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News Release

Window Supplier and Manufacturer Coalition Successfully Concludes Patent Challenge

PITTSBURGH, Nov. 4, 2014 – A trade coalition of 14 vinyl extruders and window manufacturers today announced it has reached a settlement with J-Channel Industries, bringing the patent challenge with the ITUS Corporation subsidiary to a successful conclusion.

In a statement, the coalition said it was able to negotiate the out of court settlement based on the “preponderance of prior art and technical and legal deficiencies” in J-Channel’s claim. The coalition points to a U.S. Circuit Court decision that invalidated the prior patent on which the patent-in-suit is based, a decision that was based on prior art and which was affirmed by the U.S. Court of Appeals in 2002. The “J-rail” channel design has been in use in window frame construction since at least the early ‘60s.

“Deciding on a monetary settlement (terms not disclosed) instead of committing the time, resources and legal expenses to bring our challenge to the United States Patent Office and the courts was a difficult call,” says Filip Geeraert, President & CEO of Deceuninck North America, speaking on behalf of the coalition. “While the evidence is overwhelming, it simply costs too much and takes too much time and effort to go through the court process of having a patent overturned.”

The settlement effectively dismisses J-Channel’s suits filed in 2013. The coalition sees this as a positive outcome for members and for the window industry at large. “We can get back to the real business of delivering value to our customers and continuing to drive innovation in the industry with best in class solutions,” adds Joe Peilert, President & CEO of VEKA Holdings.

Coalition members include: American Builders and Contractors Supply, Associated Materials, Comfort View Products, Croft, Deceuninck North America, LB Plastics, Magnolia Windows and Doors, MGM Industries, Moss Supply, Sun Windows, West Window, Vinylmax, VEKA and Wincore. The coalition was represented by the law firm Eckert Seamans.

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