



**For media:**

Alison Graves  
+1 858-836-6789  
[news@resmed.com](mailto:news@resmed.com)

**For investors:**

Agnes Lee  
+1 858-836-5971  
[investorrelations@resmed.com](mailto:investorrelations@resmed.com)

**ResMed's European Patents Infringed by Fisher & Paykel in Germany**

- *German court concludes that Fisher & Paykel Simplus, Eson and Eson 2 masks infringe two ResMed European patents.*
- *ResMed will now defend those patents before the European Patent Office.*
- *Fisher & Paykel required to pay ResMed court costs in Australian patent suit.*

**SAN DIEGO – October 6, 2017** – ResMed (NYSE: RMD) the world's leading tech-driven medical device company and innovator in sleep-disordered breathing and respiratory care, today announced the following updates in its ongoing global patent infringement litigation with Fisher & Paykel:

- In **Germany**, the court concluded, after an oral hearing on September 21, that Fisher & Paykel's Simplus, Eson and Eson 2 each infringe two ResMed European patents. Consistent with German procedure, the court stayed the infringement proceedings to permit ResMed to defend the validity of its patents in the European Patent Office.
- In the **United Kingdom**, ResMed is proceeding to trial in defense of one of three UK ResMed patents that Fisher & Paykel has challenged there, while agreeing to revoke the other two UK patents. The United Kingdom litigation does not involve any allegations against any of ResMed's own products, will have no commercial impact on sales of ResMed's products, and is not binding on the European Patent Office or the German Courts.
- In **Australia**, after ResMed presented its evidence defending a key ResMed mask patent, Fisher & Paykel immediately withdrew its validity challenge to that patent and must pay ResMed's court costs.



- In **New Zealand**, ResMed's case against Fisher & Paykel for patent infringement is moving forward. ResMed is looking forward to a trial in New Zealand in late 2018.

“ResMed will continue to stand against those we believe have unlawfully violated our patents,” said ResMed global general counsel and chief administrative officer David Pendarvis. “We have more than 5,000 patents in our portfolio, reflecting three decades and millions of dollars of sustained investment in research and development, focused on ensuring that patients around the world receive the high-quality care they deserve. We’re confident, as we’ve seen in these early rulings, that ResMed will ultimately prevail against Fisher & Paykel.”

### **About ResMed**

ResMed (NYSE: RMD) changes lives with award-winning medical devices and 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 3 million patients remotely monitored every day. Our 6,000-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 120 countries. [ResMed.com](https://www.resmed.com) | [Facebook](https://www.facebook.com/resmed) | [Twitter](https://twitter.com/resmed) | [LinkedIn](https://www.linkedin.com/company/resmed)

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