

Win For Banner Witcoff Client Greenbrier in Federal Circuit Court Affirming Summary Judgment of No Patent Infringement

November 26, 2025 — Banner Witcoff's client, The Greenbrier Companies, among the largest U.S. manufacturer of railroad cars and an industry leader, prevailed in a Federal Circuit decision affirming summary judgment of no patent infringement. [A link to the decision is attached.](#)

The plaintiff, National Steel Car, filed suit in the Western District of Texas alleging infringement of two patents directed to gondola railroad cars. Before Judge Albright, Greenbrier prevailed in a motion to transfer for lack of venue to the District of Oregon.

The parties litigated the matter before Magistrate Judge You in the District of Oregon, including multiple claim construction hearings, fact and expert discovery, summary judgment and Daubert motions. After multiple days of oral argument on summary judgment and supplemental briefing, Judge You granted summary judgment of no infringement to Greenbrier.

After the Federal Circuit's affirmance, a Greenbrier spokesperson said "Greenbrier is pleased with the Court's decision today affirming summary judgment of non-infringement. Since the beginning of this case, Greenbrier was confident that it would prevail. Greenbrier prides itself not only on its own innovation, but its respect for the intellectual property of others, and today's decision confirms exactly that."

The Banner Witcoff team included Marc Cooperman, Pieter van Es, Janice Mitrius, Brian Apel and Audra Eidem Heinze.