

29 September 2025

ASX Compliance
Australian Stock Exchange
Level 50, South Tower, Rialto
525 Collins Street, Melbourne VIC 3000

By email: ListingsComplianceMelbourne@asx.com.au

Bio-Gene Technology Limited (ASX:BGT) – Aware Query Request for Information (ASX ref: 112988)

We refer to your letter dated 24 September 2025 regarding Bio-Gene Technology Limited's ("**BGT**" or "**the Company**") announcement titled "*Positive Flavocide® Efficacy Results Presented at Leading Conference on Tick-borne Diseases*" released on 23 September 2025.

Before addressing the specific ASX questions we would like to provide the following background regarding the sequence of events leading up to release of the Information to the ASX on 23 September 2025. For simplicity, we have presented all times in the timeline in Australian Eastern Standard Time (AEST):

3 September 2025

Bio-Gene received an early draft of the slides being prepared by Purdue University for review by BGT for proposed presentation at the Conference being held from 7 to 10 September 2025 in Chicago, USA. These draft slides were subject to further review by Purdue University and contained confidential information.

4 September 2025

BGT provided Purdue University with BGT's suggested corrections and edits to the draft slides.

10 September 2025

7:45am: The Agenda for the Conference shows that Purdue University were scheduled to deliver the Presentation for this time.

11 September 2025

2:03pm: As a final version of the Presentation to be presented at the Conference had not been received from Purdue University, BGT requested Purdue University provide BGT with a copy of the Presentation to assist BGT to release an announcement and the Presentation to the ASX. No reply to this request was received by BGT.

17 September 2025

8:38am: BGT requested for the second time Purdue University provide BGT with a copy of the final version of the Presentation. No reply to this request was received by BGT.

22 September 2025

2:29am BGT requested for the third time Purdue University provide BGT with a copy of the final version of the Presentation.

23 September 2025

3:00am: In response to BGT's requests Purdue University apologised for the delay in providing a response to BGT and advised that a copy of the Presentation suitable for public release would be provided that day before close of business that day in the US.

8:39am: BGT received a copy of the Presentation from Purdue University. It is noted that, upon receipt of the Presentation and its comparison by BGT against the early draft provided by Purdue on 3 September 2025 that further edits had been made to the slides by Purdue University.

9:31am: BGT released its ASX announcement entitled "*Positive Flavocide® Efficacy Results Presented at Leading Conference on Tick-borne Diseases*". The content of the announcement reflected the key points from the Purdue University Presentation.

Despite making requests on three occasions, BGT did not receive the final version of the Presentation from Purdue University prior to 23 September 2025 and so at no stage prior to 23 September 2025 did it hold a version of the Presentation that it knew to be final and complete.



In response to your queries:

1. **Does BGT consider the Information to be information that a reasonable person would expect to have a material effect on the price or value of its securities?**

Yes. BGT considered the Information to be market-sensitive, given that the Information discloses results of laboratory studies showing that Flavocide formulated in a prototype emulsion in water formulation achieved greater than 90% mortality of *Ixodes scapularis* nymphs (a type of tick that is problematic in eastern USA) within 24 hours of exposure, validating its acaricidal potential. In addition, the results showed that Flavocide demonstrated residual activity for up to four weeks under controlled laboratory conditions.

2. **If the answer to any part of question 1 is “no”, please advise the basis for that view.**

Not applicable.

3. **When did BGT first become aware of the Information, or any part thereof?**

BGT first became aware of the information presented at the Conference on 23 September 2025, when the Presentation was provided to BGT by Purdue University. Prior to that time, BGT was not aware of what information was proposed or actually presented at the Conference and had not received information that BGT knew to be final and complete detail of the presentation to warrant disclosure under Listing Rule 3.1.

4. **If BGT first became aware of the Information before the Relevant Date, did BGT make any announcement prior to the Relevant Date? If not, please explain why.**

No announcement was made prior to 23 September 2025. BGT did not have a copy of the Presentation prior to 23 September 2025 and did not have any clarity before this time about the substance of the results presented at the Conference. Upon receipt and review early on 23 September 2025, BGT assessed the Information as market-sensitive and released the Announcement on 23 September 2025 prior to market open. BGT considers this timing to be compliant with Listing Rule 3.1, as the obligation to disclose arose only once the Information was sufficiently definite and complete.

5. **Please confirm that BGT is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.**

BGT confirms that it is in compliance with the Listing Rules, including Listing Rule 3.1.

6. **Please confirm that BGT's responses have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of BGT with delegated authority.**

Bio-Gene confirms that these responses to the questions above have been authorised and approved in accordance with the Company's published continuous disclosure policy.

This letter has been approved by the BGT Board.

