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## **ResMed Succeeds in Patent Fight Against APEX**

### **APEX Infringing Devices and Masks to be Removed from Sale in U.S.**

SAN DIEGO, July 18, 2013 /PRNewswire/ -- A U.S. government investigation started at the request of ResMed (NYSE: RMD) against Taiwanese manufacturer APEX Medical Corp. has resulted in an administrative law judge at the International Trade Commission (ITC) determining that the ITC should enter a consent decree against APEX stopping the importation and sale of infringing APEX products.

(Logo: <https://photos.prnewswire.com/prnh/20100203/RESMEDLOGO>)

ResMed is a global innovator and pioneer in developing products for the treatment of sleep-disordered breathing and respiratory conditions. The original action, filed by ResMed in March 2013 with the ITC, asserted patent infringement by two APEX masks and two APEX flow generators: the APEX WiZARD 210 and WiZARD 220 masks; and the APEX iCH and XT Fit flow generators.

The ITC case against APEX also named Medical Depot, Inc., doing business as Drive Medical Design and Manufacturing (Drive). The same ITC administrative law judge previously determined that the ITC should enter a consent decree against Drive thereby ordering it to stop importation and sales of the Freedom 210 and Freedom 220 masks made by APEX, which are identical to the WiZARD masks.

"We appreciate but are not surprised by the swift conclusion of this case against both APEX and Drive Medical Design," said ResMed global general counsel and chief administrative officer David Pendarvis. "This result is a testament to the strength of ResMed's intellectual property; our innovation is a significant market differentiator that puts comfortable and effective patient care first. We will continue to defend our patents and innovations against any future threats."

#### **About ResMed:**

ResMed is a global leader in the development, manufacturing and marketing of medical products for the diagnosis, treatment and management of respiratory disorders, with a focus on sleep-disordered breathing. The company is dedicated to developing innovative products to improve the lives of those who suffer from these conditions and to increasing awareness among patients and healthcare professionals of the potentially serious health consequences of untreated sleep-disordered breathing. For more information on ResMed, visit [www.resmed.com](http://www.resmed.com).

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