IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RELAY IP, INC., Plaintiff, v. BATS TRADING, INC. and BATS GLOBAL MARKETS, INC., Defendants.	C.A. No. _____ **JURY TRIAL DEMANDED**

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Relay IP, Inc. ("Plaintiff") alleges the following for its complaint against Defendants BATS Trading, Inc. and BATS Global Markets, Inc. (collectively "Defendants").

THE PARTIES

1. Plaintiff is a corporation formed under the laws of the state of Delaware having its principal place of business at 2331 Mill Road, Suite 100, Alexandria, VA 22314.

2. Defendant BATS Trading Inc. is a corporation organized under the laws of the state of Delaware with a principal office at 8050 Marshall Drive, Lenexa, Kansas 66214. Defendant may be served with process via its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

3. Defendant BATS Global Markets, Inc. is a corporation organized under the laws of the state of Delaware with a principal office at 8050 Marshall Drive, Lenexa, Kansas 66214. Defendant may be served with process via its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

JURISDICTION AND VENUE

4. This is a patent infringement action. The Court has subject matter jurisdiction pursuant to 28 U.S.C. §§1331 and 1338.

5. The Court has personal jurisdiction over Defendants, as they are incorporated in this State.

6. Venue is proper in this District pursuant to 28 U.S.C. §§1391(b)-(c) and §1400(b), because Defendants reside in this District.

COUNT ONE
INFRINGEMENT OF U.S. PATENT NO. 5,331,637

7. On July 19, 1994, U.S. Patent No. 5,331,637 (the "'637 Patent") entitled "Multicast Routing Using Core Based Trees" was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '637 Patent is attached as Exhibit A hereto.

8. Plaintiff is the sole and exclusive owner of all right, title, and interest in the '637 Patent and holds the exclusive right to take all actions, including the filing of this patent infringement lawsuit, necessary to enforce its rights to the '637 Patent. Plaintiff also has the right to recover all damages for past, present, and future infringement of the '637 Patent and to seek injunctive relief as appropriate under the law.

9. Defendants have infringed and continue to directly infringe one or more claims of the '637 Patent, including at least Claim 1, by using the method claimed in distributing data and/or data feeds via distribution network(s), which practice multicast routing methods, including but not limited to Protocol Independent Multicast-Sparse Mode standard ("PIM-SM").[1]

[1] *See, e.g.*, RFC 4601 at http://tools.ietf.org/html/rfc4601.

Upon information and belief, at least Defendants' Market Data Products[2] (e.g., Multicast Latency Feed, Multicast PITCH) practice at least Claim 1 by distributing data and/or data feeds via distribution network(s) in accordance with the PIM-SM standard. Defendants' acts of practicing such methods, including the PIM-SM standard, constitute infringement under 35 U.S.C. §271 for which Defendants are directly liable.

10. As a result of Defendants' infringement, Plaintiff has been damaged monetarily and is entitled to adequate compensation of no less than a reasonable royalty pursuant to 35 U.S.C. § 284.

JURY DEMAND

Plaintiff requests a jury on all issues so triable.

PRAYER

WHEREFORE, Plaintiff respectfully requests that the Court:

A. Enter judgment that Defendants have directly infringed, either literally or by equivalents, the '637 Patent;

B. Award Plaintiff damages for Defendants' infringement in an amount to be determined at trial, including enhanced damages, costs, and pre and post-judgment interest; and

C. Award any other relief deemed just and proper.

[2] *See* http://www.batstrading.com/market_data/products/

June 14, 2013

BAYARD, P.A.

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