

Stock Exchange Announcement

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

Update on patent proceedings in Europe

Auckland, New Zealand, 13 October 2017 - Fisher & Paykel Healthcare Corporation Limited today provided a further update on its patent litigation with ResMed in Europe.

Germany

The Regional Court in Munich has today ruled that a German utility model patent DE 20 2013 012 358 U1 asserted by Fisher & Paykel Healthcare against ResMed is not infringed. The company is considering whether to appeal this decision.

Fisher & Paykel Healthcare has a further case in progress in the Regional Court in Munich regarding the assertion of its European patent number EP 2 116 271 against ResMed's AirSense 10, AirCurve 10 and Lumis products. A decision on this patent is expected during 2018.

United Kingdom

Last week, just before the trial was to start, ResMed conceded to revocation of two of its patents in the UK corresponding to patents EP 2 373 368 B1 and EP 1 841 482 B1. A trial is currently underway in the UK to consider revocation of a third ResMed patent, EP 2 708 258 B1, and ResMed's counterclaim for infringement. A decision on this patent is expected before the end of the year.

These are the same three patents asserted by ResMed in Germany and that are subject to opposition proceedings filed by Fisher & Paykel Healthcare in the European Patent Office.

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.

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