

June 4, 2014

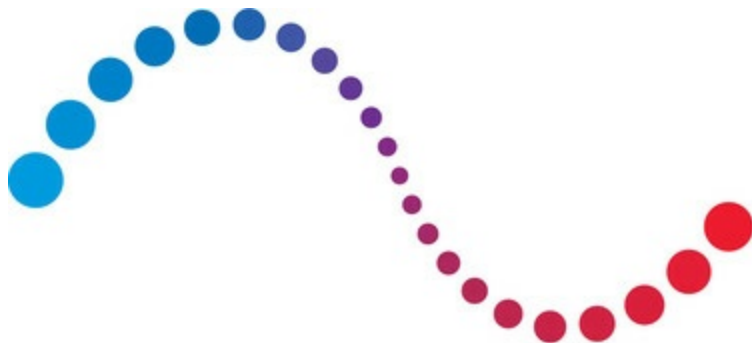


# Resmed

## ITC Judge Rules APEX Infringes ResMed Patents

### Products banned from sale in United States

SAN DIEGO, June 4, 2014 /PRNewswire/ -- An International Trade Commission (ITC) judge ruled today that Taiwanese device manufacturer APEX infringes a ResMed patent protecting an integrated humidifier used in flow generator devices. According to the ruling, the APEX XT and iCH flow generators with infringing humidifiers cannot be imported or sold in the United States. ResMed (NYSE: RMD), the innovation leader and pioneer in designing and manufacturing devices for the treatment of sleep-disordered breathing, will also be asking the ITC to impose a fine on APEX for any infringing products it has sold in the U.S. to date.



# ResMed

*Changing lives  
with every breath*

"There are hundreds of innovations that go into each ResMed therapy product, which is what elevates ResMed's product quality and therapy comfort from the rest of the pack," said David Pendarvis, ResMed chief administrative officer and global general counsel. "This ITC victory is validation that our customers should not accept imitations. We are confident that the Commission will agree with the judge's decision and will continue to enforce our

intellectual property against those who infringe it."

The original ITC action filed by ResMed in March 2013 asserted patent infringement by APEX iCH and XT Fit CPAP devices. On August 8, 2013, APEX agreed to entry of an order prohibiting it from importing and selling infringing products in the United States. APEX then redesigned its products and sought a ruling that its redesigned CPAP devices had avoided ResMed's patents. But in today's ruling, the ITC judge disagreed, holding that APEX continues to infringe and that the July 2013 order prohibits APEX from importing and selling those redesigned products in the United States.

In a companion ruling, the judge found that APEX's redesigned WiZard 220 mask—which APEX redesigned based on the original ITC ruling--does not infringe. ResMed will appeal that decision to the Commission.

### **About ResMed:**

ResMed changes lives by developing, manufacturing and distributing medical equipment for treating, diagnosing, and managing sleep-disordered breathing, COPD, and other chronic diseases. We develop innovative products and solutions to improve the health and quality of life of those who suffer from these conditions, and we work to raise awareness 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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