Verti-Drain suits multiply

By HAL PHILLIPS

Baton Rouge, La. — A cease and desist order, followed by ongoing product confusion in the field, has led to a pair of lawsuits; both concerning anti-compaction products; both filed here in federal court.

Redexim, the Dutch company which developed the Verti-Drain line of products, and distributors of Verti-Drain deep-tine soil aeration machines are pursuing litigation in the United States against a former distributor, Southern Green, Inc., marketers of the Soil Releiver aerator, for infringement of Redexim's patent and trademark rights.

In its lawsuit, Redexim alleges that Southern Green, Inc., of Baton Rouge, La., a former distributor of Verti-Drain equipment, has infringed Redexim’s United States patent and the Verti-Drain trademark, misappropriated trade secrets, and engaged in unfair competition.

“It’s actually a countersuit,” explained K.V. Estes, co-owner of Southern Green. “We sued them last November [1994] and we received their countersuit (in August). We sued last year because they were telling everyone in the industry that we had infringed on their patents and trademark rights.

Continued on page 44

HUNDT TO HEAD NATIONAL SALES FOR VERMEER

PELLA, Iowa — Doug Hundt has been named national sales manager for Vermeer Manufacturing Co. In addition to overseeing sale of all Vermeer's industrial product in North America, Hundt will oversee a staff of seven regional managers and work with the firm’s distribution network, which consists of 75 dealerships in all 50 states, as well as five Canadian provinces. Previously, Hundt was a regional sales manager for Vermeer, cooperating with dealers in the Northeast region.

New era for Golf Asia

By HAL PHILLIPS

SINGAPORE — With seven months remaining before the ribbon is cut here at the World Trade Centre, Golf Asia '96 has booked more than 60 percent of its available booth space, according to the show’s new marketing manager, Clare Milford. And though it drew a record 21,000 visitors from a reported 31 countries in 1995 — and 82 percent of last year's 212 exhibitors reported they achieved their pre-show objectives — Golf Asia faces many new challenges in 1996.

The number of show organizers has been trimmed from three to two, leaving Singapore-based Connex Private Ltd. and International Management Group (IMG) in charge of both sales, show operations and marketing. The Golf Course Superintendents Association of America (GCSAA), which had been a co-organizer for Golf Asia '94 & '95, has relinquished its U.S. booth sales role. The GCSAA will continue to conduct the Golf Asia education conference, however.

While Connex is responsible for the bulk of Asia-Pacific sales, the New era for Golf Asia continues on page 40.

Harper Bros. storm Florida sand market

PALMADALE, Fla. — A 555-acre silica sand mine and state-of-the-art processing facility here, just west of Lake Okeechobee, now offers sand that meets U.S. Golf Association recommended specifications to golf course designers, developers and operators throughout South Florida.

The mine is owned and operated by Fort Myers-based Harper Bros., one of the region’s largest producers of raw materials for road building and site development. The technologically advanced processing facility will monitor the sand’s gradation and colorimetric standards on a daily basis and use a washing & scrubbing operation designed to ensure production of a superior quality sand with no iron, clay or organic matter impurities, according to Ron Inge, Harper Bros. vice-president.

“The Palmdale Sand Mine establishes Harper Bros. as a major player in the production of top quality sand for the construction and maintenance of golf courses throughout South Florida,” said Inge. “The Palmdale site was selected because of the quality of the sand deposit.” For more information on Harper Bros., call 414-481-2250.

Continued on page 41

Tee-2-Green President Bill Rose

Marking four decades of Penncross

By HAL PHILLIPS

The challengers are legion, some of them even originate in-house. But the longstanding king of bentgrass stolons — Penncross, which turns 40 years old this year — remains the putting turf of choice in transition and Northern climes.

“I would say, before they get contaminated with Poa annua, 85 percent of bentgrass greens in America are Penncross,” said Bill Rose, president of Tee-2-Green, the marketing group with exclusive rights to Dr. Bert Musser’s famous creeper. “Everybody’s trying to do better, but I can’t see anything lasting 10 years, much less 40 years. There isn’t anything like it; never has been and probably never will be again.”

