



ARISTA PREVAILS OVER ARCADIA BIOSCIENCES IN PATENT DISPUTE OVER HIGH FIBER WHEAT

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Arista Cereal Technologies Pty Ltd (ARISTA) is pleased to announce that it has successfully defended a patent in its portfolio covering a form of wheat having greatly elevated fiber levels. Arcadia Biosciences Inc. (NASDAQ:RKDA) provoked a dispute in the U.S. Patent and Trademark Office (USPTO) in September 2017 against ARISTA's patent. On August 14, 2018, the Patent Trials and Appeals Board of the USPTO issued a decision finding that the patent application filed by Arcadia Biosciences to provoke the dispute did not describe the invention claimed in ARISTA's patent and issued a judgement against Arcadia Biosciences on priority of invention.

Cereal grains are an important source of fiber as well as other nutrients for a great number of people worldwide, but refined wheat is relatively low in its fiber content. ARISTA's technology greatly improves that through increasing the level of amylose starch in the grain. The wheat provides an enhanced level of resistant starch in a wide range of possible food products to improve gut health and metabolic health through increased fiber consumption, including through refined white flour products. Resistant starch has also been shown to decrease glycemic response to foods, a factor important in the prevention and management of Type 2 diabetes. The wheat has been produced through conventional plant breeding and selection processes and is a non-GM wheat.

The patent in dispute, U.S. Patent No. 9,357,722 was successfully defended by ARISTA in an interference proceeding provoked by Arcadia Biosciences. In the decision issued in August, the Patent Trials and Appeals Board found that Arcadia Biosciences was not entitled to claim ARISTA's patented technology. As a consequence, the Patent Trials and Appeals Board issued a judgment against Arcadia Biosciences finally refusing its claims to ARISTA's patented technology. **The judgement against Arcadia Biosciences on the issue of priority has broader effects. Arcadia Biosciences is now barred from seeking any patent claim in the USPTO that reads on, or would be an obvious variation of, ARISTA's patented technology that was in dispute in the interference.** Arcadia Biosciences has a right to appeal to the Court of Appeals of the Federal Circuit.

ARISTA has a broad patent portfolio covering its improved wheat with increased amylose, including US patent Nos 8,115,087; 7,700,139; 8,501,262; 7,667,114; 9,060,533; and, 9,585,413. ARISTA has also received numerous patents in Europe, Asia and Australia. Arcadia Biosciences does not have a license from ARISTA to the inventions claimed in ARISTA's patents. The patents in North America have been licensed exclusively to Bay State Milling Company (Quincy, MA) who has been actively collaborating with growers and building the supply chain and infrastructure for managing this identity preserved wheat, and has significant quantities of milled flour available under the HealthSense™ label for immediate development.



“HealthSense™ high fiber wheat flour is a game-changing food ingredient” remarks Pete Levangie, CEO for Bay State Milling Company. “With the increasing incidence of diabetes in North America, fiber consumption recommendations on the rise, and the advancements in our understanding of the importance of gut health, HealthSense™ can have a profound impact on human health in the very near future. We believe this to be an important opportunity for consumers, grain-based food companies, and growers.”

“The decision in this patent dispute has been very positive for ARISTA, not only regarding a relative newcomer such as Arcadia Biosciences, but more widely in demonstrating the strength of ARISTA’s patent portfolio built over the last 20 years” said Eric Vaschalde, CEO for ARISTA. “It provides market assurance for our exclusive commercial partner Bay State Milling who is currently selling HealthSense™ wheat flour in North America”.

About Arista Cereal Technologies Pty Ltd

ARISTA is a privately held, joint venture company formed by Limagrain, a fifty-year-old farmer-founded and directed, world-player in wheat seeds, and the Commonwealth Scientific and Industrial Research Organisation (CSIRO), Australia’s national science agency, which is a globally recognized organization that for more than 100 years has focused on using science to make a positive difference in the world. Limagrain and CSIRO began collaborating in fundamental research in wheat starch more than 20 years ago and joined their efforts and expertise in 2006 to develop and commercialize wheat with direct consumer health benefits

About Bay State Milling Company

Bay State Milling Company has proudly provided exceptional flour and plant-based ingredients since 1899. Its core purpose is to provide food ingredients to promote the growth of healthful and affordable food choices for the consumer. In pursuit of this purpose, the Company has a strategic intent to lead the development of next-generation grain based foods in North America by connecting food with agriculture to provide the leading array of plant based ingredients.

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