UNITED STATES DISTRIC COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.

ATLAS IP, LLC, a Florida Limited Liability Corporation,

Plaintiff,

v.

BIOTRONIK, INC., a Oregon Corporation,

Defendants.

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COMPLAINT AND DEMAND FOR JURY

Plaintiff, Atlas IP. LLC ("Atlas"), alleges by way of complaint against defendant, Biotronik, Inc. ("Biotronik") as follows:

Atlas and Its Patents

1. Atlas is a Florida LLC with a principal place of business at One SE Third Avenue, Suite 1200, Miami, Florida 33131.

2. Atlas is the owner by assignment of U.S. Patent Nos. 5,371,734 ("the '734 Patent"), entitled *Medium access control protocol for wireless network.* Exhibit A.

3. The invention of the '734 Patent, the application for which was filed in January 1993, is directed to "a reliable medium access control (MAC) protocol for wireless, preferably radio frequency (RF), LAN-type network communications among a plurality of resources, such a[s] a battery powered portable computers." '734 Patent, col. 5, lines 10-14.

Biotronik and the Accused Products

4. Biotronik is an Oregon Corporation with a principal place of business at 6024 Jean Road,

Lake Oswego, Oregon 97035-5571.

5. Biotronik manufactures, offers for sale, and/or sells implantable medical device products ("IMDs") and products that communicate with such IMDs (collectively "the Accused Products").

6. A claim chart comparing representative claims from the '734 patent to representative Accused Products is attached hereto as Exhibit B.

7. Upon information and belief, Biotronik, at all times relevant to this complaint, has been doing business in this Judicial District by, *inter alia*, selling and offering for sale the Accused Products in this Judicial District.

Jurisdiction and Venue

8. This Court has subject matter jurisdiction pursuant to 35 U.S.C. § 1338(a).

9. Venue is proper in this Judicial District pursuant to 35 U.S.C. § 1400(b).

10. This Court has personal jurisdiction over Biotronik by virtue of Biotronik having done business in this Judicial District.

Count I – Patent Infringement

11. Atlas hereby incorporates by reference the allegations contained in paragraphs 1-10, above.

12. Biotronik's manufacture, sale and/or offer to sell the Accused Products constitute direct infringement of the claims of the '734 Patent pursuant to 35 U.S.C. §271(a).

13. Biotronik's infringement of the '734 Patent has caused injury to Atlas.

WHEREFORE, Atlas respectfully requests that this Court award it compensatory damages sufficient to compensate for Biotronik's infringement, and interest thereon, and award Atlas such further relief in law and/or equity as the Court deems appropriate.

Dated: February 18, 2013

Respectfully submitted,

/s/Curtis Carlson

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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury.

Dated: February 18, 2013

Respectfully submitted,

/s/Curtis Carlson
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