

**CHRISTIE, PARKER & HALE PREVAILS IN LAWSUIT CHARGING
INFRINGEMENT OF PATENT FOR BREAST NIPPLE COVER;
LAW FIRM OBTAINS SUMMARY JUDGMENT**

U.S. District Court Judge Also Finds Patent Invalid

LOS ANGELES, Calif. (Aug. 21, 2008)—A United States Magistrate Judge has ruled that eight major retailers and apparel manufacturers did not infringe on a patent designed to conceal a woman's nipples under sheer clothing.

The prevailing defendants are Victoria's Secret Stores, LLC; Nordstrom, Inc.; The Neiman Marcus Group, Inc.; Gap, Inc.; Federated Department Stores, Inc.; Dillard's, Inc.; Bragel International, Inc. and Ce Soir Lingerie Co., Inc. The eight defendants were represented by Christie, Parker & Hale, LLP, a Southern California intellectual property law firm.

Judge John D. Love of the United States District Court for the Eastern District of Texas granted summary judgment dismissing a lawsuit by Randi Black, owner of a patent that teaches a method to cover a nipple. Judge Love found the patent to be invalid because it was an obvious combination of teachings from prior patents.

The accused product was the highly successful NuBra®, which is produced by Bragel International and sold by major retailers including co-defendants Victoria's Secret, Nordstrom's, Neiman Marcus, Macy's and Dillard's. Black attempted to show that her patent was novel based on the commercial success of the NuBra. However, in his ruling, the judge found the arguments presented by Black to be "unpersuasive" because she was unable to show that the success of the NuBra and its ability to enhance the cleavage of the wearer of the product was due to the features of Black's patent.

"Our clients are heartened by the rulings of Judge Love. This was a frivolous lawsuit which never should have been brought," said Ed Schwartz, the Christie, Parker & Hale litigation partner who led the defense team. "The decision clears the way for Bragel to pursue recovery of legal fees in this case, which has been hard fought since 2006."

About Christie, Parker & Hale

Christie, Parker & Hale is a leading intellectual property law firm operating at the intersection of science, technology, and the law. Engaged exclusively in all aspects of intellectual property law, most of the firm's attorneys hold degrees in engineering or the sciences, bringing added value and perspective to client service. Drawing on a 54-year heritage, the firm continues to propel innovation and stimulate business growth by protecting its clients' most valuable assets—intellectual property.

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