

APPENDIX 3
PTX 503

From: Miles-Losapio, Jennifer
Sent: Tuesday, August 07, 2012 8:02 PM
To: Joe Gaeta; rusty@bmww.com
Subject: Max Axess Locking Wrench Packaging Artwork
Attachments: 2012-08-07_15-31-32_219.jpg; 2012-08-07_15-31-39_681.jpg

Hello,

The client is looking to make another change to the Max Axess Locking Wrench Product Packaging Artwork. The goal is to have the artwork have more "sizzle" similar to the Bionic Wrench artwork (see attached).

At the moment our lab team is working on testing some claims we can make. In the interim, I would like your team to work on the following:

1. Adding a try me arrow to the front of the package
2. Including a graphic on the back that can convey the information below. I am thinking something like the graphic LoggerHead uses on their product today (see image below) but better. And then perhaps on the front we just include copy that states "Replaces 16 Wrenches / Replaces 14 Wrenches" or something to that effect.

May I please see something by end of day tomorrow?

The 6" Max Axess AW works on 1/4" to 9/16" and 7mm to 14mm. We can say it replaces wrenches for the following sizes:

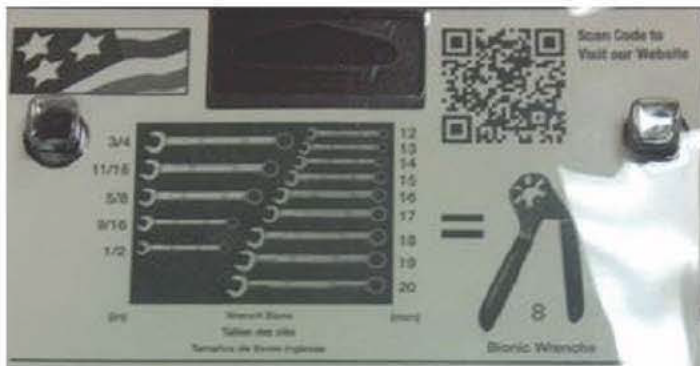
1/4", 9/32", 5/16", 11/32", 3/8", 7/16", 1/2", and 9/16"
7mm, 8mm, 9mm, 10mm, 11mm, 12mm, 13mm, 14mm

So for 6" that is **16 wrench sizes**. This doesn't count 17/64", 19/64", 13/32", or 17/32" sizes which are within that range but not common wrench sizes.

The 8" Max Axess AW works on 1/2" to 3/4" and 12mm to 20mm. We can say it replaces wrenches for the following sizes:

1/2", 9/16", 5/8", 11/16", 3/4"
12mm, 13mm, 14mm, 15mm, 16mm, 17mm, 18mm, 19mm, 20mm

So for 8" that is **14 wrench sizes**. This doesn't count 17/32", 19/32", or 21/32" sizes which are within that range but not common wrench sizes.



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LoggerHead Tools, LLC v.
Apex Tool Group, LLC and
Sears Holding Corporation
Case No. 1:12-cv-9033

PTX503

Jill Lowe
Exhibit_47

10/29/15

Jennifer Miles-Losapio
Apex Tool Group
14600 York Road, Suite A
Sparks, MD 21152
(O) 410-773-7944
(M) 410-499-0618
Jennifer.MilesLosapio@ApexToolGroup.com