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texaslawyer.com | March 15, 2022

Genie Gets Its Wish: A Defense Verdict in Texas Garage Door Opener Case

The Chamberlain Group had been seeking \$60 million in damages, but Latham & Watkins and its local counsel prevailed on jurors to use “common sense.”

BY SCOTT GRAHAM

Last year the Overhead Door Corp. and its Genie Co. subsidiary won an ITC determination of patent infringement that could crimp The Chamberlain Group’s competing garage door opener business.

Illinois-based The Chamberlain Group, maker of Craftsman, LiftMaster and other garage door operating systems, sought to return the favor last week, seeking \$60 million for patent infringement from Texas-based Overhead Door in an Eastern District of Texas trial.

But Overhead Door won a clean sweep before U.S. District Judge Rodney Gilstrap, with jurors finding no infringement of Chamberlain’s three asserted patents



(l-r) Latham partner Giri Pathmanaban, Latham counsel Susan Tull, and Latham partner David Callahan.

and invalidating two of them to boot.

“We are extremely pleased that the jury cleared both Overhead Door and Genie of claims for patent infringement following a thorough

consideration of the facts,” Latham & Watkins partner David Callahan, who led Overhead Door’s trial team with Latham partner Giri Pathmanaban. “This is a complete victory for our client who

Courtesy photos

has been serving customers with innovative and quality products for over a century.”

The Chamberlain Group has been engaged in patent war for several years with Techtronic Industries over garage door openers that can be operated via smart phone wi-fi. Now the conflict is with Overhead Door.

Fish & Richardson partner Ruffin Cordell told jurors last week that Overhead Door infringed Chamberlain patents on, among other things, a garage door system that’s integrated with a home security system.

“In America we believe in property rights, at least down here in Texas,” Cordell told jurors during closing

arguments. He said the prior art that Overhead Door claimed to be invalidating was an Underwriters Laboratories document explicitly designated for UL’s internal use, not for publication.

Callahan said during his closing that a Chamberlain Group executive testified that she’d downloaded the document days before Chamberlain applied for a patent on the technology. “It wasn’t public? That’s the whole purpose of it,” Callahan said. “It’s a public standard pushed out to the industry, created by the industry, so that they can make safe garage doors.”

Overhead Door’s local counsel, E. Leon Carter of Dallas’ Carter Arnett, told jurors that

Chamberlain “filed this suit in Marshall, Texas, because they think we are yahoos in east Texas. They think we won’t use our common sense.”

Jurors ultimately found claim 1 of the 8,144,011 patent invalid for obviousness and claim 11 of the 8,587,404 patent invalid for failure to name all of its inventors. Overhead Door did not challenge Chamberlain’s 9,644,416 patent, but jurors found that Overhead Door didn’t infringe any of the three.

Overhead Door’s team also included Latham counsel Susan Tull and partners Kenneth Schuler and Clement Naples. Scheef & Stone partner Michael C. Smith also provided local counsel along with Carter.