



Press Release

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Merck & Co. Wins Alabama VIOXX® Product Liability Case

Montreal, Dec. 15, 2006 – Merck & Co., Inc. today said it is pleased that a state court jury in Birmingham, Alabama, found in favor of Merck & Co., rejecting a claim that VIOXX caused the 2001 heart attack of an Alabama man.

“The jury’s decision confirms that Merck & Co. acted responsibly and that VIOXX was not the cause of Mr. Albright’s heart attack,” said Mike Brock of the Alabama firm of Rushton, Stakely, Johnston & Garrett, Merck & Co.’s lead attorney in the case.

At the trial, Merck & Co. presented evidence that it acted responsibly and that VIOXX was not the cause of Gary Albright’s 2001 heart attack. Mr. Albright continued his use of VIOXX until September 2004.

“Mr. Albright had multiple risk factors for a heart attack including a 30-year history of hypertension, diabetes, obesity and untreated high cholesterol,” Mr. Brock said. “Unfortunately, the plaintiff was at increased risk for a heart attack regardless of whether he was taking VIOXX.”

Alabama Circuit Court Judge J. Scott Vowell presided over the VIOXX trial, which was the first in the state. The lawsuit was filed in Alabama as case number CV-05-02316 in 2005.

“We are pleased with the jury’s verdict,” said Kenneth C. Frazier, executive vice president and general counsel of Merck & Co.. “Juries continue to determine that Merck & Co. acted responsibly in its research of VIOXX and provided the appropriate information about VIOXX to patients and the medical community.”

“All of the VIOXX cases are individual claims involving very different circumstances so we need to consider the facts of each case on an individual basis,” said Mr. Frazier. “Heart attacks are unfortunately common in the population and caused by many different risk factors. Our litigation strategy is based on sound and reliable science, which is in the best interest of patients.”

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Merck & Co. was represented by Mike Brock of Rushton, Stakely, Johnston & Garrett, P.A. in Montgomery, Alabama; Christy Jones of Butler, Snow, O'Mara, Stevens & Cannada, PLLC in Jackson, Mississippi; and Tripp Haston of Bradley Arant Rose & White LLP in Birmingham.

Litigation Status

Of the 18 cases scheduled for trial and no longer pending, only four have resulted in a plaintiff's verdict. Juries have decided in Merck & Co.'s favor in nine cases and five cases have been dismissed.

Another five cases, previously scheduled for trial, have been withdrawn from the trial calendar by the plaintiffs before the claims could reach trial.

As for the four plaintiff's verdicts, Merck & Co. already has filed an appeal or sought judicial review in each of those cases, and in one of those four, a federal judge overturned the damage award shortly after trial. Additionally, a state judge set aside one of the nine Merck & Co. verdicts.

Finally, the claims of more than 3,000 plaintiff groups, not yet scheduled for trial, have been dismissed. That includes more than 1,100 plaintiff groups whose claims were dismissed with prejudice either by plaintiffs themselves or by the courts, meaning they cannot be filed again. More than 2,000 additional plaintiff groups have had their claims dismissed without prejudice.

About Merck & Co.

Merck & Co., Inc. is a global research-driven pharmaceutical company dedicated to putting patients first. Established in 1891, Merck & Co. 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 & Co. medicines but help deliver them to the people who need them. Merck & Co. 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

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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 & Co. 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 & Co.'s business, particularly those mentioned in the cautionary statements in Item 1 of Merck & Co.'s Form 10-K for the year ended Dec. 31, 2005, and in its periodic reports on Form 10-Q and Form 8-K, which the Company incorporates by reference.

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