Yours sincerely,



Edmond Tern
Company Secretary
Bio-Gene Technology Limited



24 September 2025

Reference: 112988

Mr Edmond Tern
Company Secretary
Bio-Gene Technology Limited
Level 6, 400 Collins Street
Melbourne VIC AU 3000

By email: edmond@bio-gene.com.au

Dear Mr Tern

Bio-Gene Technology Limited('BGT'): ASX Aware Letter

ASX refers to the following:

- A. BGT's announcement titled "Positive Flavocide® Efficacy Results Presented at Leading Conference on Tick-borne Diseases" (the 'Announcement') released on the ASX Market Announcements Platform at 9.29 AM AEST on 23 September 2025 (the 'Relevant Date') disclosing that researchers from Purdue University, Indiana, USA, have presented promising new data on Flavocide at the 17th International Conference on Lyme Borreliosis and Other Tick-Borne Diseases in Chicago, USA ('Conference') which described laboratory studies showing that Flavocide formulated in a prototype emulsion in water formulation achieved greater than 90% mortality of Ixodes scapularis nymphs within 24 hours of exposure, validating its acaricidal potential (the 'Information').

ASX notes that BGT submitted the Announcement as "market-sensitive" to ASX Online.

- B. The Announcement included presentation slides by researchers Maria V. Murgia, Phurchhoki Sherpa and Catherine Hill from the Department of Entomology at Purdue University dated 9 September 2025, titled "Assessment of New, Natural Product Formulation to Control Ticks in the Midwest, United States" (the 'Presentation').
- C. The Presentation appears to have taken place at the Conference held from 7 to 10 September 2025.¹
- D. The increase in the price of BGT's securities from a closing price of \$0.033 on 22 September 2025 to a high of \$0.058 following the release of the Announcement, representing an 87% increase following the release of the Announcement.
- E. Listing Rule 3.1, which requires a listed entity to immediately give ASX any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity's securities.
- F. The definition of "aware" in Chapter 19 of the Listing Rules, which states that:
- "an entity becomes aware of information if, and as soon as, an officer of the entity (or, in the case of a trust, an officer of the responsible entity) has, or ought reasonably to have, come into possession of the information in the course of the performance of their duties as an officer of that entity."*
- G. Section 4.4 in *Guidance Note 8 Continuous Disclosure: Listing Rules 3.1 – 3.1B* titled "When does an entity become aware of information?"
- H. Listing Rule 3.1A, which sets out exceptions from the requirement to make immediate disclosure as follows.

¹ <https://news.mayocliniclabs.com/2025-international-conference/>

“3.1A Listing rule 3.1 does not apply to particular information while each of the following is satisfied in relation to the information:

3.1A.1 One or more of the following 5 situations applies:

- It would be a breach of a law to disclose the information;*
- The information concerns an incomplete proposal or negotiation;*
- The information comprises matters of supposition or is insufficiently definite to warrant disclosure;*
- The information is generated for the internal management purposes of the entity; or*
- The information is a trade secret; and*

3.1A.2 The information is confidential and ASX has not formed the view that the information has ceased to be confidential; and

3.1A.3 A reasonable person would not expect the information to be disclosed.”

- I. The concept of “confidentiality” detailed in section 5.8 of Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B*. In particular, the Guidance Note states that:

“Whether information has the quality of being confidential is a question of fact, not one of the intention or desire of the entity. Accordingly, even though an entity may consider information to be confidential and its disclosure to be a breach of confidence, if it is in fact disclosed by those who know it, then it is no longer a secret and it ceases to be confidential information for the purposes of this rule.”

Request for information

Having regard to the above, ASX asks BGT to respond separately to each of the following questions:

1. Noting that BGT lodged the Announcement regarding the Presentation as “market sensitive”, does BGT consider the Information to be information that a reasonable person would expect to have a material effect on the price or value of its securities?
2. If the answer to any part of question 1 is “no”, please advise the basis for that view.
3. If the answer to question 1 is “yes” and noting that the Presentation was dated 9 September 2025, when did BGT first become aware of the Information, or any part thereof?
4. If BGT first became aware of the Information referred to in question 1 before the Relevant Date, did BGT make any announcement prior to the Relevant Date which disclosed the Information? If not, please explain why the Information was not released to the market at an earlier time, commenting specifically on when you believe BGT was obliged to release the Information under Listing Rules 3.1 and 3.1A and what steps BGT took to ensure that the Information was released promptly and without delay.
5. Please confirm that BGT is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.
6. Please confirm that BGT’s responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of BGT with delegated authority from the board to respond to ASX on disclosure matters.

When and where to send your response

This request is made under Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **9:00 AM AEDT Tuesday, 30 September 2025**.

You should note that if the information requested by this letter is information required to be given to ASX under Listing Rule 3.1 and it does not fall within the exceptions mentioned in Listing Rule 3.1A, BGT's obligation is to disclose the information 'immediately'. This may require the information to be disclosed before the deadline set out above and may require BGT to request a trading halt immediately if trading in BGT's securities is not already halted or suspended.

Your response should be sent by e-mail to **ListingsComplianceMelbourne@asx.com.au**. It should not be sent directly to the ASX Market Announcements Office. This is to allow us to review your response to confirm that it is in a form appropriate for release to the market, before it is published on the ASX Market Announcements Platform.

Suspension

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in BGT's securities under Listing Rule 17.3.

Listing Rules 3.1 and 3.1A

In responding to this letter, you should have regard to BGT's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B*. It should be noted that BGT's obligation to disclose information under Listing Rule 3.1 is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

Release of correspondence between ASX and entity

We reserve the right to release all or any part of this letter, your reply and any other related correspondence between us to the market under listing rule 18.7A. The usual course is for the correspondence to be released to the market.

Yours sincerely

ASX Compliance