

## **Fluoroprobe® Patent Information**

The **Fluoroprobe®** is a patented device (**Patent # 5,030,420**). Currently there are other manufacturers claiming optical, luminescent or fluorescent measurement of dissolved oxygen through advertising in trade journals, sales representatives, distributors, internet websites, trade shows and other types of marketing media. These manufacturers are also claiming that they are not in violation of the Fluoroprobe® patent. It is apparent that this technology was developed and patented on July 9, 1991 by the University of Virginia, basically being the only new method of measuring dissolved oxygen in the last 50 years. With the advice of Dr. John Roger Bacon, one of the patent authors, our officers through Continental Electronics obtained the patent rights from the University of Virginia. The initial patent was accomplished utilizing a two million-dollar laser. Obviously this price initially took the technology out of the commercial market place. After obtaining rights to the patent and with the advent of the blue L.E.D., our engineer and scientist, Mr. James Queen, along with the assistance of Dr. Bacon, were able to perfect the device and make it commercially viable. Fluoroprobe® engineers and officers have spent the last 7 years and an enormous amount of money and effort working through various problems that arose earlier with the technology and have gained the experience to offer a well proven, very accurate and reliable instrument. **The Fluoroprobe® FL-3 five-year sensor warranty** should speak well of the engineer's confidence in the **Fluoroprobe®**. The new **FL-3-H** handheld instrument will give the same consistency and reliability as our online controller.

Some of the manufacturers that are now claiming this new technology with such terms as "breakthrough", "unique", "next generation technology", "first ever", are subject to non-disclosure agreements that were signed by their officers or representatives of their officers. Others are also possibly subject to patent litigation through the new ruling regarding the "doctrine of equivalents"(FESTO vs. SMC). All that one needs to ask is if the product offered by these manufacturers is patented. Of course, these devices will not be patented because of "prior art", the Fluoroprobe®.

Fluoroprobe® legal counsel is in the process of preparing to defend our patent rights and non-disclosure agreements. This has been a lengthy process involving tracking down installations, advertising, trade journals, slanderous statements, independent test firms and other ways in which our company has been damaged. We will provide an opportunity for these "apparent" patent violators, their representatives and distributors to reach an agreement with us. If this is not accomplished we will proceed with the next course of action. Please note that if you (the end user) purchase devices manufactured by firms making the claims listed above other than the **Fluoroprobe®**, not only will your equipment be obsolete, you may also be subject to licensing fees and other charges should patent litigation go in our favor. If you have further questions please contact:

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