

Exhibit A

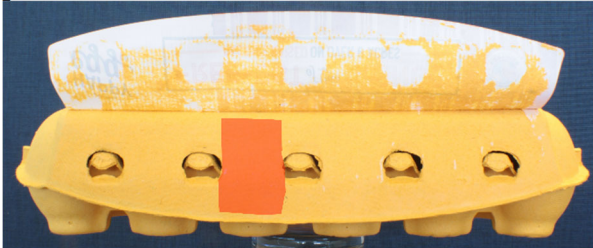
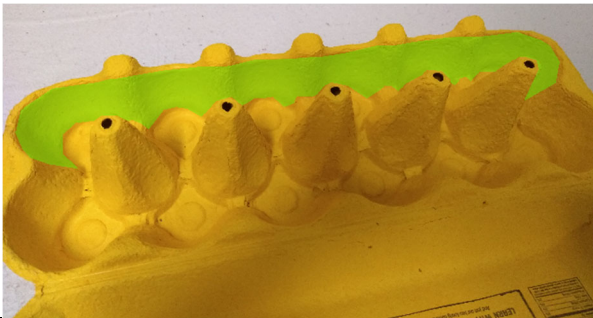
Defendants' Infringement of U.S. Patent No. 10,287,070

Claim 1	Accused Products
A container comprising an inside,	Defendants' (1) products utilizing the imagic²® line of egg cartons, including, but not limited to, the Happy Egg Co Organic Free-Range Large Brown Eggs 12 Count, Happy Egg Free Range Blue & Brown Heritage Breed Eggs Large 12 Count, Happy Egg Organic Free Range Eggs 6 Count, Happy Egg Free Range Eggs 12 Count, and Happy Egg Vitamin Plus Free Range Eggs 12 Count; (2) imagic²® line of egg cartons; and (3) other egg carton products with different names and/or model numbers but with the same or substantially the same designs, features, and functionalities as the aforementioned products (collectively, the "Accused Products") have an inside. 
a lid and a base moveable with respect to each other between, an open position and, a closed position,	The Accused Products have a lid (orange) and a base (green) movable between an open position and a closed position. 

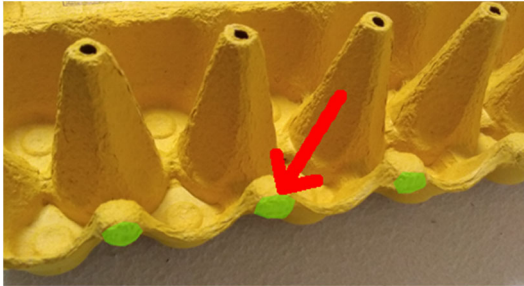
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	<i>Accused Products Almost Closed</i> 
the closed position at least substantially enclosing the inside;	<i>Accused Products Open</i> In the closed position, the inside of the containers are substantially enclosed. 
the lid comprising; a lid shape suitable for at least partially enclosing the inside of the container when the container is in the closed position and,	The lid of the Accused Products has a shape that at least partially encloses the inside of the containers when the containers are closed. 
at least one first surface portion;	The lid of the Accused Products has a first surface (orange) with several portions. 

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	In the Accused Products, the portion of the lid between the latch holes is the “first surface portion.” 
the base comprising: an internal cavity having an opening suitable for receipt of contents into the internal cavity;	The Accused Products have a dozen internal cavities with openings (pink) suitable for receiving eggs into the cavities. 
at least one sidewall comprising an internal surface with respect to the internal cavity;	The base of the Accused Products includes a sidewall (green) that acts as internal surfaces for the cavities. 
wherein, when the container is in the open position and the lid is removed from the base, the base further comprises, a maximum potential internal base volume defined within inner extremities of the base and at least partially defined by one of, - the internal surface of the at least one sidewall, the opening and - the internal cavity;	When the containers are open, the base has a maximum internal volume of approximately 600 mL as defined by the sidewall, the opening, and the twelve cavities of the base.

