

3B Medical, Inc. and BMC Medical Ltd. Defend ResMed (RMD) Patent Suit

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This week, ResMed, Inc. (RMD) sued 3B Medical, Inc. and BMC Medical Ltd. (3B/BMC) for allegedly infringing on a trio of patents that Resmed claims infringe on claims covering the elbow swivel of a nasal pillow mask and the water flow back valve of a humidifier. "This lawsuit (Case No. 13CV1246MMAWMC, United States District Court, Southern District of California) is the newest in a series of similar suits aimed at limiting new market entrants into the sleep market. In 3B/BMC's estimation the lawsuit is intended to do little more than erect huge hurdles to market entry by forcing crippling litigation costs. At least that is what it looks like on the surface." – Alex Lucio, Vice President of 3B Medical.

At a time when consumers and healthcare providers are struggling to contain healthcare costs, ResMed has embarked on a strategy of trying to limit competition through frivolous litigation. 3B/BMC, a global leader in polysomnography, sleep diagnostics, and sleep therapy, takes great pride in bringing innovative solutions to market. Alex Lucio, Vice President of 3B Medical, is emphatic that "we have never knowingly traded off of another company's intellectual property. Our success is based on our own research design, engineering, and low cost manufacturing." 3B/BMC intends to gain market share in the U.S. through a combination of high quality and low pricing. The future growth path for 3B/BMC lies in increasing connectivity options for compliance data with no additional costs to the DME provider.

As corporate policy, 3B/BMC will vigorously defend any IP challenges. A cursory review of the lawsuit finds little merit to the claims asserted in the complaint. Further, in order to allow the marketplace to decide the victor, 3B is proud to announce a series of paid for advertising which will explain true manufacturing costs of the items in this product space. 3B/BMC believes that once the marketplace understands true manufacturing costs, branding at the expense of unconscionable profit margins, will no longer be supported or tolerated by an industry being squeezed with reduced reimbursements. 3B/BMC believes that Resmed's motive has little to do with defending legitimate intellectual property claims and more to do with using crippling litigation costs to reduce market competition. 3B/BMC intends to fight, both in court and in the marketplace.

3B/BMC is a global manufacturer of sleep diagnostics and sleep therapy devices.

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