

August 17, 2016



## **ResMed Takes Fisher & Paykel to Court over Patents**

- ResMed files patent infringement actions against Fisher & Paykel Healthcare in U.S., German and New Zealand courts and in the U.S. International Trade Commission
- German court stops the sale of F&P Simplus, Eson and Eson 2 masks
- ResMed asks court to declare F&P patents invalid or not infringed

SAN DIEGO, Aug. 17, 2016 /PRNewswire/ -- ResMed (NYSE: RMD), the world's leading tech-driven medical device company and innovator in sleep-disordered breathing and respiratory care, announced today it has filed legal actions with the United States International Trade Commission, the United States District Court for the Southern District of California in San Diego (3:16-cv-02072-JAH-MDD), as well as courts in New Zealand and Germany, to stop the infringement of its patented technology by New Zealand-based medical device manufacturer Fisher & Paykel Healthcare.

"ResMed is known for its commitment to providing patients with high-quality products that result from sustained, substantial investment in research and development and a focus on each user's needs," said ResMed global general counsel and chief administrative officer David Pendarvis. "ResMed's proprietary designs and superior innovative technologies reflect these priorities."

"We remain steadfast in our commitment to defend our intellectual property wherever necessary to ensure patients receive the high-quality care they deserve. We are confident that when the courts hear all the evidence, ResMed will prevail on its case and defeat any claims asserted by Fisher & Paykel."

In the U.S. International Trade Commission, ResMed seeks an injunction banning importation of Fisher & Paykel Simplus full face mask, Eson nasal mask and Eson 2 nasal mask. In the U.S. District Court for the Southern District of California, ResMed asserts that Fisher & Paykel Healthcare's Simplus full face mask, Eson nasal mask and Eson 2 nasal mask infringe ResMed's patents relating to modular mask systems, headgear design, and cushion design. ResMed also asked the San Diego court to invalidate patents that Fisher & Paykel recently asserted against ResMed, to declare that ResMed does not infringe those patents, or both.

ResMed has also initiated preliminary injunction proceedings in Germany, and a suit in New Zealand, to stop infringement in those countries. In the German proceedings, the District Court in Munich has already entered two preliminary injunctions to stop the sale of Simplus,

Eson and Eson 2 masks in Germany based on infringement of German parts of two of ResMed's European patents. In New Zealand, ResMed is asking an Auckland court to stop Fisher & Paykel from manufacturing and exporting infringing masks from that country.

### About ResMed

ResMed (NYSE:RMD) changes lives with award-winning medical devices and cutting-edge cloud-based software applications that better diagnose, treat and manage sleep apnea, chronic obstructive pulmonary disease (COPD) and other chronic diseases. ResMed is a global leader in connected care, with more than 2 million patients remotely monitored every day. Our 5,000-strong team is committed to creating the world's best tech-driven medical device company – improving quality of life, reducing the impact of chronic disease, and saving healthcare costs in more than 100 countries.

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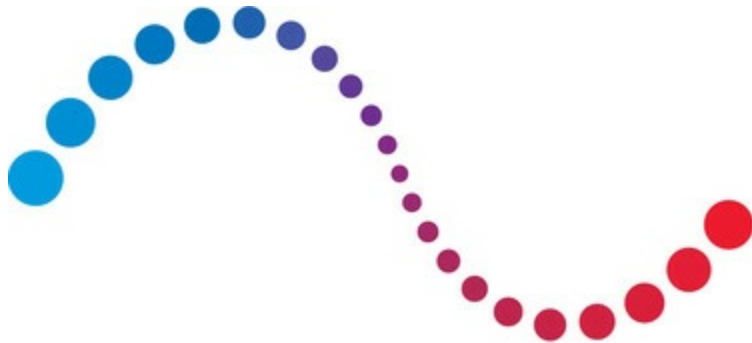
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