



Investor News

Bayer CropScience, Max Planck Society and Monsanto Company resolve Agrobacterium patent dispute

Monheim / February 4, 2005 – Bayer CropScience, Monheim, the Max Planck Society and their affiliate Garching Innovation GmbH, both based in Munich, Germany and Monsanto Company, St. Louis, USA, announced today that they have reached an agreement that resolves long-standing patent interference or other proceedings in different countries involving the use of Agrobacterium-mediated transformation to create transgenic crops. Agrobacterium transformation technology allows scientists to transfer DNA to plant cells.

Under the agreement, Max Planck Society, Bayer CropScience, Garching Innovation, and Monsanto will cross license their respective Agrobacterium-mediated transformation technologies worldwide. Bayer CropScience, Max Planck's exclusive licensee, and Monsanto will provide each other, in selected areas of the world, non-exclusive licenses related to the development, use and sale of transgenic crops. Monsanto will also provide Max Planck Society with a license in the United States for research purposes.

Additional details of the agreement were not disclosed.

"This agreement secures freedom for the involved parties in the field of Agrobacterium-mediated transformation technology, thereby ensuring present and future market access for their respective technologies in the United States and Canada," said Dr. Bernhard Garthoff, member of the Bayer CropScience Board of Management, responsible for R&D.

"This is a positive development for agricultural biotechnology as a whole," said Robert T. Fraley, Ph.D., Executive Vice President and Chief Technology Officer for Monsanto. "Through the agreement, the parties recognize the global contributions of the Max Planck and Monsanto scientists who invented this technology. This

agreement enables their respective agricultural innovations to reach consumers and farmers without hindrance.”

Bayer CropScience, a subsidiary of Bayer AG with annual sales of about EUR 5.8 billion (2003), is one of the world’s leading innovative crop science companies in the areas of crop protection, non-agricultural pest control, seeds and plant biotechnology. The company offers an outstanding range of products and extensive service backup for modern, sustainable agriculture and for non-agricultural applications. Bayer CropScience has a global workforce of about 19,000 and is represented in more than 120 countries, ensuring proximity to dealers and consumers. Further information is available at www.bayercropscience.com.

Max Planck Society for the Advancement of Science, one of Germany’s largest non-profit research organizations, comprises 78 individual institutes, each of which conducts research in areas of the natural sciences and the humanities. As the technology transfer agency for the Max Planck Society, Garching Innovation GmbH fosters and manages the commercialization of inventions and know-how discovered or created at Max Planck institutes. Further information is available at www.mpg.de.

Monsanto Company (NYSE: MON) is a leading provider of technology-based solutions and agricultural products that improve farm productivity. For more information on Monsanto, see: www.monsanto.com.

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Bayer AG, Investor Relations contacts:

Dr. Alexander Rosar (+49-214-30-81013)

Dr. Juergen Beunink (+49-214-30-65742)

Peter Dahlhoff (+49-214-30-33022)

Ute Krippendorf (+49-214-30-33021)

Ilia Kürten (+49-214-30-35426)

Judith Nestmann (+49-214-30-66836)

Forward-looking statements

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