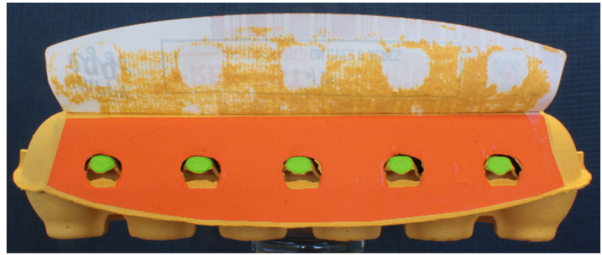
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	 <i>Accused Products Filled with Rice</i>  <i>Rice from Accused Products in Measuring Cup</i>
at least one flange portion extended from the base,	The Accused Products include multiple flanges (green) that extend from the base. 
a flange portion comprising a second surface portion wherein the second surface portion comprises a continuation of the internal surface of the at least one sidewall;	The flanges include surface portions (green) that are continuations of the internal sidewall. The surface portion highlighted with the red arrow is the "second surface portion." 
wherein, when the container is in the closed position, the lid is disposed at least partially beyond the opening of the internal cavity of	In the closed position, the lid has a portion (reddish orange) that is disposed outward and beyond the internal cavity of the base (green).

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the base in a generally outward direction with respect to the internal cavity	
wherein the lid is suitable to contain at least some of any contents which may extend outwardly from the internal cavity and at least partially beyond the opening to an area outside of the maximum potential internal base volume and,	In the Accused Products, the eggs extend outwardly of the internal cavity and beyond the opening of the internal cavity. 
wherein, the container comprises a total internal volume,	The containers have a total internal volume based on the volume of the lid and the volume of the base. 
the total internal volume being at least partially defined within the inside of the container in the closed position by a substantially internal facing surface of the lid,	The lid of containers has an internal surface (reddish orange) that at least partially defines the total internal volume of the containers.

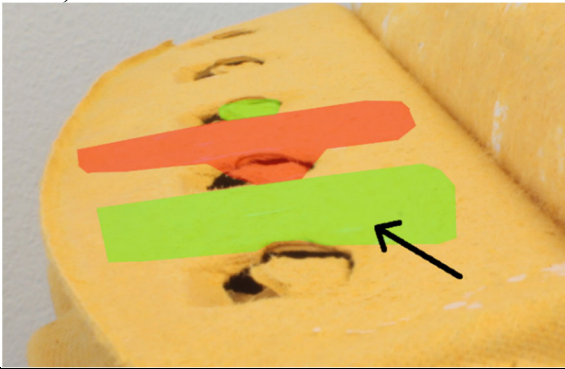
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the total internal volume being no less in volume than the maximum potential internal base volume alone;	The total internal volume is approximately the volume of the base (600 mL), plus the volume of the lid defined by the internal surface (reddish orange), minus the volume of the five base supports that extend into the volume of the lid. The total internal volume is greater than 600 mL. 
wherein each first surface portion and each second surface portion of the container in the closed position are disposed at least substantially external with respect to the total internal volume and wherein,	The first surface (reddish orange) and the second surface portions (green) are both external to the total internal volume of the Accused Products. 
in the closed position, the at least one first surface portion and at least one second surface portion are disposed at least substantially coplanar with respect to each other and	In the closed position, the first surface portion (reddish orange) and second surface portion (green) are disposed in a planar arrangement.

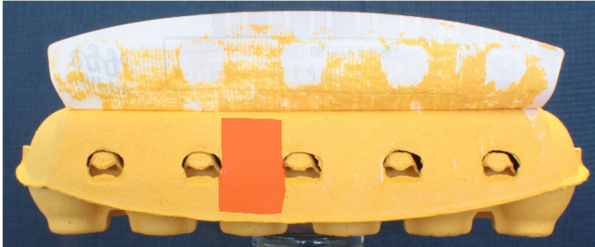
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wherein, together, comprise a surface configuration suitable to be overlayed by a membrane layer wherein,	Together, the first and second surfaces comprise a surface configuration (reddish orange) that is suitable to be overlaid with a membrane.  Together, the configuration is suitable to be overlaid by an advertising label. 
the membrane layer continues beyond the surface configuration in two substantially opposite directions to further overlay two immediately adjacent areas with respect to the surface configuration wherein,	The membrane continues beyond the surface configuration (reddish orange) in opposite directions to overlay two immediately adjacent areas (green). 

