

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over this controversy under 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Logimex because of, *inter alia*, Logimex's systematic, purposeful and continuous contacts in this District and Logimex's purposeful and intentional sale, offer for sale, and/or importation of infringing devices into this District in Springfield, Tennessee.

6. Venue is proper in this judicial district based on 28 U.S.C. § 1400(b) and/or 28 U.S.C. § 1391(b), (c), and (d).

FACTUAL BACKGROUND

7. On November 21, 2006, United States Patent No. 7,138,092 (hereinafter "the '092 Patent") entitled "Clip-Mounted Catalyst Device" was duly and legally issued. A copy of the '092 Patent is attached hereto as Exhibit 1 and made a part hereof.

8. Applied Ceramics is the assignee of the '092 Patent and has the right to sue for infringement.

9. Applied Ceramics, either directly or through its licensee, sells catalytic converter devices embodied in the '092 patent to numerous companies, including Electrolux, Inc., for use in ovens and other devices. Applied Ceramics, through its licensee, has supplied the patented catalytic converter devices to Electrolux, Inc. since approximately April of 2001.

10. On or about July of 2007, Applied Ceramics discovered that Logimex was selling, offering for sale, and/or importing catalytic converter devices covered by the '092 patent to Electrolux, Inc. in Springfield, Tennessee and possibly other companies.

11. On information and belief, Logimex obtained access to Applied Ceramics catalytic device and/or design thereof prior to July of 2007 and copied Applied Ceramics' catalytic device protected by the '092 patent.

12. On or about July 27, 2007, Applied Ceramics provided Logimex with the '092 patent and informed Logimex that its catalytic converter device infringes the '092 patent.

13. On September 1, 2007, Electrolux, Inc. ceased purchasing Applied Ceramics' catalytic converter devices and continued purchasing the infringing catalytic converter devices from Logimex.

14. Logimex's catalytic converter device infringes the '092 patent.

15. Logimex willfully and deliberately infringed and continues to infringe the '092 patent.

COUNT I

PATENT INFRINGEMENT

16. Applied Ceramics repeats and incorporates by reference all of the allegations set forth in paragraphs 1-15 above.

17. Logimex has and is infringing, inducing the infringement of, or contributing to the infringement of one or more claims of the '092 Patent in violation of 35 U.S.C. § 271 by, *inter alia*, manufacturing, having manufactured, importing, selling, and/or offering for sale the invention patented in the '092 patent.

18. Applied Ceramics has suffered irreparable injury from Logimex's infringement and will continue to suffer irreparable injury until Logimex is enjoined from its continuing infringement.

19. Applied Ceramics is entitled to recover damages adequate to compensate for Logimex's infringement, which includes lost profits but in no event are less than a reasonable royalty.

20. Logimex's actions constitute willful and deliberate infringement of the '092 Patent.

21. This case should be declared an exceptional case under 35 U.S.C. § 285, entitling Applied Ceramics to recover treble damages and attorneys fees.

PRAYER FOR RELIEF

WHEREFORE, Applied Ceramics prays for judgment in favor of Applied Ceramics and against Logimex as follows:

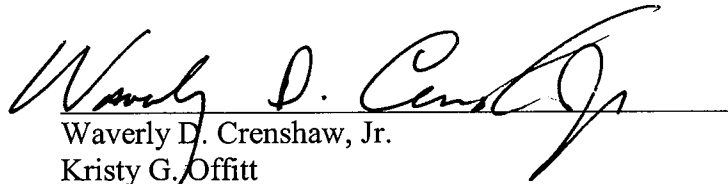
(a) That Logimex, their officers, agents, servants, and employees, and all persons acting in concert with them, and each of them, be preliminarily and permanently enjoined from infringing, contributing to, and inducing others to infringe U.S. Patent No. 7,138,092;

(b) That U.S. Patent No. 7,138,092 be adjudged to be infringed;

(c) That Applied Ceramics be awarded damages under 35 U.S.C. § 284 adequate to compensate it for patent infringement, which include lost profits but are in no event less than a reasonable royalty, together with interest and costs as fixed by the Court;

(d) That the damages awarded to Applied Ceramics in connection with Logimex's willful patent infringement be trebled pursuant to 35 U.S.C. § 284;

- (e) That prejudgment interest be assessed on all damages;
- (f) That Applied Ceramics be awarded its reasonable attorney's fees and costs of suit under 35 U.S.C. § 285; and
- (g) That Applied Ceramics be awarded such other relief as the Court may deem just and proper.



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