

Kenneth R. Hartmann



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PRACTICE AREAS

Intellectual Property
Healthcare
Contract Disputes
Hospitality
Deceptive Trade Practices
Corporate Shareholder Disputes
Securities
Arbitrations

**KOZYAK
TROPIN
THROCKMORTON**

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Kenneth R. Hartmann is a partner at Kozyak Tropin & Throckmorton. Ken has extensive trial and appellate experience in both federal and state court and has represented corporations, business entities, and individuals in a wide variety of complex commercial disputes, including healthcare and hospitality matters, fraud, unfair competition and deceptive trade practices, and contract disputes.

Ken has particular expertise in intellectual property matters and has extensive experience in trademark, copyright and patent litigation, as well as counterfeiting and theft of trade secret claims. Because of his in depth knowledge of intellectual property matters, Mr. Hartmann often counsels clients on developing and protecting intellectual property rights.

Ken leads the firm's healthcare practice group. He represents healthcare providers such as hospitals, clinics and physician groups in disputes with private and government payers. He also counsels such providers on contract negotiations and regulatory compliance issues.

Ken has organized and spoken at numerous professional and business seminars on topics within his practice areas, and he uses his extensive trial experience to teach litigation skills to law students at the University of Miami, where he is an adjunct professor.

Ken enjoys collecting wine and organizes the firm's monthly wine tasting events. Prior to becoming a lawyer, Ken lived in Key West, Florida and worked as a commercial diver and fisherman, and sailed on numerous voyages to the Caribbean. Ken remains an avid boater.

RESULTS

Healthcare Matters

Ken represents many health care providers in recovering payment for services from managed care companies. He represents physician groups, large hospital systems, outpatient medical facilities and treatment centers. Ken has litigated against almost every major managed care company in Florida, and recovered in excess of \$80 million on behalf of his clients. In addition, settlements achieved in many cases result in favorable contract terms for business going forward.

Ken represented a system of diabetes treatment centers in multiple actions against Medicare to recover payment for services provided which Medicare claimed were investigational. Ken successfully obtained a ruling that the patient services are covered under Medicare and a judgment for reimbursement of the services.

Hospitality Matters

Ken and his team have developed an expertise in the hospitality industry through their representation of hotel management companies. Ken brought and successfully settled federal and state court actions on behalf of the former owner and manager of the Gansevoort Hotel, recovering significant damages for breach of its management agreement and intellectual property rights.

Ken and his team successfully litigated an action on behalf of General Hotel Management, manager of The Setai Hotel. The action involved cases in state and federal court and proceedings in international arbitration. Ken obtained a favorable arbitration award for the client and defeated all claims brought by the opposing party.

Intellectual Property

Ken regularly litigates complex cases involving patents, trademarks and copyrights. Recent cases include the defense of Pandora, the manufacturer of fine jewelry and charms, in a trademark infringement action; the defense of a software copyright infringement action against a company operating rehabilitation centers, and several patent infringement actions on behalf of an electrical engineering invention company.

EDUCATION

J.D., *magna cum laude*, University of Miami School of Law
B.A., Psychology, Lafayette College