EXHIBIT C

GOODWIN | PROCTER

Thomas F. Fitzpatrick
650.752.3144
TFitzpatrick@
goodwinprocter.com

Goodwin Procter LLP
Counselors at Law
135 Commonwealth Drive
Menlo Park, CA 94025
T: 650.752.3100
F: 650.853.1038

May 1, 2008

VIA EMAIL

Anne-Leith Matlock
Matlock Law Group, PC
1485 Treat Blvd.
Suite 200
Walnut Creek, CA 94597

Re: ***Tonytail Company, Inc. v. Conair, et al.***
United States District Court, Northern District of California;
Case No. 07-5895
Our File No. 123589-179439

Dear Ms. Matlock:

In your letter and proposal dated April 24th, you stated Tonytail's position that "the only claims in issue" with respect to the '884 patent, "are claims 4 and 5."

We will rely on your representation that claims 4 and 5 are the only claims of the '884 in issue and understand that Tonytail will not later assert the remaining claims of the '884 against our clients. With that understanding we will agree to so confine our proposed terms for claim construction regarding the '884.

Please let us know immediately if the above does not reflect the agreement you proposed.

Sincerely,

Thomas F. Fitzpatrick

TFF/rrn