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| To: | Mail Stop 8<br>Director of the U.S. Patent and Trademark Office<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | <b>REPORT ON THE<br/>                 FILING OR DETERMINATION OF AN<br/>                 ACTION REGARDING A PATENT OR<br/>                 TRADEMARK</b> |
|-----|---|--|

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Southern District of California on the following: Patents or X Trademarks:

|                                |                                |   |
|--------------------------------|--------------------------------|---|
| <b>DOCKET NO.</b>              | <b>DATE FILED</b>              | US District Court Southern District of California |
| 3:08-cv-01477-WQH-JMA          | 8/13/08                        | Sau Diego, CA                                     |
| <b>PLAINTIFF</b>               |                                | <b>DEFENDANT</b>                                  |
| GoSmile, Inc.                  |                                | CVS Caremark Corporation                          |
| <b>PATENT OR TRADEMARK NO.</b> | <b>PATENT OR TRADEMARK NO.</b> | <b>PATENT OR TRADEMARK NO.</b>                    |
| 1. 3,461,582                   | 6.                             | 11.   |
| 2. 3,414,828                   | 7.                             | 12.   |
| 3. 3,389,326                   | 8.                             | 13.   |
| 4. 3,218,390                   | 9.                             | 14.   |
| 5. 3,230,142                   | 10.                            | 15.   |

In the above entitled case, the following patents (by number) are included:

|                                |  |                                |
|--------------------------------|--|--------------------------------|
| <b>DATE INCLUDED</b>           | <b>INCLUDED BY</b>   |                                |
|                                | Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading <input type="checkbox"/> |                                |
| <b>PATENT OR TRADEMARK NO.</b> | <b>PATENT OR TRADEMARK NO.</b>   | <b>PATENT OR TRADEMARK NO.</b> |
| 1.                             | 6.   | 11.                            |
| 2.                             | 7.   | 12.                            |
| 3.                             | 8.   | 13.                            |
| 4.                             | 9.   | 14.                            |
| 5.                             | 10.  | 15.                            |

In the above entitled case, the following decision has been rendered or judgment issued:

|                   |
|-------------------|
| DECISION/JUDGMENT |
|-------------------|

|                        |                   |      |
|------------------------|-------------------|------|
| CLERK                  | (BY) DEPUTY CLERK | DATE |
| W. Samuel Hamrick, Jr. |                   |      |