

## NOTICE OF FILING

### Details of Filing

Document Lodged: Notice of Contention - Form 124 - Rule 36.24  
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)  
Date of Lodgment: 2/10/2025 3:31:47 PM AEST  
Date Accepted for Filing: 2/10/2025 3:38:36 PM AEST  
File Number: NSD1484/2025  
File Title: DYNO NOBEL ASIA PACIFIC PTY LTD ACN 003 269 010 v ORICA  
EXPLOSIVES TECHNOLOGY PTY LTD ACN 075 659 353 & ORS  
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



*Sia Lagos*

Registrar

### Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



## Notice of Cross-Contention

No. 1484 of 2025

Federal Court of Australia  
District Registry: New South Wales  
Division: General

On appeal from the Federal Court of Australia

**Dyno Nobel Asia Pacific Pty Ltd** ACN 003 269 010, Appellant/Cross-Respondent

and

**Orica Explosives Technology Pty Ltd** ACN 075 659 353, First Respondent

**Orica Australia Pty Ltd** ACN 004 117 828, Second Respondent/Cross-Appellant

**Orica Limited** ACN 004 145 868, Third Respondent

To the Respondents/Cross-Appellant

The Appellant/Cross-Respondent (**DNAP**) contends that the judgment in proceeding NSD345/2022 should be affirmed on grounds other than those relied on by the Court, as set out in this Notice of Cross-Contention.

### Grounds relied on

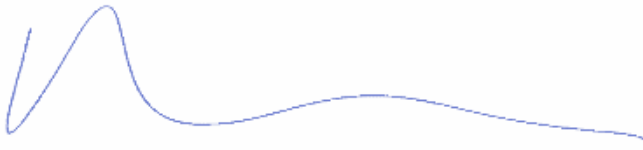
1. In addition to dismissing grounds 1 to 6 of the Notice of Cross-Appeal and Contention with respect to the findings that CyberDet I Devices and uses of CyberDet I Devices did not infringe any of claims 1, 2, 3, 6, 8, 9, 11, 13 or 15 of Australian Patent No. 2010207873 (873 Patent), the findings of the primary judge at J [994]-[1033] should be affirmed on the additional ground that the primary judge erred in failing to find that, for the purposes of claim 1 of the 873 Patent, CyberDet I Devices within the transmission range of the blast control unit, but at different locations (on the same level) or different levels of the mine, are not within “a plurality of such devices at a blast site” within the meaning of claim 1 (J [1013]-[1015]).

---

Filed on behalf of (name & role of party)	Dyno Nobel Asia Pacific Pty Ltd, the Appellant/Cross-Respondent		
Prepared by (name of person/lawyer)	Robert Cooper, Partner		
Law firm (if applicable)	MinterEllison		
Tel	03 8608 2625	Fax	03 8608 1000
Email	robert.cooper@minterellison.com		
<b>Address for service</b> (include state and postcode)	Collins Arch, 447 Collins Street, Melbourne VIC 3000		

---

Date: 2 October 2025

A handwritten signature in blue ink, consisting of a series of connected loops and curves, positioned above a dotted line.

Signed by Robert Cooper  
Lawyer for the Appellant/Cross-Respondent,  
Dyno Nobel Asia Pacific Pty Ltd