

FINANCIAL SUPERVISORY COMMISSION

Current Report No 28/2009

Date: 9 February 2009

Issuer's shortened name: KOPEX SA

Subject: Notice on acquisition of inheritance rights

Legal basis: Law on Offer; Art.56, Cl. 5 –information actualization.

Report contents:

Management Board of KOPEX S.A. with registered seat in Katowice (the Issuer) advises that on 9 February 2009 it has been informed by Mr. Krzysztof Jedrzejewski about passing on 6 February 2009 a Decision by a District Court in Warsaw on ascertainment of the acquisition of an inheritance of the deceased brother Leszek Jedrzejewski. The inheritance includes KOPEX S.A. (the Issuer) 39,472,120 shares that make 58.36% of KOPEX S.A. equity capital and entitle to 39,472 votes at the general meeting of the company.

The Court's Decision is not valid in law yet.

Acquisition of the inheritance in question resulted in possessing by Mr. Krzysztof Jedrzejewski together with his mother – Anna Jedrzejewska- altogether 44,359,999 shares of KOPEX S.A. that make 58.36% of KOPEX S.A. equity capital and entitle to 39,472 votes at the general meeting of the company what makes 58.36% of votes.