

## Redexim, Southern Green settle 2-year legal spat over Verti-Drain patent rights

KINGSTON, Pa. — Redexim Handel-en Exploitatie Maatschappij, B.V. and Redexim U.S.A., B.V., distributors of Verti-Drain soil aeration machines, have settled a two-year legal battle with Southern Green, Inc.

The litigation concerned Redexim's efforts to protect intellectual property rights in its patented Verti-Drain aeration equipment from perceived infringement by Southern Green.

A distributor of Redexim's Verti-Drain systems between 1987 and 1993, Southern Green began in 1994 to market an aeration machine, the "Soil Reliever", in direct competition with the Verti-Drain unit. Shortly thereafter, Redexim sent Southern Green a formal demand letter advising the company to cease and desist what Redexim considered to be product

infringement activities.

Southern Green responded by filing two separate declaratory judgment lawsuits in the U.S. District Court for the Middle District of Louisiana, which the Court later agreed to consolidate into a single suit.

Terms of the settlement call for Southern Green to pay

Redexim a license fee on every "Soil Reliever" machine sold worldwide, a market that currently includes the U.S., Canada and 10 to 12 European

countries. Southern Green has also agreed to pay a portion of Redexim's legal fees incurred during the lengthy litigation process.

Spokespersons from both companies called the settlement "fair" and were pleased to have reached a "friendly resolution" to the controversy.



## Limits placed on gray market Kubota imports

WASHINGTON, D.C. — Following a nine-day evidentiary hearing here, the Administrative Law Judge of the United States International Trade Commission issued his determination that the export, import and sale of certain Kubota gray market tractors (under 59 PTO horsepower) in the United States infringe Kubota's trademark in violation of section 337 of the Tariff Act of 1930.

The decision was issued Nov. 22, 1996.

The judge recommended that all such gray market Kubota tractors be

excluded from importation and sale in the United States unless they comply with certain strict labeling requirements, a significant step in addressing the concerns raised by Kubota regarding import of gray market Kubota tractors into the United States.

Kubota officials indicated they will continue to seek an unconditional order from the commission to exclude gray market Kubota tractors from the U.S., and a final commission determination with respect to both liability and remedy will be issued in later this month.

## Canadian clay liner maker changes name

BARRIE, Ont., Canada — The board of directors of Albarrie Naue Limited, a subsidiary of National Seal Company (NSC) and the manufacturer of Bentofix Thermal Lock Geosynthetic Clay Liner (GCL) has unanimously approved a company name change from Albarrie Naue Limited to Bentofix Technologies Incorporated (BTI).

BTI is a manufacturer and supplier of geosynthetic clay liner materials to the environmental industry.

Bentofix Thermal Lock GCL is widely used in the construction of solid waste landfill liners and closures, as well as in various industrial containment applications to replace traditionally thick compacted clay liners with a higher performance yet less-expensive alternative.

## Dragonfly

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wheel golf carts that can be folded up and carried in an automobile, invented the Plytronics one-man machine 18 months ago, and last year introduced it to the UK market.

Plans to market it in other regions of the world have taken off. They already sell the unit in the United Kingdom, Australia, Belgium and Switzerland. Distributors are under contract in Norway and Denmark and negotiations are underway in Germany, Holland, Spain and Portugal. These distributors, Tullis said, are primarily people already in the golf industry, either selling motorized hand carts or other equipment.

Tullis struck an agreement with American entrepreneur John Killip to market it under the name Dragonfly in the United States, where it became available in a limited quantity this month. Killip's Uni-Car/U.S. is located at P.O. Box 22798, Carmel, CA 93922; tel. 408-649-5760. Tullis said he will adopt the "Dragonfly" name if it's not already a trade name.

Tullis' target is to sell 5,000 one-man cars in 1997, excluding South America, where he has not found a distributor. The assembly line can make 100 cars a week.

With a 30-to-1 gear ratio, twin electric gear boxes and a 48-volt solid-state battery, the Plytronics travels 8 miles per hour and has the power to glide up steep inclines. It has a Curtis Breaking System and its weight compression is equivalent to a 180-pound man.

It can hold a set of clubs on the front or back, and contains cup, ball and tee holders and other accouterments. Models are 30- or 36-inches wide and 56-inches long, compared to the 48-inch-wide two-person cars.

While the new car makes golf more accessible for the handicapped and senior citizens, its marketing focus is largely on increased speed of play.

"John Tullis and another low-handicapper played using these cars and their optimum round for the two of them was one hour, 38 minutes for 18 holes," said Killip. "For the average golfer it won't speed up that much. We're not all low-handicappers."

So, Killip encourages would-be buyers to work up models projecting a 10- to 15-percent play increase. Since the unit's compression is so low, no cart paths are necessary and the 90-degree rule can be eliminated, he claims. Also, unlike two-man carts, each golfer can go straight to his/her ball. Meanwhile, because of the low compaction, golf courses like Tullis' home course, Sunningdale, may allow the Dragonfly on the putting greens.

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