

Vicks and Braun Forehead Thermometers Found to Infringe Exergen Patents

By

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Helen of Troy Subsidiary Kaz Found Liable for Damages

WATERTOWN, Mass., Jan 28, 2016 (GLOBE NEWSWIRE via COMTEX) --

A U.S. District Court of Massachusetts jury verdict has found Kaz USA, Inc. of Southborough, MA, a subsidiary of Helen of Troy, Ltd of Hamilton, Bermuda, and the supplier of the Vicks V977 Forehead Thermometer and the Braun FHT1000 Forehead Thermometer, to have infringed United States Patent Nos. 6,292,685 ('685 patent) and 7,787,938 ('938 patent) owned by Exergen Corporation. All 12 claims asserted, including three claims in the '685 patent and nine claims in the '938 patent, were found valid and infringed. The infringing Vicks and Braun forehead thermometers are made in China, designed and manufactured by Microlife Corporation of Taipei, Taiwan, and sold to retailers by Kaz USA.

After a two week trial and four hours of deliberation, the eight person federal jury entered a unanimous verdict for Exergen in all 65 questions placed before the jury regarding direct infringement, induced infringement, contributory infringement, patent validity, and damages owed to Exergen.

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 over 60 issued United States patents.

"I started Exergen in my basement to develop new heat sensing technology in 1980 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," says Dr. Pompei. "We are pleased that the U.S. Patent System and the Federal Courts make it possible for small companies like Exergen to protect our breakthrough patented technology and years of work to gain market acceptance from infringement by much larger companies and those who wished to 'step on Exergen's throat,' as trial testimony indicated."

Exergen's patented award-winning TemporalScanner(TM) temporal artery thermometers are manufactured in Watertown, MA from components and materials sourced worldwide. They are relied upon for fast, accurate, non-invasive temperatures in thousands of hospitals and clinics and millions of homes. With more than 50 published clinical studies attesting to accuracy for all ages and all areas of medical care, the Exergen TemporalScanner is the #1 thermometer in proven accuracy, and the #1 preference of pediatricians, nurses, and moms.

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