



Press Release

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Merck & Co., Inc. Wins Federal VIOXX® Product Liability Case

Kirkland, QC, Feb. 17, 2006 – Merck & Co., Inc. today said it is pleased that a federal court jury in New Orleans returned a defense verdict in *Plunkett v. Merck* by rejecting a claim that short-term use of VIOXX played a role in the 2001 death of a Florida man.

“The jury’s decision confirms that there is no medical or scientific evidence showing short-term use of VIOXX increases the risk of heart attack and contributed in any way to the unfortunate death of Richard Irvin,” said Philip Beck, of the law firm of Bartlit Beck, Merck’s lead trial lawyer in the case. “Mr. Irvin only took VIOXX for less than a month. He suffered multiple long-standing risk factors for a heart attack including partially clogged arteries. Mr. Irvin would have suffered a heart attack when he did, whether he was taking VIOXX or not.”

“This is a satisfying jury verdict for Merck,” said Kenneth C. Frazier, senior vice president and general counsel of Merck. “Juries in federal and state courts have now rejected unfounded theories about short-term use of VIOXX and have decided the company acted responsibly in properly disclosing data to the FDA and the medical community.”

The lawsuit was originally filed in Palm Beach County, Fla. on May 14, 2003, by Mr. Irvin’s surviving spouse, Evelyn Irvin Plunkett. The case was re-filed in the MultiDistrict Litigation as case number 05-4046 in 2005.

“Like all VIOXX cases, this one was about individual causation and that’s why we are dealing with these cases one by one as they come to trial,” said Mr. Frazier. “The fact remains that heart attacks are a major cause of death in the United States and have multiple causes. It will be difficult for plaintiffs to prove that VIOXX was the cause of any individual’s heart attack.”

Merck is represented in the *Plunkett* case by Philip Beck and Tarek Ismail of Bartlit Beck of Chicago.

About Merck

Merck & Co., Inc. is a global research-driven pharmaceutical company dedicated to putting patients first. Established in 1891, Merck currently discovers, develops, manufactures and markets vaccines and medicines to address unmet medical needs. The Company devotes extensive efforts to increase access to medicines through far-reaching programs that not only donate Merck medicines but help deliver them to the people who need them. Merck also publishes unbiased health information as a not-for-profit service. For more information, visit www.merck.com.

Forward-Looking Statement

This press release contains "forward-looking statements" as that term is defined in the Private Securities Litigation Reform Act of 1995. These statements are based on management's current expectations and involve risks and uncertainties, which may cause results to differ materially from those set forth in the statements. The forward-looking statements may include statements regarding product development, product potential or financial performance. No forward-looking statement can be guaranteed, and actual results may differ materially from those projected. Merck undertakes no obligation to publicly update any forward-looking statement, whether as a result of new information, future events, or otherwise. Forward-looking statements in this press release should be evaluated together with the many uncertainties that affect Merck's business, particularly those mentioned in the cautionary statements in Item 1 of Merck's Form 10-K for the year ended Dec. 31, 2004, and in its periodic reports on Form 10-Q and Form 8-K, which the Company incorporates by reference.

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NOTE TO EDITORS: An archived audio Web cast to discuss the Plunkett v. Merck trial verdict and other U.S. litigation matters is available at:

<http://phx.corporate-ir.net/phoenix.zhtml?p=irol-eventDetails&c=190190&eventID=1217093>