Banner & Witcoff wins summary judgment of no infringement for Mouldtec, Inc.

On Sept. 29, 2015, the U.S. District Court for the Northern District of Illinois granted summary judgment of non-infringement in favor of firm client, Mouldtec, Inc.

The case, Mouldtec, Inc. v. Pagter & Partners International B.V., No. 1:12-cv-04249, involved U.S. Patent No. 6,581,330 (the '330 patent), a patent for packaging cut flowers owned by Pagter, a Dutch company. In May 2012, Mouldtec filed a complaint against Pagter, seeking a declaration that the '330 patent was invalid and that Mouldtec's accused products did not infringe.

In July 2013, Mouldtec moved for summary judgment that the '330 patent claims were invalid under 35 U.S.C. §103 because differences between the prior art and the subject matter claimed would have been obvious to one of ordinary skill in the art. Mouldtec also moved for summary judgment of non-infringement with respect to asserted claims 2 and 4 of the '330 patent.

The court granted Mouldtec's motion for summary judgment of non-infringement and dismissed its motion for summary judgment of invalidity as moot.

Mouldtec is represented by Banner & Witcoff attorneys Jon O. Nelson and Matthew P. Becker.

Posted: October 7, 2015