Respectfully submitted,

ENERGIZER HOLDINGS, INC., SCHICK MANUFACTURING, INC., EVEREADY BATTERY COMPANY, INC., and ENERGIZER BATTERY, INC.

By their Attorneys,

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July __, 2004

REQUEST FOR ORAL ARGUMENT
PURSUANT TO LOCAL RULE 7.1(D)

Defendants hereby request an opportunity to present oral argument in support of their motion. They believe that doing so will assist the Court in better understanding the claim limitation(s) at issue and why plaintiff's allegations are baseless and deserving of sanctions.

Jason C. Kravitz

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Counsel for defendants hereby certifies that it has attempted in good faith to resolve or narrow the issues presented in this motion but has been unable to do so. Specifically, defendants' counsel sent plaintiff's counsel a letter requesting that they voluntarily withdraw all claims relating to the '595 Patent. Plaintiff's counsel refused to do so.

Jason C. Kravitz

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of July, 2004, I served a copy of the within document by hand upon:

Levina Wong
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One International Place
Boston, MA 02110-2624

Jason C. Kravitz