

January 15, 2010

## Termination and Final Cash Distribution

<b>Name</b>	GPC Biotech AG
<b>Country</b>	Germany
<b>Symbol</b>	GPCBY
<b>CUSIP</b>	383386P108
<b>Exchange</b>	OTC
<b>Ratio</b>	1 ADR :1 ORDs

On November 19, 2009, The Bank of New York Mellon previously notified owners and beneficial owners of the GPC Biotech AG (the "Company") of the termination of the Deposit Agreement dated June, 25, 2004. As a result, the existing ADR facility had been terminated effective March 31, 2009.

The Bank of New York Mellon was advised that GPC Biotech was merged into Agennix AG. According to the terms of the merger agreement, GPC Biotech ordinary shareholders received one ordinary share of Agennix in exchange for every five (5) ordinary shares of GPC Biotech.

Because the new Agennix AG ordinary shares were not registered under the United States Securities Act of 1933, we were not permitted to pass the shares on to the holders of American Depositary Receipts ("ADRs"). Therefore the shares were sold in the local market and holders of GPC Biotech are now entitled to receive the cash entitlement from the sale of Agennix ordinary shares.

Effective January 22, 2010, GPC Biotech ADR holders will be required on a mandatory basis to surrender their ADRs to The Bank of New York Mellon for cancellation and exchange for the cash proceeds from the sale of the deposited securities as follows:

### Proceeds Resulting from the sale of Shares:

Gross Rate per ADR: \$1.538562

Cancel Fee: \$0.050000

Net Rate per ADR: \$1.488562

The books are closed for all transaction.

To learn more about Depositary Receipts and issuer programs, please contact our marketing desks:

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