



P: 201.843.5600  
F: 201.843.5680  
W: [www.rosica.com](http://www.rosica.com)  
95 Route 17 South, Suite 109  
Paramus, New Jersey 07652  
Contact: Ellyn Small  
E: [ellyn@rosica.com](mailto:ellyn@rosica.com)

## NEWS RELEASE

### EXERGEN SUES KIDZ-MED AND OTHERS OVER THERMOMETER PATENTS

Exergen Corporation, headquartered in Watertown, MA, has filed a lawsuit in the U.S. District Court of Massachusetts against Kidz-Med Inc. of New Paltz, NY, American Scientific Resources, Inc. of Weston, FL, and Techni-Med S.R.L. of Italy, the suppliers of the Thermofocus thermometer, alleging that the defendants have infringed five US patents owned by Exergen. The lawsuit alleges that each of the defendants has “infringed, contributed to the infringement of, and /or actively induced infringement” of each of the five patents.

A recognized world leader in medical and industrial non-invasive temperature technologies, Exergen has been developing and patenting its non-invasive thermometer technology for more than two 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 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 US-made, used in more than 30% of hospitals and more than one million homes, with retail models being sold in Wal-Mart, Walgreens, Costco, Sam’s Club, Babies R US and Toys R Us.

Exergen is asking the Court to preliminarily and permanently enjoin each of the defendants from further infringement of its patents and award damages resulting from the infringement.

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