

# Evofem Strengthens Phexxi Intellectual Property with New Composition of Matter Patent From USPTO

**-- Application allowed with broad method claims that are Orange Book-listable --**

**-- Once issued, this will be Evofem's fifth patent covering Hormone-Free "In the Moment" Contraceptive Phexxi in the United States --**

SAN DIEGO, April 18, 2024 /[PRNewswire](#)/ -- [Evofem Biosciences, Inc.](#) (OTCQB: EVFM) announced today that the United States Patent and Trademark Office (USPTO) issued to the Company a Notice of Allowance for patent application 17/823,020 entitled, "Compositions and Methods for Enhancing the Efficacy of Contraceptive Microbicides." This Notice of Allowance is expected to result in the issuance of a U.S. patent once administrative processes are completed.

The allowed claims cover methods of contraception with a composition that encompasses [Phexxi® \(lactic acid, citric acid, and potassium bitartrate\)](#) vaginal gel. Evofem expects the resulting patent will be Orange Book-listable. The patent, when issued, will be Evofem's fifth patent for Phexxi in the United States.

"We are pleased that our U.S. continuation application from the 0001 L-lactic acid patent family has been allowed with broad method claims that are Orange Book-listable," said Sandra Pelletier, Chief Executive Officer of Evofem. "This patent allowance attests to the innovation Phexxi brings to contraception and a woman's ability to protect herself from unintended pregnancy with no hormones."

Phexxi is the first and only FDA-approved locally-acting contraceptive gel. It is applied zero-to-60 minutes before intercourse and works, without hormones, by maintaining the natural vaginal biome with a pH that is naturally inhospitable to sperm.

Phexxi net sales have increased in each consecutive year since it was launched in 2020. Key growth drivers for 2024 include expanded use of Phexxi in women of reproductive age who take oral contraceptives in conjunction with GLP-1 agonists like Mounjaro and Zepbound. These drugs may make oral birth control pills less effective at certain points in the dosing schedule. Patients are advised to use a supplemental method to prevent unintended pregnancy during these times.<sup>1,2</sup> A non-systemic, non-hormonal method, like Phexxi, is a logical choice for these women.

## About Evofem Biosciences

Evofem Biosciences is commercializing innovative products to address unmet needs in women's sexual and reproductive health. The Company's first FDA-approved product, Phexxi® (lactic acid, citric acid, and potassium bitartrate), is a hormone-free, on-demand prescription contraceptive vaginal gel. It comes in a box of 12 pre-filled applicators and is applied 0-60 minutes before each act of sex. Learn more at [phexxi.com](#) and [evofem.com](#).

*Phexxi® is a registered trademark of Evofem Biosciences, Inc.*

## Forward-Looking Statements

This press release includes "forward-looking statements," within the meaning of the safe harbor for forward-looking statements provided by Section 21E of the Securities Exchange Act of 1934, as amended, and the Private Securities Litigation Reform Act of 1995. You are cautioned not to place undue reliance on these forward-looking statements, which are current only as of the date of this press release. Each of these forward-looking statements involves risks and uncertainties. Important factors that could cause actual results to differ materially from those discussed or implied in the forward-looking statements are disclosed in the Company's SEC filings, including its Annual Report on Form 10-K for the year ended December 31, 2023 filed with the SEC on March 27, 2024, and any subsequent filings. All forward-looking statements are expressly qualified in their entirety by such factors. The Company does not undertake any duty to update any forward-looking statement except as required by law.

## **Sources**

<sup>1</sup> Zepbound Prescribing Information. <https://uspl.lilly.com/zepbound/zepbound.html#pi>

<sup>2</sup> Zepbound Safety Summary with Warnings. <https://zepbound.lilly.com/>

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