

Supreme Court declines to hear Chamberlain patent case

In October, the U.S. Supreme Court denied The Chamberlain Group’s petition to review a garage door patent invalidated by the Federal Circuit. The issue addressed the degree to which an abstract idea can be eligible for patent protection in the absence of an added inventive concept.

In 2014, the Supreme Court held that such additional inventiveness is required for protection. The courts and Patent Office have been grappling with the application of this requirement ever since.

The case the court declined to hear involved the Federal Circuit’s August 2019 invalidation of Chamberlain’s patent for a smart garage door opener, which rested on the court’s finding that “wirelessly communicating status information about a system” was an abstract idea not eligible for patent protection.

The invalidated patent was the basis for a nearly \$20 million infringement verdict entered against Techtronic Industries in 2018.

By declining to review the scope of proper patent protection now, companies and their respective counsel must rely on the Supreme Court’s 2014 ruling as interpreted by the lower federal courts. ■

Leading Indicator of Remodeling Activity – Third Quarter 2020



Note: Historical information is IPI and produced using the LIRA model and American Housing Survey. Historical data for some weeks. LIRA Projections are based on the LIRA model and American Housing Survey. © 2020 Harvard University. Last Center for Housing Studies of Harvard University. 2020

Residential remodeling spending on the rise

Moderate gains are expected for renovations and repairs on owner-occupied homes through much of next year, as initial concerns of a possible pandemic-induced downturn have largely dissipated, according to the Leading Indicator of Remodeling Activity (LIRA) released in October by the Remodeling Futures Program at the Joint Center for Housing Studies of Harvard University.

The pandemic’s moderated influence on the U.S. economy and the surprising resilience of housing markets have altered the formerly negative outlook for home remodeling forecasted in April. The LIRA projects annual growth in renovation and repair spending of 4.1% by the first quarter of 2021, with gains softening to 1.7% by the third quarter. The next LIRA release date is January 21, 2021. ■



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20th anniversary for 2020 Fall Forum

On Sept. 16-17, DASMA hosted the 20th annual Fall Technical Forum in Cleveland, Ohio. Due to the pandemic, the forum was conducted online as a series of virtual rather than in-person meetings.

During the two-day event, 60 unique participants attended various sessions. Guest speakers presented on a variety of topics, and the technical committees followed up on active projects. Unfortunately, some of the originally scheduled guest speaker presentations and workshops had to be delayed until 2021, when in-person meetings will most likely resume.

The 2020 Forum also marked Joe Hetzel's retirement as technical director and Gordon Thomas' transition into the role. The two led the event jointly to represent the transition.

In-person follow-up meetings are planned for 2021, when the group will properly celebrate the 20th anniversary milestone of the Fall Forum and Joe Hetzel's retirement. ■

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More than 130 Technical Data Sheets are freely available at www.dasma.com under Publications. These documents have been prepared by and are continually reviewed and updated by the DASMA Technical Committees and staff. ■



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