Terex To Appeal Patent Verdict
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Terex Corp. says it plans to appeal a recent jury verdict in a federal patent case against Finland-based Metso Corp. in the eastern district of New York. The jury in early December decided that Westport, Conn.-based Terex, since 2000, has violated a Metso patent in using a laterally folding conveyor on certain Chieftain rock-screening plants manufactured under the Powerscreen brand name and costing between $150,000 and $300,000. The design allows the machine to fold up for convenient transportation from site to site. The court awarded Metso about $16 million in damages. If Terex appeals as planned, the case will move to the Federal Circuit in Washington, D.C., where all U.S. patent appeals are decided. On average, that court overturns about half the cases it reviews, says Cynthia Ho, a law professor and director of Loyola University Chicago’s intellectual property and technology program.