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August 26, 1981

Mr. Bruce Del Mar, President  
Del Mar Avionics  
1601 Alton Avenue  
Irvine, California 92714

Re: Charge of Infringement against ICR

Dear Bruce:

Enclosed is a copy of a letter from general counsel for ICR responding to my earlier letter of July 22nd.

As I read the response, ICR seems to construe the Thornton claims as requiring that the measurement of PQ and ST be within the same heart beat complex. This leads me to believe that they are following an approach which might be similar to what Quinton is following in its digital equipment, that is, digitizing several beats, identifying the R-waves in the first beat to obtain the PQ from that beat, and using that value to measure the ST in the second beat. This process is repeated between the second and third beats and the third and the fourth, etc.

In my view, the fact remains that the R-wave is being used to find the PQ and that value in turn is being used to measure ST. I also believe that there probably is some zero base line adjustment being made, for example, by using the PQ value and subtracting that from each of the digital values so that all digital values are adjusted to a zero reference line. By this mechanism, base line shift is eliminated in the analysis of the data and the result, it seems to me, is that the value of ST in the second beat would tend to be accurate since all beats are adjusted to a zero base line. I propose to prepare a response to this letter outlining where I believe the errors are. More specifically, there are some claims that do not require that the measurements be taken within one beat. Further, I do not agree that the claims mentioned in the letter are as limited as the author of that letter would seem to suggest. It is a fact that the QRS is preceded by a reference portion and followed by an ST in each beat.

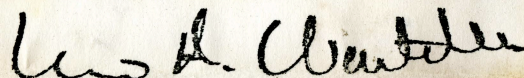


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Mr. Bruce Del Mar  
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Page two

I think once you have seen my response all of this will become clearer. I will also be submitting to you a report of the other companies that have been notified and where we stand with them.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Mario A. Martella". The signature is fluid and cursive, with the first name "Mario" being more prominent.

Mario A. Martella

MAM:fej  
encl.