



NEWS RELEASE

ResMed Wins German Patent Infringement Case Brought by Fisher & Paykel

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ResMed's AirSense 10, AirCurve 10 and Lumis products do not infringe German utility model patent

MUNICH, Oct. 12, 2017 /PRNewswire/ -- ResMed (NYSE: RMD), the world's leading tech-driven medical device company and innovator in sleep-disordered breathing and respiratory care, today announced that the Munich District Court decided that ResMed's AirSense 10, AirCurve 10, Lumis and their humidifiers do not infringe a Fisher & Paykel German utility model (a short-term patent), DE 20 2013 012 358 U1.

Although ResMed's products do not infringe, ResMed will continue its challenge of the validity of the German utility model before the German Patent and Trademark Office (GPTO).

To date, no German court has found that ResMed's products infringe a Fisher & Paykel patent in any of the three cases brought by Fisher & Paykel against ResMed in Germany. By contrast, the same German court concluded in September that Fisher & Paykel's Simplus, Eson and Eson 2 masks infringe ResMed patents, while staying the proceedings pending the outcome of invalidation proceedings. ResMed is now defending its own patents in the European Patent Office.

"We applaud the German court for its sensible approach," said ResMed global general counsel and chief administrative officer David Pendarvis. "We are pleased that the court found our products do not infringe, and look forward to proving that this Fisher & Paykel patent is invalid."

This ruling in Germany has no impact on ResMed and Fisher & Paykel's patent infringement litigation in other jurisdictions.

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.

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