



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

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Details of Filing

File Number: S58/2022
File Title: RP Data Pty Limited v. Hardingham & Ors
Registry: Sydney
Document filed: Form 27D - Respondent's submissions-Third Respondent's su
Filing party: Respondents
Date filed: 28 Jun 2022

Important Information

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**IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY**

No. S58 of 2022

BETWEEN:

RP DATA PTY LIMITED
Appellant

AND:

JAMES KELLAND HARDINGHAM
First respondent

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REAL ESTATE MARKETING AUSTRALIA PTY LTD
Second respondent

REALESTATE.COM.AU PTY LTD
Third respondent

THIRD RESPONDENT'S SUBMISSIONS

I. CERTIFICATION

1. This submission is in a form suitable for publication on the internet.

II. STATEMENT OF ISSUES

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2. With one clarification, the third respondent (**REA**) generally agrees with the appellant's (**RP Data's**) statement of issues which do not materially differ in substance from those in REA's submissions in REA's appeal (S57 of 2022). The clarification is that the reference to "*implied*" in para (2)(b) dealing with the "*Sublicence Issue*" is understood to be a reference to "*inferred*", consistently with paras 38-39 of RP Data's submissions.

III. SECTION 78B NOTICES

3. No notices under s 78B of the *Judiciary Act 1903* (Cth) are required.

IV. FACTS

4. REA does not contest the brief narrative of facts in RP Data's submissions at paras 5-22 and otherwise relies on the summary of facts in REA's submissions in REA's appeal at paras 8-24.

V. THIRD RESPONDENT'S ARGUMENT

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5. REA incorporates by reference the argument in its submissions in REA's appeal at paras 25-70.

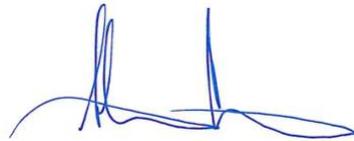
VI. NOTICE OF CONTENTION

6. There is no notice of contention.

VII. ESTIMATE OF TIME REQUIRED

7. No additional time beyond the estimate given in REA's appeal is required for the presentation of REA's oral argument.

Dated: 28 June 2022



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