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

May 19, 2011  
 VIA E-MAIL AND U.S. MAIL [PATENTS@POBOX.COM](mailto: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:

*Perceived that person's torso in at top of panel*

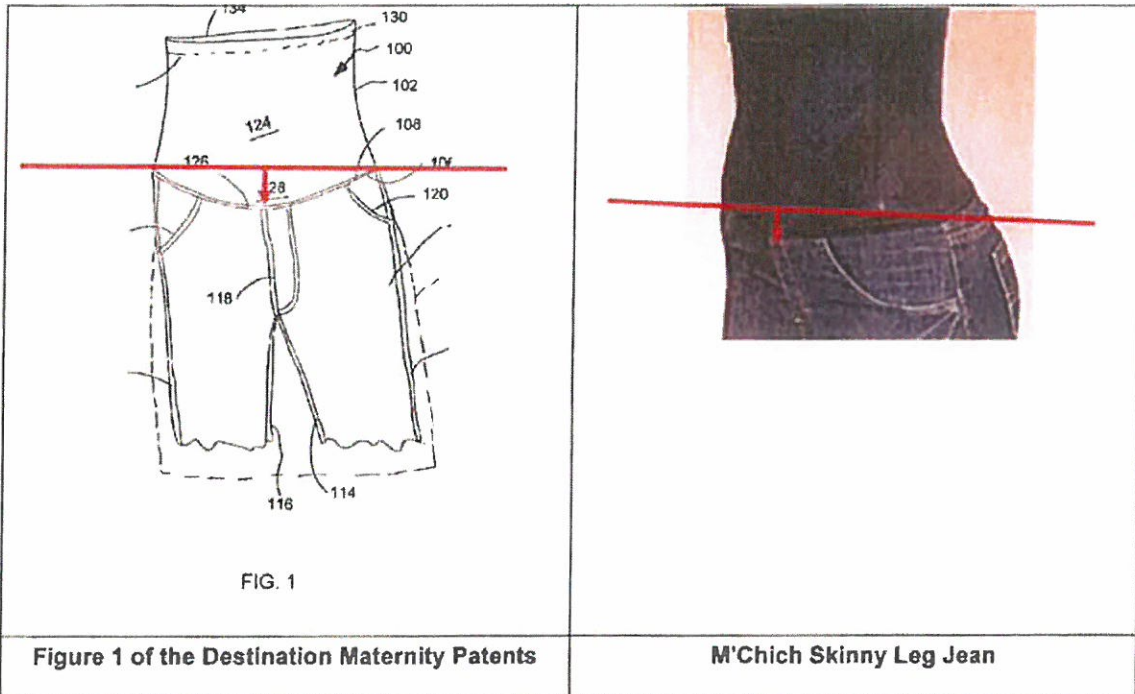
<p>FIG. 1</p>	
<p>Figure 1 of the Destination Maternity Patents</p>	<p>M'Chic Capri Pant</p>

Target Corp.  
 1076

EXHIBIT  
 45-A



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Importantly, the portion of clothing that recedes downward may be either shallow or more pronounced. See U.S. Patent No. 7,814,575 col. 3 Ins. 1-2; U.S. Patent No. 7,900,276 col. 3 Ins. 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 **May 27, 2011** 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 LLP (US)

Paul A. Taufer  
Partner

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