

Heartland Sweeteners Receives Favorable Ruling in Patent Dispute

Tue Sep 23, 2008 5:22pm EDT

INDIANAPOLIS--(Business Wire)--

Today the U.S. International Trade Commission ("ITC") ruled that Heartland Sweeteners, LLC, had not violated any patents claimed by Tate & Lyle before the ITC for manufacturing and packaging sucralose, a high intensity sweetener, and selling that sweetener in its table top brand NEVELLA(R) (www.Nevella.com) and under store brands. ITC Judge Charles Bullock rejected the infringement allegations brought by Tate & Lyle, manufacturer/distributor of the sweetener best known under the brand, Splenda, against Heartland Sweeteners.

Heartland, one of several companies targeted by Tate & Lyle, was the only maker of sucralose table top products to actively and successfully defend its product before the rigorous ITC process. "We are once again pleased with the decision, affirming our right to manufacture and market our products and compete fairly with Splenda(R)," said Ted Gelov, Heartland's CEO. "Heartland will continue to defend its ability to offer alternatives to consumers and will continue to oppose the efforts of Tate & Lyle to remove those alternatives from the market," he added.

Heartland has been in the sights of Tate & Lyle and its U.S. business partner McNeil Nutritionals, a subsidiary of Johnson & Johnson, in this battle of table top sweeteners. "Thus far, Heartland has prevailed against all efforts to stop it from supplying its product," said Mike Servie, Heartland's President and Chief Marketing Officer. "However, the battle is hardly over; we will represent the voice of our customers while the makers of Splenda(R) continue their attempts. Our products are well positioned in the market. Nevella(R) is a great tasting product at a great price, and we are excited about our opportunities," he added.

Judge Bullock's ruling will be reviewed by the full Commission, with a final decision in January, 2009.

"We are confident that Judge Bullock's ruling will be confirmed," Gelov said.

Heartland Sweeteners, LLC is a global leader in the manufacture and distribution of table top sweeteners. The company's brands include Nevella(R) and Ideal(TM), and Heartland also manufactures private label store brands.

Nevella(R) is a registered trademark of Heartland Sweeteners, LLC

Ideal(TM) is a trademark of Heartland Sweeteners, LLC

Splenda(R) is a registered trademark of McNeil Nutritionals, LLC

Heartland Sweeteners, LLC
Ted Gelov, 317-566-9750
Chairman and CEO