Rose explained that today’s Penncross seed — the first generation, straight from the parent stolons — is the same seed produced by Penn State’s Prof. Musser in 1955. This direct line to Musser’s innovation helps explain the product’s unparalleled longevity, he said.

Continued on page 43

NEW PRODUCT OF THE MONTH

Parker Sweeper has introduced the 11-hp Portable Track Loader for picking up leaves, grass clippings and mulch. Equipped with a high-speed, e-blade impeller, the Loader is equipped with a durable, lightweight pick-up wand and an 8 x 15-foot flexible, steel ribbed intake hose. For more information, call 708-627-6900. For more new products, see page 42.
According to Charles Otto, president of Southern Green, the company ended its relationship with Redexim in 1994, he said.

"Reliever's emergence and sent Southern Green a cease and desist order in October 1994," Otto said. "We researched it very carefully. According to Otto, in May of 1995, Redexim caught wind of the Soil Verti-drain suit and were going to sue. "There was no patent infringement here. We researched it very carefully. This is strictly a sales ploy by Redexim."

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October
4-6th Annual Rutgers Professional Golf Turf Management School and Alumni Awards Banquet in East Brunswick, N.J. Contact 901-254-8800.
7-10 - Florida Turfgrass Annual Conference & Show in Tampa, Fla. Contact Wanda Sarsfield at 510-516-1124.
7-10 — America Society of Irrigation Consultants Annual Conference in Atlanta. Contact Wanda Sarsfield at 510-516-1124.
7-10 — America Society of Irrigation Consultants Annual Conference in Atlanta. Contact Wanda Sarsfield at 510-516-1124.
17-19 — Southeastern North Carolina Professional Turfgrass Conference in Sun Belt, N.C. Contact Dr. Bruce Williams at 919-254-4225.
November
7 — Georgia GCRA Annual Meeting at Jekyll Island. Contact Karen White at 706-769-4076.
9-10 — Golf Course Expo in Orlando, Fla. Contact Golf Course News Conference Group at 202-872-3860.
* For more information contact the GCSSA Education Office at 913-832-4430.

Venti-drain suit
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The Verti-Drain product line is represented in North America by Emrex, Inc., an independent importer, and a national network of more than 30 distributors. According to Charles Otto, president of Emrex, Redexim caught wind of the Soil Reliever's emergence and sent Southern Green a cease and desist order in October 1994, on the basis that it was a copy. "On Nov. 4, the folks at Southern Green literally raced to the courthouse and filed a suit," said Otto. "Instead of responding to the cease and desist, they filed a suit which said, basically, that 'Redexim is trying to ruin our business.'"

According to Otto, in May of 1995, Redexim tried to have the Southern Green suit dismissed. However, a dismissal was denied. According to Charles Otto, president of Southern Green, the company ended its relationship with Redexim in 1994, he said.

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VERDICT OF JURY

Continued from previous page
ment would have required a separate action, which Redexim didn't care to pursue, said Otto. Consequently, Redexim served counterclaims on July 14.

"The fact that it's a countersuit is a technicality," said Otto. "Basically what it means is, Southern Green saw it coming and tried to take an aggressive stance by suing first.

"[The Soil Reliever] is a knock-off as far as we're concerned. There are some differences but we don't think it's as good... They admitted, when we talked to them, that they wouldn't have had the idea if they hadn't worked for us.

"The real problem is, there's confusion in the marketplace. Among the distributors on the front lines, it's getting pretty ugly. We welcome competition in the industry. It's just a question of how that competition develops.

In a statement, Redexim stated the countersuit reflects Redexim's philosophy to vigorously defend and protect its investments in the development of innovative and patented technology, and to protect related proprietary rights. In recent litigation in Germany, Redexim was awarded damages for patent infringement under the European counterpart of the United States patent on deep-tine aerification machines.