

Newborn Brothers Co. Secures Complete Victory in the United States Court of Appeals for the Third Circuit Against Albion Engineering's False Made in USA Claims

Newborn Brothers Company has secured a legal victory in the company's long-running false advertising case against Albion Engineering Company, who promoted caulking guns as "Made in USA" despite foreign manufacturing. In a decision issued on December 10, 2025, the Third Circuit **affirmed every order** of the United States District Court for the District of New Jersey, rejecting all arguments raised by Albion and upholding Newborn's claims and remedies in their entirety.

The Court confirmed that Albion's misrepresentations diverted sales in the industrial caulking gun market, and that distributors and professional users relied on these false claims. The dispute, filed by Newborn Brothers Company in May 2012, underscores how long Albion's misleading materials remained in circulation, with outdated and inaccurate claims still appearing as recently as 2023. Albion must now implement court mandated corrective actions that affect its product marketing, distributor communications, and packaging across key channels.

The injunction requires Albion to:

- Notify distributors, withdraw misleading materials still in circulation, and provide detailed country-of-origin information on its products until receiving updated CBP guidance.
- Supply notices for display at each distributor location that explain the true country of origin of Albion's products and Albion's prior misrepresentations.
- A disgorgement award of \$2,148,004 in profits attributable to Albion's unlawful conduct.

Newborn Brothers Co. Statement

Newborn Brothers welcomes the appellate court's decision in this long-standing case; it provides a clear path forward for continued growth. The company remains committed to investing in product innovation, transparent business practices, and the highest level of integrity across all markets it serves. We thank our partners and customers for their ongoing trust and support as we continue to deliver innovative products that set the standard for performance and reliability.

Newborn plans to donate a significant portion of the Court's award to Homes for Troops, a charity benefiting military veterans.