

HULTQUIST

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November 17, 2017

Priscilla F. Gallagher, Esq.
McAndrews Held & Malloy Ltd.
500 West Madison Street, 34th Floor
Chicago, IL 60661

VIA
FEDEX DELIVERY AND EMAIL:
pgallagher@mcandrews-ip.com

Re: ZoomEssence, Inc. Proprietary Rights, Including U.S. Patents 8,939,388, 9,332,776, and 9,551,527 of ZoomEssence, Inc., and October 14, 2011 Mutual Nondisclosure Agreement Between ZoomEssence, Inc. and FONA International Inc.

Dear Ms. Gallagher:

This acknowledges your August 14, 2017 correspondence responding to my July 6, 2017 letter bringing to FONA's attention ZoomEssence Inc.'s issued U.S. Patents 8,939,388, 9,332,776, and 9,551,527, and addressing FONA's obligations under its October 14, 2011 Mutual Nondisclosure Agreement with ZoomEssence.

ZoomEssence continues to disagree with your assertions that FONA's current and prospective activities do not conflict with the ZoomEssence patents. Accordingly, to the extent that spray dried powder or spray dried fiber products manufactured, used and/or sold by FONA meet the limitations specified in the claims of the '776 patent, such products are infringing and ZoomEssence demands that FONA immediately terminate all related infringing activity. Furthermore, your attempts to raise issues of validity or enforceability of the claims issued in the '776 patent indicate to us that FONA is itself troubled by its infringing activity. We have thoroughly reviewed the references enclosed with your letter, but they do not raise any issues of validity or enforceability of the claims issued in the '776 patent.

ZoomEssence also notes that FONA's International Patent Application PCT/US2016/015136 embodies an extraordinarily close relationship to ZoomEssence's patent position, as recognized in PCT proceedings holding claims of FONA's PCT application to lack novelty and inventive character over ZoomEssence U.S. Patent 8,939,388, and the fact that FONA fails to address that issue speaks volumes.

ZoomEssence is committed to enforcement of its proprietary rights, and will actively pursue litigation to abate any infringement of ZoomEssence patent rights, and seek enhanced damages to compensate any willful patent infringement.

Be governed accordingly *

Sincerely,
HULTQUIST IP

Steven J. Hultquist
Patent Counsel to ZoomEssence, Inc.

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