

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

AIRIGAN SOLUTIONS, LLC,

Plaintiff,

v.

ABAGAIL, *et al.*,

Defendants.

Civil Action No.

19-cv-503

(Judge Fischer)

FILED UNDER SEAL

**DECLARATION OF STANLEY D. FERENCE III IN SUPPORT OF PLAINTIFF'S
EX PARTE MOTION TO AMEND TEMPORARY RESTRAINING ORDER**

I, STANLEY D. FERENCE III, hereby declare as follows:

1. I am an attorney with the law firm of Ference & Associates LLC (“the Ference Firm”), located at 409 Broad Street, Pittsburgh, Pennsylvania 15143 and represent Plaintiff Airigan Solutions, LLC (“Airigan Solutions”) in the above-referenced action.

2. I make and submit this declaration in support of Plaintiff’s *ex parte* Motion to Amend Temporary Restraining Order. I previously submitted a Declaration May 2, 2019, and hereby incorporate same as if fully set forth herein.

2. My firm purchased egg peelers or viewed online listings offering to sell egg peelers as reflected in the attachments to the May 28, 2019, Declaration of Amy Cline as **Composite Exhibit 2**.

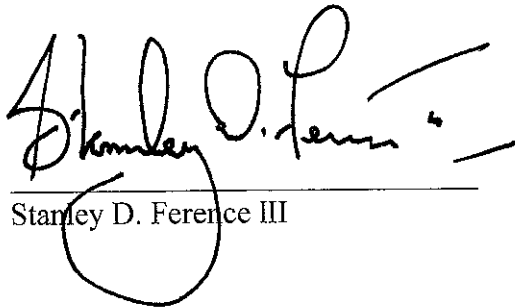
3. I have inspected either the egg peeler products ordered from sellers on Amazon or the online listings as attached to **Composite Exhibit 2**. Each of these products is nearly an identical copy of Plaintiff’s NEGG[®] egg peeler. For the products I physically inspected, the

packaging for each product indicated the product was made in China. Based on my review of the products, there appears to be several variants of the product packaging. The products, however, appear to be identical. The only differences between the genuine NEGG[®] product itself and the counterfeit products ordered from Amazon are the absence of “The NEGG” on the product’s caps and the absence of “Patent Pending” and “neggmaker.com” on the body of the product.

4. Given the that the products ordered or the online listings attached to **Composite Exhibit 2** are nearly identical to the genuine NEGG[®] product itself, the conclusions set forth in the representative claim chart I prepared for Claim 1 of the ‘211 patent attached to my previous Declaration is also applicable to the products ordered from sellers on Amazon or the online listings as attached to **Composite Exhibit 2**.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Pittsburgh, Pennsylvania
May 28, 2019



Stanley D. Ference III