

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**ADAMS ARMS, INC.,  
a Florida corporation,**

**Plaintiff,**

v.

Case No. \_\_\_\_\_

**SIG SAUER INC., a Delaware  
corporation,**

**Defendant.**

\_\_\_\_\_ /

**COMPLAINT AND DEMAND FOR  
JURY TRIAL, INJUNCTIVE RELIEF SOUGHT**

Plaintiff, ADAMS ARMS, INC., sues Defendant, SIG SAUER INC., and as its complaint states as follows:

**NATURE OF ACTION**

1. This is an action for patent infringement under the United States Patent Law, 35 U.S.C. § 271 et. seq.

**PARTIES**

2. Plaintiff, ADAMS ARMS, INC. ("Plaintiff"), is a Florida corporation with its principal place of business in Palm Harbor, Florida. Plaintiff is engaged in the business of designing, creating, manufacturing, distributing, and selling firearms and related products, parts, and accessories.

3. Defendant, SIG SAUER INC. ("Defendant"), is a Delaware corporation with its principal place of business in Exeter, New Hampshire. Defendant is registered to do business, and does business, in the State of Florida. Defendant is engaged in the business of

designing, creating, manufacturing, distributing, and selling firearms and related products, parts, and accessories, and is a competitor of Plaintiff.

### **JURISDICTION AND VENUE**

4. This Court has exclusive subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338 in that this Complaint states an action based upon a federal question relating to patents.

5. Defendant is subject to jurisdiction in Florida because it has engaged in business in, or has an office in, the State of Florida; is engaged in substantial and not isolated activity within the State of Florida; and/or has committed acts of infringement in the State of Florida.

6. Venue is proper in this district and in this division under 28 U.S.C. §§ 1391 and 1400.

### **CLAIM FOR PATENT INFRINGEMENT**

7. Plaintiff is engaged in the business of designing, creating, manufacturing, distributing, and selling firearms and related products, parts, and accessories.

8. Plaintiff holds several patents relating to inverted piston operating systems for the AR-15/M-16 rifle platform.

9. On July 5, 2011, United States Patent No. 7,971,518 (the “‘518 patent”) was duly, validly, and legally issued to Mr. Adams. A true and correct copy of the ‘518 patent is attached hereto as Exhibit 1. The ownership rights to the invention disclosed and claimed in the application were assigned to Plaintiff, which is and remains the owner of all right, title, and interest in and to the ‘518 patent

10. The '518 patent is a continuation of United States Patent No. 7,739,939 (the "939 patent"). The '939 patent is a continuation of United States Patent No. 7,469,624 (the "624 patent").

11. Defendant has been, and is now, infringing one or more of claims of the '518 patent in violation of 35 U.S.C. § 271(a) by:

- (a) making, importing, using, offering to sell, and/or selling in this judicial district, and elsewhere in the United States, products which embody the invention claimed in the '518 patent; and/or
- (b) actively inducing others to infringe the '518 patent; and/or
- (c) contributing to the infringement of the '518 patent.

12. Specifically, Defendant manufactures and sells several rifles incorporating gas piston/operating rod systems, namely the SIG516, SIG516 7" Personal Defense Weapon (PDW), SIG516 10" Close Quarters Battle (CQB), SIG516 14.5" Tactical Patrol, SIG516 16" Patrol, SIG516 18" Precision Sniper, SIG516 20" Precision Sniper, 12.5 SIG716 CQB (Close Quarter Battle), 14.5" SIG716 Carbine, 16" SIG716 Patrol Rifle, and SIG716 Precision Marksman.(collectively the "Infringing Rifles"). The Defendant's products utilize an inverted piston drive that is capable of being removed from the muzzle end of the rifle.

13. On May 12, 2011, Adams Arms notified Sig Sauer that the '518 patent was expected to issue. Notably, Adams Arms provided Sig Sauer with the claims allowed by the United States Patent Office that are now found in the '518 patent.

14. Defendant's actions with respect to the '518 patent are without authority or license from Plaintiff.

15. Defendant has been, and will continue, making, importing, using, offering to sell, and/or selling products that infringe the '518 patent without a license from Plaintiff.

16. Defendant's conduct as described in this Complaint has been, and will continue to be, willful. Specifically, Sig Sauer is aware of the entire family of patents owned by Adams Arms, but nonetheless continues to manufacture and sell the Infringing Rifles knowing that its products infringe at least one claim of the '518 patent. Indeed, upon information and belief, Sig Sauer attempted, but failed, to manufacture around the teachings of the '624 patent by utilizing an integral bolt carrier key in the Infringing Rifles.

17. As a direct and proximate result of Defendant's infringement, Plaintiff has been damaged and will continue to be damaged in an amount to be determined at trial.

18. As a direct and proximate result of Defendant's infringement of the '518 patent, Plaintiff has suffered and continues to suffer irreparable harm and impairment of the value of its licensed patent rights, is threatened with continuing loss of sales to its existing and potential customers, is losing and will continue to lose the goodwill of its customers, and is suffering a violation of its licensed patent rights, all of which will continue unless Defendant is preliminarily and permanently enjoined by this Court from infringing the '518 patent under 35 U.S.C. § 283. Plaintiff has no adequate remedy at law.

WHEREFORE, Plaintiff demands judgment:

(a) Finding that Defendant has been and is infringing, contributing to the infringement of, and/or actively inducing infringement of United States Patent No. 7,971,518;

(b) Entering an injunction against Defendant, its parents, subsidiaries, affiliates,

divisions, directors, officers, employees, agents, representatives, distributors, dealers, successors, and assigns, and all others acting in concert or participation with them, from making, importing, using, offering to sell, and/or selling the invention of United States Patent No. 7,971,518, practicing the invention of United States Patent No. 7,971,518, and/or securing or supplying items used to infringe United States Patent No. 7,971,518;

(c) Finding the infringement to be willful;

(d) Ordering an accounting of and awarding Plaintiff such damages, profits, royalties, attorneys' fees, costs, prejudgment interest, and enhanced damages as may be shown by the evidence;

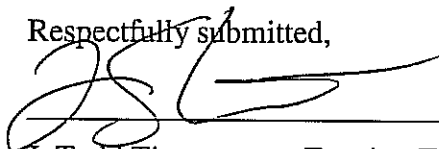
(e) Finding this to be an exceptional case under 35 U.S.C. § 283 and awarding Plaintiff its reasonable attorneys' fees under 35 U.S.C. § 285; and

(f) Awarding Plaintiff such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all issues so triable.

Respectfully submitted,



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