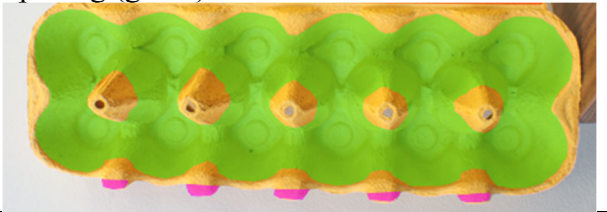
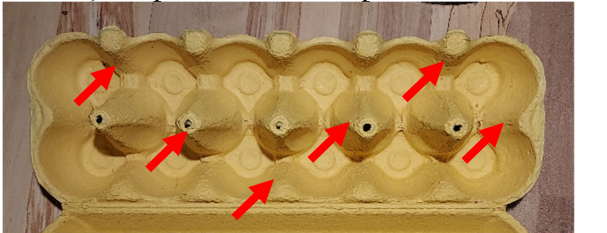
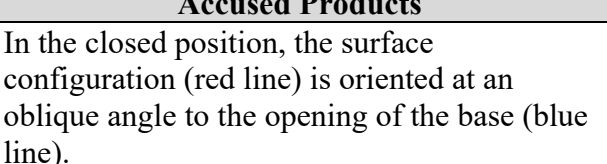
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one of the two immediately adjacent areas is disposed on the at least one flange and	One of the immediately adjacent areas is disposed on one of the flanges (black arrow). 
the other of the two immediately adjacent areas is disposed on the lid and	The other immediately adjacent area (black arrow) is located on the lid. 
wherein, while overlaying the surface configuration and the two immediately adjacent areas, the membrane layer at least substantially contours to the underlying outer shape of the container and is substantially flat.	The two immediately adjacent areas (green) and the surface configuration (reddish orange) are overlaid by the advertising label, which is the outer shape of the containers, and is flat in those areas. 
Claim 2	Accused Products
The container of claim 1 wherein the lid is comprised of a material comprising two opposing sides with respect to each other,	The lid of the containers is made of pulp/paper or the like, and has an internal side and an external side.

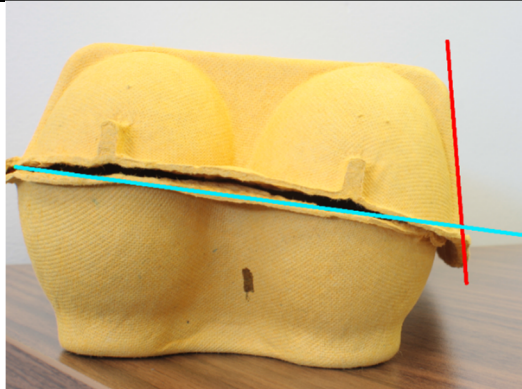
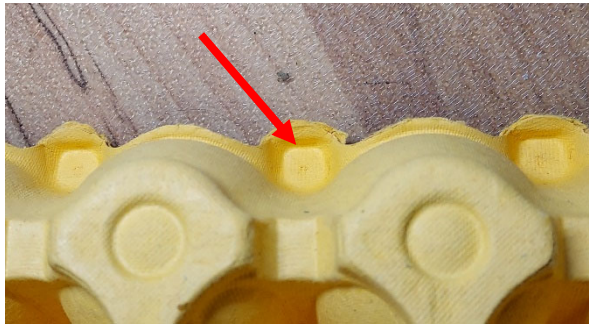
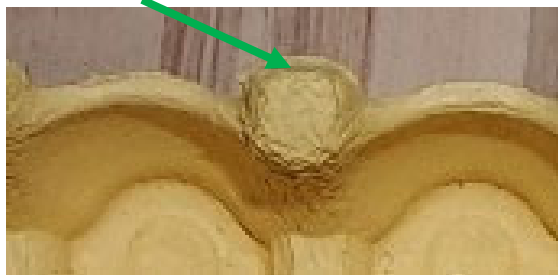
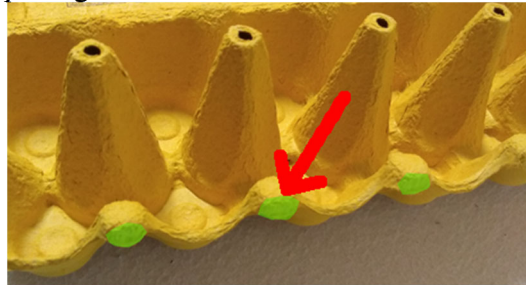
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	 <i>Exterior Side</i>  <i>Interior Side</i>
each opposing side comprising a generally continuous surface	The interior and exterior sides of the lid are generally continuous.  
wherein, the at least one first surface portion is disposed on the generally continuous surface of one of the two opposing sides and,	The first surface portion is located on the exterior side of the lid. 
wherein, the substantially internal facing surface of the lid is disposed on the generally continuous surface of the other opposing side.	The lid of the containers has an internal surface (reddish orange) that is on the opposite side of the lid.

