

DLA Piper LLP (us)
One Liberty Place
1650 Market Street, Suite 4900
Philadelphia, Pennsylvania 19103-7300
www.dlapiper.com

Paul A. Taufer paul.taufer@dlapiper.com T 215.656.3385 F 215.606.3385

YOUR FILE NO. 6814-1 OUR FILE NO. DMC-1-R

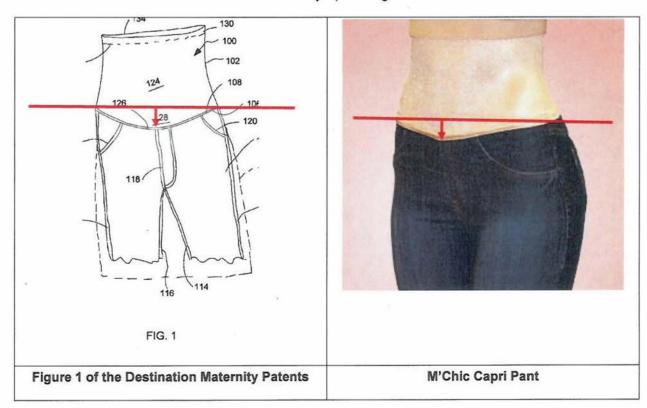
May 19, 2011
VIA E-MAIL AND U.S. MAIL PATENTS@POBOX.COM

Norman E. Lehrer, Esq. Norman E. Lehrer P.C. 1205 North Kings Highway Cherry Hill, NJ 08034-1982

Re: Destination Maternity Corporation - M'Chic LLC

Dear Mr. Lehrer:

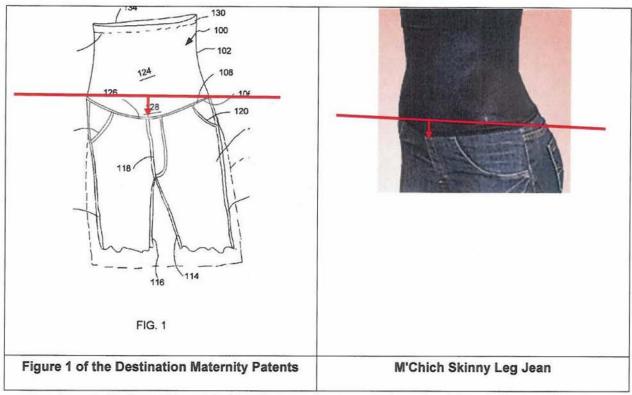
Thank you for your May 17, 2011 letter in which you assert that M'Chic does not infringe because its jeans do not recede downward. Destination Maternity disagrees. M'Chic's jeans recede downward in the same manner as shown in Destination Maternity's patent figures:







Norman E. Lehrer, Esq. May 19, 2011 Page Two



Importantly, the portion of clothing that recedes downward may be either shallow or more pronounced. <u>See</u> U.S. Patent No. 7,814,575 col. 3 lns. 1-2; U.S. Patent No. 7,900,276 col. 3 lns. 7-8. As such, even a small dip is covered by the Destination Maternity patents.

In light of the above information, we request that you provide on or before <u>May 27, 2011</u> a detailed explanation that is sufficient to remove the M'Chic products from the ambit of the claims of the Destination Maternity patents. Destination Maternity seeks assurance that its intellectual property rights are not being infringed.

Very truly yours,

DLA Piper LLAP (US)

Paul A. Taufer

Partner



