

**RP Data Ltd ASX Announcement: OCTOBER 30<sup>th</sup> 2007**  
**FEDERAL COURT DECISION ON RP DATA'S LITIGATION WITH DEPARTMENT OF NATURAL RESOURCES AND MINES (QLD)**

The Federal Court has today delivered judgement in the matter of RP Data Ltd ("ASX: RPX or RP Data") against the Department of Natural Resources, Mines and Water ("DNR").

**Background to litigation**

In December 2004, the DNR proposed removing the names and addresses of property owners from the QVAS data supplied to RP Data and other licensees and, in its place offered the same data to end users itself with restricted access and at an inflated price. The State of Queensland, through the DNR, is the sole provider of QVAS property data to RP Data and other licensees. As outlined in RP Data's prospectus, the Company issued proceedings against the DNR concerning the refusal by the DNR to continue to supply that data as it considered it unfair and in breach of the Trade Practices Act ("TPA").

**Court Decision**

The Court has found that the DNR is carrying on a business in the wholesale market and that the DNR "clearly has a substantial degree of power in the wholesale market and did take advantage of that power". However whilst the Court found that while the DNR did take advantage of its substantial market power, it did not do so for one of the proscribed purposes in section 46 of the TPA. As a result RP Data has been unsuccessful in preventing the DNR from removing names and addresses from the Queensland property data supplied to RP Data and other licensees under the QVAS Licence. This decision means that no licensee in Queensland will receive names and address data in respect of Queensland Real Property, unless paying an additional transaction fee. RP Data continues to believe that this is unfair.

RP Data CEO Graham Mirabito said:

*"The judgement is encouraging in that it clearly shows that government agencies acting outside their charter will be held accountable to the Trade Practices Act. It is however disappointing for RP Data and the industry to have data removed. The consequence of this decision is that the public will be forced to pay significantly more for information that has been readily accessible for many years. In addition as the DNR is the only supplier it will be difficult for the public to conveniently access this vital information. The decision affects not only RP Data but our competitors and all of our customers. We owe it to the industry and our customers to continue to insist that this public data be available to us on the same basis as before. We trust that the Premier and the Minister will intervene in this matter."*

**Appeal**

RP Data is considering an appeal to the Full Court of the Federal Court and expects the DNR to continue to supply the relevant data pending the outcome of that appeal process. RP Data maintains that as a result of this decision, it, other licensees and customers are disadvantaged because the DNR is now a monopoly distributor of the name and address data at a price significantly higher than the price currently offered by RP Data.

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