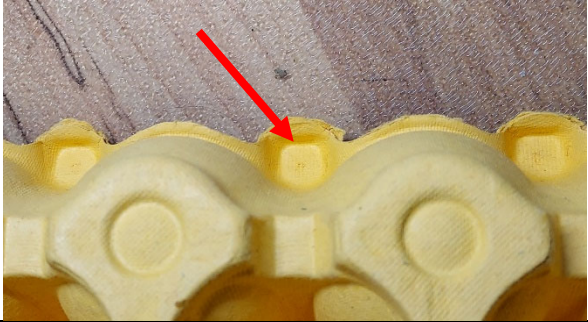
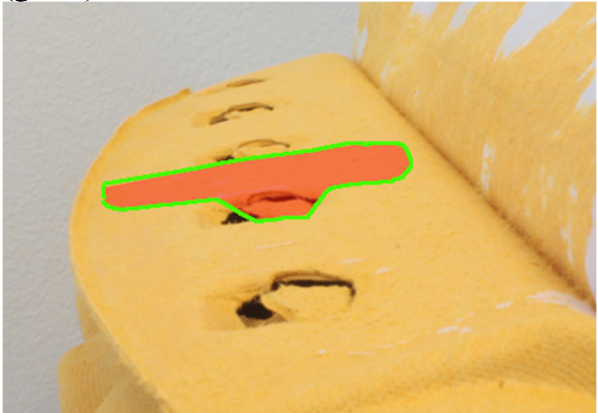
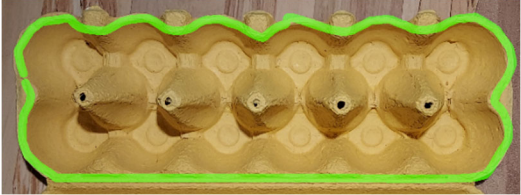
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Claim 3	Accused Products
The container of claim 2 wherein, each second surface portion is substantially outside of the largest inner perimeter of the opening of the base.	The second surface portions (purple) are located beyond the outer perimeter of the base opening (green). 
Claim 5	Accused Products
The container of claim 2 comprising at least one of, a rib, a depression and a recess.	The base includes a plurality of ribs (red arrows) adapted to hold the product. 
Claim 8	Accused Products
The container of claim 2 wherein, the at least one first surface portion and at least one second surface portion are orientated so that the surface configuration is disposed at least substantially on a side of the container in the closed position when in use.	In the closed position, the first surface portion (red) and the second surface portion (green) are on the side of the containers. 
Claim 9	Accused Products
The container of claim 2 wherein in the closed position, the surface configuration is disposed at an oblique angle to the opening of the base.	In the closed position, the surface configuration (red line) is oriented at an oblique angle to the opening of the base (blue line). 

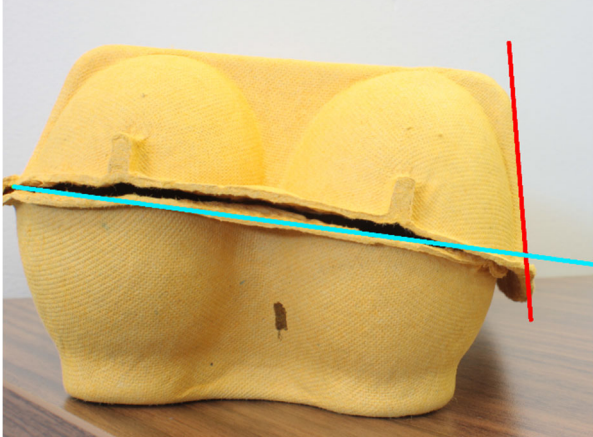
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Claim 11	Accused Products
The container of claim 2 wherein, in the closed position, the at least one flange is comprised of a material comprising two opposing sides with respect to each other,	The flange is comprised of a material with a first side (red arrow) and an opposing second side (green arrow).
	 
each opposing side comprising a generally continuous surface wherein,	Each of the two opposing sides have generally continuous surfaces.
at least one second surface portion is disposed on the generally continuous surface of one of the two opposing sides and,	The second surface portion (green) is disposed on the second surface of the opposing sides.
	

