



## **BIOALLIANCE PHARMA ANNOUNCES THAT THE CIVIL ACTION FILED BY EUROFINS IN THE UNITED STATES IS REJECTED**

**Paris, September 22, 2009** – BioAlliance Pharma SA (Euronext Paris – BIO) announces today that the American District Judge has granted the motion to dismiss of BioAlliance Pharma and one of its executive in response to the civil action filed by Eurofins. Eurofins filed an appeal.

In 2008, Eurofins Pharma US Holding Inc. and one of its affiliates Viralliance Inc (“Eurofins”) had filed a civil action against BioAlliance (Press release of BioAlliance 14 October 2008). This US action concerned the diagnostic technology (Phenoscript® test of HIV drug resistance) transferred by BioAlliance Pharma to Eurofins.

Furthermore, BioAlliance Pharma instituted legal proceedings against Eurofins in Paris in January 2009 for non-development of the technology and harm of its image.

BioAlliance was advised by Ron Soffer, Attorney at Law, Member of the Paris Bar.

### **About BioAlliance Pharma**

As a preferred partner for hospital-based specialists, BioAlliance Pharma is a company which develops and markets innovative products in France, especially in the fields of opportunistic infections and chemotherapy complications. In areas where medical needs are insufficiently met, our targeted approaches help overcome drug resistance and improve patient health & quality of life. BioAlliance Pharma’s ambition is to become a leading player in these fields by coupling innovation to patient needs.

For more information, visit the BioAlliance Pharma web site at <http://www.bioalliancepharma.com>.

### **Disclaimer**

*This communication expressly or implicitly contains certain forward-looking statements concerning BioAlliance Pharma SA and its business. Such statements involve certain known and unknown risks, uncertainties and other factors, which could cause the actual results, financial condition, performance or achievements of BioAlliance Pharma SA to be materially different from any future results, performance or achievements expressed or implied by such forward-looking statements. BioAlliance Pharma SA is providing this communication as of this date and does not undertake to update any forward-looking statements contained herein as a result of new information, future events or otherwise.*

*For a discussion of risks and uncertainties which could cause actual results, financial condition, performance or achievements of BioAlliance Pharma SA to differ from those contained in the forward-looking statements, please refer to the Risk Factors (“Facteurs de Risque”) section of the 2008 Reference Document filed with the AMF on April 7, 2009, which is available on the AMF website (<http://www.amf-france.org>) or on BioAlliance Pharma S.A.’s website (<http://www.bioalliancepharma.com>).*

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