

**News Release**

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STOCK EXCHANGE LISTINGS: NEW ZEALAND (FPH), AUSTRALIA (FPH)

**UPDATED: FISHER & PAYKEL HEALTHCARE CONTESTS PATENT INFRINGEMENT ALLEGATIONS**

Auckland, New Zealand, 18 August 2016 - Fisher & Paykel Healthcare Corporation Limited, a world leader in medical devices and systems for use in respiratory and acute care and in the treatment of obstructive sleep apnea (OSA), announced today that it intends to vigorously defend the recent allegations of patent infringement and declaratory judgment claims made by ResMed, Inc.

Yesterday ResMed, Inc filed a complaint in the Southern District of California relating to the company's F&P Simplus™ and F&P Eson™ range of masks used in the treatment of OSA. ResMed has also filed proceedings with the US International Trade Commission and courts in New Zealand and Germany. ResMed's complaints seek injunctive relief and declaratory judgments of non-infringement and invalidity with respect to several Fisher & Paykel Healthcare patents.

ResMed's complaint comes after Fisher & Paykel Healthcare filed its own lawsuit for patent infringement. Fisher & Paykel Healthcare's complaint seeks judgment that ResMed's AirSense 10 and AirCurve 10 range of flow generator products, ClimateLineAir heated air tubing for use with such flow generator products and Swift LT and Swift FX masks infringe several patents held by Fisher & Paykel Healthcare.

Lewis Gradon, Managing Director and Chief Executive Officer, said "We believe we have good and valid defenses to the claims filed by ResMed and we will vigorously contest these claims. We are also confident in our infringement and validity positions with respect to our own patents.

"Fisher & Paykel Healthcare has been providing unique solutions for patients suffering from OSA for more than 20 years and we take pride in our proprietary technology, having built a significant patent portfolio over the past 20 years. We also respect the valid intellectual property rights of others, and we are confident in our position with respect to ResMed's patents given the rigorous clearance we conduct before any product is released to market" concluded Mr Gradon.

**About Fisher & Paykel Healthcare**

Fisher & Paykel Healthcare is a leading designer, manufacturer and marketer of products and systems for use in respiratory care, acute care, surgery and the treatment of obstructive sleep apnea. The company's products are sold in over 120 countries worldwide. For more information about the company, visit our website [www.fphcare.com](http://www.fphcare.com).

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