

This dispute centers on one of the most significant pieces of America's Cup technology developed since the AC75 foiling monohull was introduced. The legal fight isn't simply over a patent—it's over **who invented the technology**.

1. What does Team New Zealand's patent cover?

The patent covers what Team New Zealand calls an "**elastic luff**" **sail structure**.

In simple terms:

- An AC75 mainsail consists of **two sail skins** ("twin-skin mainsail") that act like an airplane wing.
- Near the **leading edge (luff)**, the patent describes a region that is intentionally **more elastic than the rest of the sail**.
- That elastic section allows the sail to:
 - adopt a fuller shape for acceleration and takeoff,
 - then flatten automatically as apparent wind increases once the boat is foiling,
 - while reducing distortion and improving control.

The concept is especially valuable because AC75 apparent wind can change dramatically—from roughly 10 knots before takeoff to well over 40 knots once foiling. A sail that can transition efficiently between those conditions is a major performance advantage.  LawFuel +1

2. Why is North Sails challenging it?

North's position is **not** that the technology is unimportant.

Rather, North argues that **its own engineers developed it first**.

According to North's court filings, the company alleges:

- the concept evolved from its long-running **3Di sail development program**;
- North employee **Matt Savage** was the true inventor (or at least a co-inventor);
- Team New Zealand sail designer **Stephen Collie** filed the patent without naming the proper inventor(s);
- North had already supplied sails using the technology to Team New Zealand before the patent application;
- Team New Zealand had access to North's confidential design software and engineering information under confidentiality agreements.  Bloomberg Law +1

Because of those allegations, North is asking the U.S. court to:

- correct the inventorship of the patent,
- declare ownership rights,
- and obtain related relief concerning the patent and the underlying intellectual property.  PacerMonitor +1

Earlier, North also attempted to invalidate the patent through the U.S. Patent Trial and Appeal Board's Post-

Grant Review process, but that challenge was not instituted. Team New Zealand cites that unsuccessful PIAB challenge as evidence supporting the patent's validity.  Emirates Team ...

3. Are there separate lawsuits or proceedings pending?

Yes. As of October 2026, there are multiple parallel proceedings.

United States federal court

North Sails filed a lawsuit in the **U.S. District Court for the Eastern District of Virginia** in September 2026. It is **not primarily an infringement suit**; instead, it focuses on inventorship, ownership, and related patent issues.  PacerMonitor +1

New Zealand arbitration

According to Team New Zealand, there is also an **arbitration proceeding in New Zealand** arising from the parties' sail supply agreements. Team New Zealand alleges that North breached confidentiality obligations and misused Team New Zealand's intellectual property. North has not publicly agreed with those allegations.

 Emirates Team ... +1

Patent infringement

The situation has become more complicated because Team New Zealand has reportedly sent letters asserting that competitors using similar sail technology could infringe its patent. North's complaint says those letters created an immediate legal controversy, prompting the U.S. action.  AI Lab +1

Why this matters for the America's Cup

This case could have consequences well beyond these two organizations.

North Sails supplies sails to several America's Cup challengers. If Team New Zealand ultimately prevails and its patent is upheld and enforceable, challengers may need licenses, design changes, or other arrangements to avoid infringement. Conversely, if North succeeds in proving that the inventorship or ownership is incorrect, it could substantially alter who controls one of the defining sail technologies of the AC75 era. The outcome could influence sail design, supplier relationships, and competitive dynamics leading into the **38th America's Cup**.  Bloomberg Law +2