

In soil aeration litigation, Round 1 goes to Verti-Drain manufacturers

KINGSTON, Pa. — The manufacturers and distributors of Verti-Drain soil aeration machines — Redexim Handel-en Exploitatie Maatschappij, B. V. and Redexim U.S.A., B. V. — have prevailed in an important procedural battle in ongoing litigation against a former distributor, Southern Green, Inc.

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

Earlier this year, the U.S. District Court for the Middle District of Louisiana confirmed its earlier decision that Redexim's claims for patent infringement and unfair competition should be consolidated into one lawsuit. In doing so, the court denied Southern Green's motion to reconsider consolidation. Redexim's claims for patent infringement and unfair competition had previously been split into separate lawsuits because of a procedural maneuver by Southern Green at the commencement of litigation.

A distributor of Redexim's Verti-Drain systems between 1987 and 1993, Southern Green began in 1994 to market an aeration machine call the "Soil Reliever", in direct competition with the Verti-Drain unit. On the advice of patent attorneys, Redexim sent Southern Green a formal demand letter advising the company to cease and desist its infringement activities.

Less than three weeks after receiving Redexim's cease and desist letter, Southern Green filed two separate declaratory judgment lawsuits in the U.S. District Court for the Middle District of Louisiana. One of Southern Green's lawsuits concerned patent infringement, while the other concerned unfair competition and related intellectual property rights.

Redexim considered the patent and unfair competition claims to be integrally related

MID-AM NAMES DIRECTORS

OAKBROOK, Ill. — Directors of the Mid-America Horticultural Trade Show elected new officers at their recent meeting here. Thomas Hoerr Sr. of Green View Companies, Dunlap, Ill., was elected president. Frank Mariani of Mariani Landscape, Lake Bluff, Ill., was elected vice president. Platt Hill of Platt Hill Nursery in Bloomingdale, Ill., was re-elected secretary. Bliss Nicholson of the Bruce Co. of Wisconsin, Middleton, Wis., was elected treasurer. The appointment of two new directors was also announced: Randy Jasper-son of Jaspersod Sod in Franksville, Wis., and Herb Buhr's Landscape & Lawn in DeKalb, Ill.,

because they arose directly from Southern Green's attempt to manufacture and market an aeration machine which would compete with Redexim's unique, patented Verti-Drain system. In August 1995, in an effort to have the related claims heard together in one trial, Redexim moved to consolidate the patent and unfair competition actions, a motion that was granted by the Court on September 8, 1995.

Barenbrug USA sets sights on U.S. golf market

Barenbrug USA has announced formation of The Barenbrug Global Golf Group. According to John Farrell, golf turf specialist with Barenbrug Northeast and co-director of The Global Golf Group, "With our stable of quality turfgrass varieties along with our worldwide team of turf specialists, it makes perfect sense to coordinate our efforts into the expanding golf-turf industry."

"We intend to make ourselves available to golf course architects, builders, developers and superintendents for support and technical assistance."

Tom Ferriter, co-director of the new Global Golf Group and president of Barenbrug TFI, added: "We have always been heavily involved in the golf-turf market, now we have the right people in place and the global distribution network to

become a major force in this specialized segment of the turfgrass industry."

For more information on the Global Golf Group call Farrell at Barenbrug Northeast, 800-435-5296; or Ferriter at Barenbrug TFI 800-951-3188.

Barenbrug Holding B.V., one of the world's leading plant breeding and seed production companies, with corporate headquarters in the Netherlands, has announced the issuance of 12.5 percent of its shares to the venture capital and banking company ABN AMRO Participates B.V.

Barenbrug will use the proceeds of the stock sale to pursue its strategic objectives for growth. The Barenbrug Group consolidated annual revenues total approximately \$125 million.

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