



Issuer Services DEPOSITARY RECEIPTS

November 19, 2009

Corporate Action

ATTENTION: International Research, Sales, Trading and Operations Staff

Notice of Merger / Termination Notice

Name:	GPC Biotech AG
Country:	Germany
Symbol:	GPCBY
CUSIP Number:	38386P108
Exchange:	OTC
Ratio:	1 ADR : 1 ORDs

On February 27, 2009, The Bank of New York Mellon notified owners and beneficial owners of the above American Depositary Receipts ("ADRs") of the termination of the Deposit Agreement dated June 25, 2004. As a result, the existing ADR facility has been terminated, effective on March 31, 2009.

The Bank of New York Mellon has been advised that at the General Meeting of GPC Biotech (the "Company") held on June 23, 2009, shareholders approved the adoption of the merger between the "Company" and Agennix AG. Pursuant to the merger agreement, GPC Biotech, as transferring entity, has been merged into Agennix AG, as absorbing entity. According to the terms of the merger agreement, GPC Biotech ordinary shareholders received one ordinary share of Agennix AG in exchange for every five ordinary shares of GPC Biotech AG.

Because the new Agennix AG ordinary shares will not be registered under the United States Securities Act of 1933, we are not permitted to pass the shares on to the holders of American Depositary Receipts ("ADRs"). Therefore, BNY Mellon will attempt to sell the Agennix AG shares in the local market. The proceeds from the sale of the shares, if any such proceeds are received, will be distributed to the ADR holders of GPC Biotech AG.

The Bank of New York Mellon has closed its books for ADR cancellation effective immediately. Additional information will be distributed shortly.

To learn more about ADRs and issuer programs, please call our marketing desks:

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