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

KINGSTON, Pa. — Redexim Handel- en Exploitatie Maatschappij, B.V. and Redexim-im 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 a cease and desist letter advising the company to cease and desist 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.

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 will have the option to continue marketing Verti-Drain products in Canada and other countries, but must pay a royalty fee on every product sold.

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 months.

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.

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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 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.