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wherein, the generally continuous surface of the other opposing side is disposed at least substantially external with respect to the internal cavity.	The first of the opposing sides (red arrow) has a continuous surface that is outside of the internal cavity. 
Claim 16	Accused Products
The container of claim 1 wherein the surface configuration comprises a circumferential dimension	The containers have a surface configuration (red) with a circumferential dimension (green). 
[the circumferential dimension] which is substantially less than each of, the largest internal perimeter of the opening of the base and the outermost boundary of the lid.	The circumferential dimension of the surface configuration is substantially less than the largest internal perimeter (green) of the base opening.  The circumferential dimension of the surface configuration is substantially less than the outermost boundary (green) of the lid. 

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Claim 17	Accused Products
The container of claim 1 wherein in the closed position, the surface configuration is at least partially disposed at an oblique angle to the opening of the base.	In the closed configuration, the surface configuration (red line) is oriented at an oblique angle to the opening of the base (blue line). 
Claim 18	Accused Products
The container of claim 1 further comprising means for mechanically attaching the lid to the base.	“Means for mechanically attaching” is governed by 35 U.S.C. 112(f). The ‘070 patent states: Thermoformed containers suitable for holding fresh food or produce are in common use. Traditionally, these have consisted of a base with a lid, the lid being hinged to the base or separate therefrom. (‘070 patent at 1:30-33) *** The specification of this patent discloses a container having a lid provided in two parts, each part being hinged to the base. (‘070 patent at 1:50-52) *** The lid may be hinged or otherwise attached to the base in any suitable manner. (‘070 patent at 2:43-44) ***

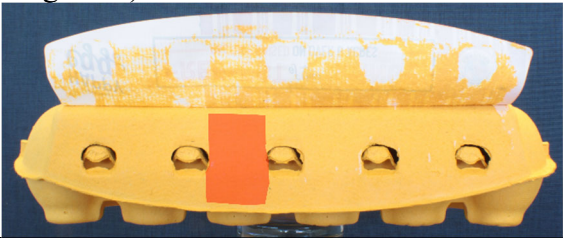
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	the first embodiment of the container of the invention, designated generally as 10, has a base 12 and a lid 14, hinged to base 12 at hinge 16. ('070 patent at 4:66-5:1) The lid of the Accused Products is mechanically attached to the base via an integrally formed hinge (red arrow). 
Claim 19	Accused Products
The container of claim 1 further comprising the membrane layer.	The containers include an advertising label/membrane. 
Claim 20	Accused Products
The container of claim 19 wherein, in the closed position, the overall size of the surface configuration together with the two immediately adjacent areas is, in combination, substantially less in area than the membrane layer.	The advertising label of the Accused Products is substantially larger than the surface configuration and immediately adjacent areas. 

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Claim 21	Accused Products
The container of claim 19 wherein, in the closed position, the membrane layer is affixed to at least one part of the surface configuration.	The advertising label of the Accused Products is affixed to the surface configuration. 
Claim 22	Accused Products
The container of claim 19 wherein, the membrane layer creates a seal between the lid and the base of the container in the closed position by affixing to at least both, the at least one first surface portion and, at least one second surface portion.	The back of the membrane includes lines of adhesive that affix to both the first surface portion of the lid, and – when in the closed position – the second surface portion of the flange. 
Claim 23	Accused Products
The container of claim 22 wherein, when the lid is moved from the closed position to the open position, the seal is ruptured and, at least a portion of the membrane layer remains affixed to the lid.	When the containers are moved from the closed position to the open position, the seal between the membrane and the second surface portion is ruptured and the membrane remains affixed to the lid. 

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Claim 24	Accused Products
The container of claim 1 wherein the at least one first surface portion is adjacent to at least one locating hole on the lid.	The lid of the containers includes holes (red arrows).  At least some of the holes are located adjacent to the first surface portion (reddish orange box). 
Claim 25	Accused Products
The container of claim 24 wherein, in the closed position, the at least one locating hole at least partially locates with at least one second surface portion to comprise the surface configuration.	In the closed configuration, the second surface portion of the latch is located within the hole of the lid. 