

REDARC: Notice to Retailers

14 November 2017

1. REDARC Electronics Pty Ltd is the producer of the award winning "REDARC Tow Pro"TM Electric Trailer Brake Controller (product codes EBRH-ACCV2 and EBRHV2).
2. REDARC has intellectual property rights in the "Tow Pro"TM product within Australia including certified Australian Innovation Patent No. 2017100513: "*Brake Controller for Towed Vehicle Braking System and Method*" (**Patent**).
3. In recent months some other brake controller products have come onto the Australian market with the following product descriptions:
 - "GSL IRBC-12";
 - "GSL IRBC-24";
 - "Powercon LV1407"; and
 - "Baxters BCR-1000"

These products are all supplied by Great South Land Pty Ltd (ACN 053 250 472) (**GSL**)

REDARC considers that the supply or sale of these products infringes the Patent.

4. REDARC has issued a Federal Court proceeding against GSL, claiming that GSL has infringed the Patent by supplying and selling these products.
5. On Friday 10 November 2017, the Federal Court made an Order restraining GSL, until further order, from selling, offering to sell or otherwise disposing of these products. The Order also restrains GSL from procuring, inducing or authorising any other person to sell, offer to sell or otherwise dispose of these products.
6. This Order was made with the consent of GSL and without admission of liability. The Court will fully determine the question of liability at a trial likely to be heard next year.
7. A copy of the Federal Court Order is attached.
8. Retailers are asked to note the "Penal Notice" on the front of the Order, which states that any person who knows of this Order and does anything which helps or permits GSL to breach the terms of the Order may be liable to punishment.

Attached: Federal Court Order dated 10 November 2017

Regards



Anthony Kittel
Managing Director and CEO



Federal Court of Australia

District Registry: South Australia

Division: General

No: SAD309/2017

REDARC ELECTRONICS PTY LTD (ACN 099 971 794) and another/others named in
the schedule
Applicant

GREAT SOUTH LAND PTY LIMITED (ACN 053 250 472)
Respondent

ORDER

JUDGE: JUSTICE WHITE

DATE OF ORDER: 10 November 2017

WHERE MADE: Adelaide

PENAL NOTICE

TO: Great South Land Pty Ltd

If you (being the person bound by this order):

- a. Refuse or neglect to do any act within the time specified in this order for the doing of the act; or**
- b. Disobey the order by doing an act which the order requires you not to do,**

You will be liable to imprisonment, sequestration of property or other punishment.

Any other person who knows of this order and does anything which helps or permits you to breach the terms of this order may be similarly punished.

Definitions

For the purpose of these orders, 'Respondent's Products' means: the GSL brake control units known by the product codes "IRBC-12" and "IRBC-24"; Powercon brake control units known by the product code "LV1407"; and Baxters brake control units known by the product code "BCR-1000".

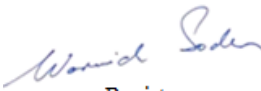


THE COURT NOTES THAT the Applicants provided the usual undertaking as to damages (which is given to the Court by their Counsel) and without admission by the Respondent as to liability for patent infringement.

BY CONSENT, THE COURT ORDERS THAT:

1. Until further order, the Respondent, whether by itself, its directors, officers, servants, agents or otherwise, be restrained from engaging in the following acts within the patent area (as defined in the *Patents Act 1990* (Cth)) without the licence of the Applicants:
 - (a) selling or otherwise disposing of the Respondent's Products;
 - (b) offering to sell, hire or otherwise dispose of the Respondent's Products;
 - (c) importing the Respondent's Products; or,
 - (d) otherwise procuring, inducing or authorising any other person to do any of the acts specified in this order.
2. The Respondent is to file and serve its Defence and any Cross-Claim by 15 December 2017.
3. The Applicants are to file and serve a Defence to any Cross-Claim and any Reply by 5 February 2018.
4. The Respondent is to file and serve any Reply to Cross-Claim by 19 February 2018.
5. The matter be listed for further directions at 9 am on Monday 19 March 2018.
6. The Applicants' claim for interlocutory relief be otherwise dismissed.
7. The parties' costs in relation to the Applicants' claim for interlocutory relief and in relation to the making of these orders be reserved.
8. There be liberty to apply on four days' notice to the Court and the other parties.

Date that entry is stamped: 10 November 2017


Registrar



Schedule

No: SAD309/2017

Federal Court of Australia

District Registry: South Australia

Division: General

Second Applicant REDARC TECHNOLOGIES PTY LTD (ACN 099 971 758)