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PRESS RELEASE

Nov. 20, 2013, 10:00 a.m. EST

## Exergen Sues Helen of Troy Subsidiary Kaz for Patent Infringement

### Vicks and Braun Forehead Thermometers Accused



WATERTOWN, Mass., Nov 20, 2013 (GLOBE NEWSWIRE via COMTEX) -- Exergen Corporation, headquartered in Watertown, MA, has filed a lawsuit in the U.S. District Court of Massachusetts against Kaz

USA, Inc. of Southborough, MA, a subsidiary of Helen of Troy, Ltd of Hamilton, Bermuda, the supplier of the Vicks Forehead Thermometer and Braun Forehead Thermometer, alleging that Kaz USA has infringed United States Patent Nos. 6,292,685 ('685 patent) and 7,787,938 ('938 patent) owned by Exergen. The lawsuit alleges that Defendant Kaz has made and is making, has used and is using, has offered and is offering to sell, and/or has sold and is selling infrared thermometers, the use of which infringes the '938 patent and the '685 patent. Thermometers sold under the name Vicks Forehead Thermometer and Braun Forehead Thermometer have been accused of infringement.

A recognized world leader in medical and industrial non-invasive temperature technologies, Exergen has been developing and patenting its non-invasive thermometer technology for three decades. The company's Founder and President Francesco Pompei, Ph.D, also a Harvard research scientist, is the inventor of more than 60 issued United States patents.

"I began working on heat-sensing technology back in 1980," says Dr. Pompei, "and since then have developed non-invasive temperature sensors that are used in a multitude of applications, from home and professional medical thermometers to heat sensors used by NASA." Dr. Pompei adds, "Filing this Complaint was predicated on the importance of protecting our technology and our company."

Exergen's patented award-winning TemporalScanner temporal artery thermometers are U.S.-made, used in thousands of hospitals and clinics and millions of homes, with retail models being sold in Walmart, Walgreens, Target, Rite Aid, Costco, BJ's, Babies R US and Toys R Us.

Exergen is asking the Court to enjoin the defendant from further infringement of its patents and award damages resulting from the infringement.

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