

June 21, 2021

Via Federal Express

Mr. David Pendarvis, Chief Administrative Officer & Global General Counsel
ResMed Inc.
9001 Spectrum Center Blvd.
San Diego, CA 92123
USA
Tel.: 800-424-0737

Subject: Notice of infringement

Dear Mr. Pendarvis,

I am writing to initiate a discussion regarding ResMed Inc.'s ("ResMed") infringement of Fractus S.A.'s ("Fractus") patented technology.

Fractus is a Spanish company that is an early pioneer in the development of internal antennas for smartphones, tablets, and wireless Internet of Things devices. As a result of its work, Fractus owns a very large patent portfolio covering antennas and related technology for wireless communications. In part, the patents reflect Fractus's pioneering technology that allows wireless devices to have miniature and/or multiband internal antennas, the integration of multiple antennas within the wireless device, and their integration with sensing elements used in many wireless devices. Fractus has accrued significant public recognition and many awards for its remarkable antenna innovations.

Fractus's patents cover the technology that is ubiquitously employed by sellers, manufacturers, and users of wireless devices such as ResMed. Every wireless devices, including but not limited to healthcare products for sleep and/or respiratory care, that (i) incorporate a multiband and/or miniaturized wireless antenna, or integrate multiple antennas, that comprise the features recited in any of the Fractus's patents, (ii) are made, used, imported, sold, or offered for sale, or otherwise exploited by ResMed in a jurisdiction covered by any such patent, and (iii) are purchased or manufactured by a licensee of Fractus and not covered by the license to that supplier, requires a license under those patents.

Fractus has analyzed some of ResMed's products and determined that ResMed, along with its subsidiaries, affiliates, suppliers, importers, distributors, dealers, and customers, infringe Fractus's patents. In particular, Exhibit I shows a couple of examples of ResMed's products that infringe (both directly and indirectly) specific claims of patents owned by Fractus. In addition, we understand that ResMed regularly uses infringing products in the ordinary course of its business, for example for fleet tracking and shipment



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monitoring applications. The specific device(s) used by ResMed for these purposes is(are) not publicly knowable, but may include other infringing wireless devices.

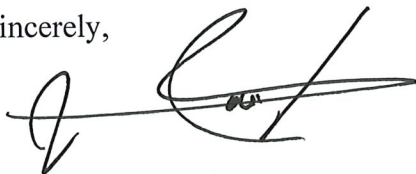
To be very clear, Exhibit I provides only examples. Fractus believes that similar products likely also infringe, such as older or newer models, or distinct models, using similar technology. Exhibit II to this letter provides a list of patents that are owned by Fractus and available for license to ResMed.

Fractus's proprietary technology is valuable to companies like ResMed and is a core component of their business. That value has been recognized with more than awards and public recognition. Fractus has already licensed its technology to wireless device manufacturers around the world, including Samsung, LG, HTC, ZTE, and many others, and to network infrastructure equipment manufacturers like CommScope and others.

Fractus has a strong preference for resolving intellectual property infringement by negotiation and invites ResMed to engage in meaningful discussions to determine where the companies' interests align.

Thank you for your time and attention to this important matter, we believe that a company of your standing and reputation understands the value and importance of intellectual property rights. Please contact me with any questions or to continue this discussion. I look forward to speaking soon.

Yours sincerely,



FRACTUS S.A.
A-61906954
Av. Alcalde Barnils, 64-68
08174, Sant Cugat
Barcelona

Rubén Bonet
President and CEO
Fractus S.A.
ruben.bonet@fractus.com

Exhibits:

- Exhibit I: Examples of ResMed's products that infringe specific claims of patents owned by Fractus.
- Exhibit II: List of patents that are owned by Fractus as of May 31, 2021 and available for license to ResMed.

CC: CSC (Corporation Service Company)
251 Little Falls Drive, Wilmington, DE 19808, USA
Tel.: 866-403-5272

Exhibit I

Examples of ResMed's products that infringe specific claims of patents owned by Fractus

Patent	Claim	Products	
		ResMed AirSense 10 3G	ResMed AirSense 10 4G
U.S. Patent No. 7,907,092	26	X	
	32	X	
	33	X	
	34	X	
U.S. Patent No. 7,675,470	1	X	X
	3	X	X
U.S. Patent No. 8,674,887	1	X	X
	2	X	X
	7	X	X
U.S. Patent No. 8,593,349	1	X	X
	5	X	X
	15	X	X
U.S. Patent No. 8,456,365	1	X	X
	31	X	X



Exhibit II

List of patents that are owned by Fractus as of 05/31/2021 and available for license to ResMed

Patent number	Patent number	Patent number	Patent number	Patent application
US11031677	US8581785	US7911394	US7015868	US17/246192
US10734723	US8565891	US7907092	US6876320	US16/913561
US10644405	US8558741	US7872605	PI9917493-6	US14/694603
US10644380	US8531337	US7791539	MX238696	US16/832867
US10468770	US8493280	US7782269	MX224686	
US10355346	US8472908	US7688276	KR0859580	
US10320079	US8471772	US7675470	KR0806654	
US10135138	US8456365	US7554490	JP4731519	
US10056691	US8421686	US7541997	JP4195070	
US10056682	US8362960	US7528782	JP4012733	
US9899727	US8330659	US7505007	IN276113	
US9761948	US8330259	US7486242	IN210024	
US9761934	US8259016	US7471246	IN203861	
US9755314	US8253633	US7463199	ES2410085	
US9362617	US8228245	US7456792	ES2314295	
US9331382	US8212726	US7439923	ES2288161	
US9240632	US8207893	US7423592	ES2246226	
US9099773	US8203488	US7417588	ES2241378	
US9077073	US8196829	US7411556	FR-EP1592083	
US9054421	US8193998	US7403164	NL-EP1592083	
US9054418	US8154463	US7397431	FR-EP1223637	
US9000985	US8154462	US7394432	GB-EP1223637	
US8994604	US8149171	US7362283	DE69924535.4	
US8976069	US8138981	US7342553	DE60047936.6	
US8941541	US8115686	US7315289	DE60022096.6	
US8810458	US8111199	US7312762	CN101188325	
US8738103	US8077110	US7215287	CN101090173	
US8723742	US8009111	US7202822	CN100373693	
US8674887	US7990320	US7164386	CN100355148	
US8610627	US7932863	US7148850		
US8593360	US7924226	US7123208		
US8593349	US7920097	US7095372		

