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## **ResMed Receives Permanent Injunction against APEX in Germany, Continues Enforcement of Patents in Europe**

### **Trial court awards permanent injunction, damages and costs against APEX**

MUNICH, July 28, 2014 /PRNewswire/ -- ResMed (NYSE: RMD), an innovator and pioneer in developing products for the treatment of sleep-disordered breathing and other chronic respiratory conditions, has won a permanent injunction in Germany against Taiwanese medical device manufacturer APEX Medical Corp. (APEX), prohibiting sales of infringing headgear used on APEX WiZARD 210 and 220 masks. The judgment was entered by the Regional District Court in Munich, is appealable, and applies throughout Germany.

The permanent injunction continues a preliminary injunction that was entered by the same court on Nov. 12, 2013. The court rejected APEX's request to stay the injunction and its challenge to the validity of ResMed's patent. The judgment also requires APEX to forfeit its inventory of infringing products, to report on its sales of the infringing products, and to pay damages to ResMed.

ResMed has also filed separate patent infringement lawsuits in the same court seeking damages and permanent injunctions to stop infringement of other ResMed patents. The trials of those cases will occur in the fall of 2014. The additional accused products are:

- The APEX iCH and XT Fit CPAP devices
- The APEX WiZARD 210 and WiZARD 220 masks

"ResMed has a global business built on its investment in research and developments, resulting in products sold worldwide that excel in performance, quality and comfort," said David Pendarvis, ResMed global general counsel and chief administrative officer. "We will continue to defend our investment in intellectual property and pursue all legal remedies to prevent infringement in any country where that infringement exists."

#### **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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