

From: Maria Schwartz
To: Seung Lee
Date: Mon, Aug 14, 2000 9:18 AM
Subject: Re: Fwd: LitePro

Seung,

I spoke with John last Thursday. I believe the LitePro made a compelling argument as to why these are not frivolous items. Although an individual may have access to a plug-in flash light when in his/her home, the necessity to find a flashlight under other, perhaps even more threatening scenarios than loss of electricity, exists. In my opinion, although the cost may come down over time, this is still a "specialty" type item, and not something that parents are going to buy to give their kids to go out and play games with at night. More like, "Don't take that out of our camping equipment, we may need it in an emergency. That is why we bought it." As to getting it off the shelf, the fact that a life-saving device is publicly available is not the issue. That issue is addressed by whether the design is adequate. I do believe that these items will be available over the internet to persons here in the USA and that people will purchase them for very specific activities, like camping, caving, scuba diving, boating, and it would be good to ensure that we are on board with the specs of the design. In addition, I think that the use of these items, from the presentation made by LitePro, has more life-saving qualities than a watch or a gun gauge (both of which can be purchased off the shelf and at least in the case of the watch, perhaps specifically for use by a child as LitePro pointed out) using tritium which is always on someone's wrist. I think that LitePro would have a palpable legal argument to make if we deny the application. I will speak with my management and get back to you.

Maria

CC: John Hickey, Stuart Treby

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