

## Belgian Court Backs OGI in Dispute with Sarine



A Belgian court has sided with [OGI Systems](#) in a long-running patent case against [Sarine Technologies](#).

The case revolves around OGI's technology for marking rough diamonds with lasers to aid cutting, OGI CEO Daniel Benjano told *Rapaport News* Monday. The Brussels Court of Appeal revoked key elements of a Sarine patent, arguing that the introduction of laser markings on stones around 20 years ago was not a sufficiently "inventive step," said Eric De Gryse, a partner at Belgian law firm Simont Braun, which represented OGI.

googletag.cmd.push(function() {googletag.display('div-gpt-ad-1423660312936-7')});

---

While the patent in question expired in June 2021, the May 30 ruling means Sarine

cannot pursue claims for infringement prior to that date, Benjano and De Gryse explained.

Both Israeli companies produce equipment for diamond manufacturers. Initially, OGI's diamond-scanning machines incorporated ink pens for marking diamonds so the manufacturer knew where to make various cuts. In around 2000, Sarine introduced lasers to replace the pens and filed a patent in several countries. A few years later, it sued OGI for infringing its patents.

In 2007, an Antwerp court appointed an expert panel to analyze whether the patent was valid and to assess the extent of the alleged infringement, De Gryse said. The panel concluded in OGI's favor. Sarine took the ruling to the Antwerp Court of Appeal, which annulled the experts' report on the basis that the court had given the panel powers that should require legal and not technical knowledge, the attorney added.

The case went to the Court of Appeal in Brussels in 2012. OGI was only able to plead its case last year, by which time the patent had expired.

"The court confirmed OGI's claims, rejected [Sarine's] claims, and unequivocally stated that OGI's first-of-its-kind three-dimensional rough-diamond marking system, developed and sold as early as 1999, does not infringe on [a Sarine] patent," Benjano said in a statement last week. "On the contrary — the court determined, among other proofs, that the said patent of [Sarine] lacks innovation due to the precedence of OGI's system."

Sarine would have appealed had the court process not taken so long, said David Block, its CEO.

"Considering the patent already expired in June 2021, there is no point in appealing the ruling," he noted.

*Image: Rough diamonds. (Shutterstock)*