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June 20, 2012

OUR FILE NO. DMC-2-E

VIA E-MAIL AND US MAIL JEKYLE@MONTANA.COM
SUBJECT TO FRE 408

Jean Kyle, Esq.
204 Pinckney Street
P.O. Box 2274
Hamilton, MT 59840-4274

Re: US Patent Nos. 7,814,575 and 7,900,276 assigned to
Destination Maternity Corporation

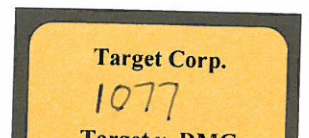
Dear Ms. Kyle:

Thank you for your June 14, 2012 letter. Unfortunately, Destination Maternity Corporation ("DMC") does not agree with your assessment.

As shown on the Suits Your Belly ("SYB") website at <http://suitsyourbelly.com/maternity-wear/maternity-pants/>, the SYB maternity pants include a garment lower portion having a first torso encircling circumference that recedes downward to make way for expansion of the belly panel:



Height of panel
be covered
by '531 and
'563
panel
7/16/14





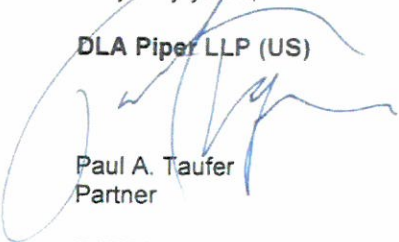
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The alleged constant vertical height of the Zip In Panel™ may, if at all, be pertinent only to dependent Claim 16 of US Patent No. 7,900,276. The other points you mentioned as to the differences between SYB products and DMC products are irrelevant to the claims.

This letter is being sent without prejudice, and DMC hereby expressly reserves all rights, legal, equitable or otherwise, including the right to initiation legal action without further notice.

Very truly yours,

DLA Piper LLP (US)



Paul A. Taufer
Partner

PAT:MLB

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