

Delco Remy Files Additional Lawsuit

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After filing patent and trademark infringement lawsuits against four major rotating electrical manufacturers the first week of November, Delco Remy went on to file an additional patent infringement lawsuit against three alternator and starter manufacturers two weeks later.

The first round of litigation began in Nevada immediately following the Automotive Parts Remanufacturers Association Big R Show in Las Vegas. Those suits implicated the following companies: Andre Niermann Automotive Electrical Products, Guetersloh, Germany; Dixie Electric Ltd., Concord, Ontario, Canada; NSA Corporation, Sterling, Va.; and Midwest Truck & Auto Parts, Inc., Chicago, Ill.

The additional lawsuit filed November 17 in Indiana alleges patent infringement against Unipoint Electric Manufacturing Ltd, Taiwan; NSA Corporation, Sterling, Va.; and Unit Parts Corporation, Oklahoma City, Okla.

According to a statement from Delco Remy, this lawsuit concerns “various automotive alternators and starters, containing Delco Remy’s patented proprietary technology, which these companies make and/or import, use, and sell to major distributors and/or retailers in the United States.”

In addition to these suits, Delco Remy has also delivered cease and desist notifications to more than 30 smaller manufacturers and distributors.

According to NSA Corporation’s National Sales Manager Jim Weis, Remy’s complaint against NSA Corporation alleges trademark violations, but not patent infringement.

“Remy alleges that the use of references to families or styles of units in our cataloging violates their trademarks. As I’m sure you are aware, the remanufacturing industry has referenced these families, or styles, in cataloging for decades. Their use is for clarifying and identifying applications,” said Weis.

“The use of these descriptions is never intended to imply that we are the original manufacturer and we believe any reasonable person would agree. As a result, we feel the Remy lawsuit is without merit and we expect to be fully exonerated.”

In a statement sent to Angelo Bucciol, president of Dixie Electric Ltd., Remy’s attorneys said they do not “intend to limit anybody’s right to remanufacture or repair alternators and starters...(but to) stop the increasing flow of newly-manufactured patent-infringing alternators and starters in the United States market.”

Bucciol replied to Remy with the following statement he has supplied the *Exchange*: “Dixie Electric, Ltd., does not dispute that Remy has the right to, and should defend itself against new ‘knock-off’ parts. However...Remy served Dixie with a Complaint alleging the following: ‘Even with constructive and actual knowledge of...patented technology and designs...Dixie’s continued, and continues to offer and engage in infringing engine starter remanufacturing products and related services...’”

Bucciol went on to say that the suit specifically targets remanufacturing, and not the sale and/or distribution of “new infringing ‘knock-off’ product.”

“Dixie is confident that Remy will not be successful in its attempt to harm the repair and remanufacturing industry,” he concluded.