1, Scara 7, Etaj 7, Sector 1

Mark Bennett

David Findlay

Peter Jackson

Philip Newhouse

Stephen Stowell

Alan Grieve

Bucharest, Romania

Nicholas Briant

Dominic FitzPatrick

Peter Kempe

Patrick Pennal

Declan Tarpey

Michael Hamilton

Telephone + 401 210 6738

Graham Briggs

Mark Fletcher

David Kent

Richard Pertwee

Garry Turkie

Anthony Lewis

Facsimile + 401 211 7589

Nicholas Burkill

Michael Frawley

Beverley Lewis

Richard Price

Simon Walker

Richard Morris

Peter Clarke

Robert Gayford

John Linneker

Jason Rawkins

Paul Webb

David Petterson

Laurence Cobb

Alison Goldthorp

Charles Lloyd

Malcolm Ring

David West

- 2 & 3 → The position is as follows. Hoechst AG was the proprietor of the patent in suit. On 20 August 1998, Hoechst AG assigned the patent in suit together with all rights of action to Nutrinova GmbH. On 25 August 1998, Nutrinova GmbH granted Nutrinova UK an exclusive licence under the patent in suit. These documents are being registered at the UK Patent Office.
4. We do not accept that any further particulars need to be put into the pleadings which have so far been served. The pleadings are adequate as they are. Your clients are of course fully aware of the various infringing acts which they have carried out. In respect of the 'importing', that is plain from your letter of 24 August. In respect of 'offering for sale', we refer you to your client's Sweeteners brochure entitled "Excellence Through Integration" which advertises Acesulfame K for sale.

Yours faithfully

Taylor Joyson Garrett

TAYLOR JOYNSON GARRETT