

Trinity Highway Products Statement

Trinity stands by the ET-Plus® System, which we are proud to manufacture and sell. The false and misleading allegations being made were reviewed by the Federal Highway Administration, which re-affirmed its acceptance of the ET-Plus® System in October 2012. Further, the federal government has looked into these claims and declined to participate in a lawsuit. Trinity is pursuing the individual making these allegations aggressively in the courts and is taking all steps necessary to fully protect the intellectual property rights and the outstanding reputation of Trinity Highway Products and the ET-Plus® System.

The Facts:

- The ET-Plus® System with 4-inch guide channels attached to the extruder head was successfully crash-tested by the Texas A&M Transportation Institute (TTI), pursuant to NCHRP Report 350 test criteria, in May 2005.
- Trinity did not manufacture or sell any ET-Plus® System with 4-inch guide channels until the Federal Highway Administration issued its letter of acceptance in September 2005.
- When impacted within the applicable NCHRP Report 350 criteria, the ET-Plus® System has been proven to perform as a “crashworthy” product as characterized by the FHWA.
- The Federal Highway Administration reviewed the claims being made and reaffirmed its acceptance of the ET-Plus® System for use on U.S. Highways in 2012.
- The federal government looked into the claims being made, investigated the allegations, evaluated them, and declined to participate in a lawsuit.
- We stand by the ET-Plus® System, which we are proud to manufacture and sell. Trinity is pursuing the individual making these allegations aggressively in the courts and is taking all steps necessary to fully protect the intellectual property rights and the outstanding reputation of Trinity Highway Products and the ET-Plus® System.
- Mr. Harman is being sued by Trinity in part because he has published pictures of damaged guard rail and end treatments and falsely claims the pictures are evidence that the ET-Plus® System does not function to the NCHRP Report 350 standards. Regarding the pictures, in every instance the only way to assess the performance of the ET-Plus® System, or any similar system, is to know multiple facts such as, to name a few, the weight of the vehicle involved, the orientation of the vehicle at impact, the angle at which the end terminal was impacted, and the speed of the vehicle at time of impact. Without this and other information pertinent to each incident independently, it is impossible to determine how the end terminal system performed. Any assumption or representation that the pictures show or suggest something more than a damaged guard rail would be erroneous.
- Finally, the individual making these allegations copied and manufactured a counterfeit ET-Plus® System and two of his companies were a defendant in a patent infringement lawsuit. This individual’s allegations are simply an attempt to advance his own cause by disparaging the Company and its products.