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Contact
Marybeth Pompei
Vice President and Chief Clinical Scientist
617-923-9900, ext. 6202
mpompei@exergen.com

EXERGEN FILES LAWSUIT TO END FALSE ADVERTISING

Exergen Brings Suit Against American Scientific Resources and Kidz-Med to Address Statements Made About Current and Potential Products

WATERTOWN, MA – March 26, 2010 – Exergen Corporation, a leading provider of industrial and medical non-invasive temperature technology announced that it has filed a lawsuit in the U.S. District Court for the District of Massachusetts against American Scientific Resources, Inc. of Weston, FL, and its wholly owned subsidiary, Kidz-Med, Inc., of New Paltz, NY.

The lawsuit alleges false advertising with respect to claims made about the capabilities and operation of the Kidz-Med Thermofocus thermometer currently offered by Kidz-Med as well as the status of the thermometer referred to as the “Never Touch,” which materials have stated is forthcoming. The parties to this suit are currently part of another litigation in which Exergen has sought relief for patent infringement against defendants including ASR and Kidz-Med. Here, Exergen requests an end to advertising it has identified as in violation of federal law on false advertising, the Lanham Act.

A recognized leader in heat-sensing and thermometer technologies, Exergen has been developing its non-invasive thermometer technology for more than two decades. Exergen Founder and President Francesco Pompei, Ph.D., is a Harvard research scientist, the inventor of more than 60 issued U.S. patents, and an innovator in his field. As part of the distinctive product portfolio developed by Dr. Pompei and his team, the company offers the TemporalScanner™ line of thermometers. The professional model is popular in hospitals and the consumer model, in more than two million homes, is available at major retailers including Wal-Mart, Walgreens, Target, Costco, Sam’s Club, Babies R Us, and Toys R Us.

Dr. Pompei stated, “Exergen understands that we provide medical professionals and consumers cutting-edge devices that they rely on when dealing with the illness of patients and loved ones. Companies in this market have an obligation to be forthcoming about the capabilities and availability of their products.”