



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

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Details of Filing

File Number: S57/2022
File Title: Realestate.com.au Pty Ltd v. Hardingham & Ors
Registry: Sydney
Document filed: Form 27B - Appellant's chronology
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Important Information

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IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY

ON APPEAL FROM THE FULL COURT OF THE FEDERAL COURT OF AUSTRALIA

S57/2022

BETWEEN:

REALESTATE.COM.AU PTY LTD
Appellant

and

JAMES KELLAND HARDINGHAM
First respondent

REAL ESTATE MARKETING AUSTRALIA PTY LTD
Second respondent

RP DATA PTY LIMITED
Third respondent

APPELLANT'S CHRONOLOGY

I. CERTIFICATION

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

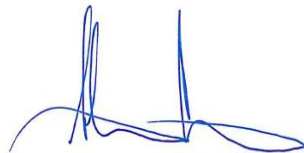
II. CHRONOLOGY

No.	Date	Event	Reference
1	Early 1998	Appellant's (REA) website, www.realestate.com.au (realestate.com.au platform) is launched.	Core Appeal Book (CAB) 9 Primary Judgment (PJ) [3]
2	~ 1999	Third Respondent (RP Data) commences its internet-based website service.	CAB 13, 56 PJ [15] Full Court Judgment (FCJ) [14]
3	~ 2003	realestate.com.au platform begins including historical information and photographs concerning "sold" properties.	CAB 12-13, 25, 55 PJ [14], [61] FCJ [12]

No.	Date	Event	Reference
4	Since at least June 2006	Subscribers to the realestate.com.au platform are required to expressly agree to the terms and conditions governing subscribers' use of the platform.	CAB 11, 54 PJ [11]-[13] FCJ [10]
5	17 November 2009	Second Respondent (REMA) is incorporated and commences business operations. First Respondent (Hardingham), a professional photographer, is the sole director of REMA.	CAB 9, 52 PJ [1] FCJ [4]
6	Since 17 November 2009	REMA began commissioning Hardingham, to take photographs and prepare floor plans of residential properties to be supplied to real estate agents for use in marketing campaigns to sell or lease properties.	CAB 9, 52, 92 PJ [1], [2] FCJ [4], [122]
7	28 January 2014	Hardingham and REMA notify RP Data of allegedly infringing use of their photographs and floor plans.	CAB 15, 54 PJ [18] FCJ [9]
8	9 April 2014	RP Data responds to Hardingham and REMA denying any infringing or unlawful conduct.	CAB 15, 53 PJ [19] FCJ [9]
9	2 September 2014 to 1 May 2018	Hardingham and REMA complete at least twenty transactions taking photographs and preparing floor plans of residential properties, which are uploaded to the realestate.com.au platform by the agents.	CAB 9-10, 53 PJ [3]-[5], [78] FCJ [9]
10	Since at least 2015	realestate.com.au platform begins including the "page for every property" function.	CAB 13, 55 PJ [14](d) FCJ [13]

No.	Date	Event	Reference
11	1 March 2018	Hardingham and REMA send a second letter to RP Data regarding the continued allegedly infringing use of Hardingham's and REMA's photographs and plans of properties.	CAB 16, 96 PJ [20] FCJ [141]
12	26 March 2018	RP Data responds to second letter from Hardingham and REMA, denying infringement and repeating the notification of REA's website terms.	CAB 16, 96 PJ [21] FCJ [141]

Dated: 31 May 2022



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