

REC Group rejects decision by the Düsseldorf Regional Court on alleged patent infringement regarding TwinPeak solar cells

Munich, Germany, June 30, 2020 – [REC Group](#), the international pioneering solar energy company with Scandinavian heritage, reports that it is disappointed by the first-instance decision of the Düsseldorf Regional Court on alleged patent infringement in the lawsuit initiated by Hanwha Q-Cells. REC is going to appeal. The Düsseldorf Regional Court in Germany decided in its judgment on June 16, 2020 that TwinPeak solar cells of REC would allegedly infringe the German designation of Hanwha's patent EP 2 220 689. The judgment of the Düsseldorf Regional Court binds only REC Solar EMEA GmbH and is limited to Germany.

This judgment of first instance is not final and can be appealed. Furthermore, in order to be effective and to be respected by REC, it has to be preliminarily enforced by Hanwha which requires Hanwha to provide financial security to REC. Such preliminary enforcement has not happened yet.

“Basis of this decision of the court is an interpretation of the relevant patent claim which in our view is not correct. The decision is also in contradiction to the finding in the parallel US ITC proceedings between REC Group and Hanwha. We are positive that this decision of the Düsseldorf Regional Court will be corrected in the appeal proceedings by the Düsseldorf Court of Appeal and that, in addition, the patent will be invalidated in the pending opposition proceedings at the European Patent Office,” comments Cemil Seber, Managing Director of REC Solar EMEA.

On June 3, 2020, the United States International Trade Commission (ITC) terminated its investigation by issuing its Final Determination that REC Group's products do not infringe the asserted claims of Hanwha Q-Cells' U.S. Patent 9,893,215 ('215 patent).

REC Group has in general a very balanced business across the market segments and regions worldwide with a strong footprint and channel in many of solar's key markets. Apart from Germany, Benelux, Italy, Spain and France are REC Group's traditional strong markets in Europe where the brand is continuously increasing its footprint and strengthening its channel. Following the successful market introduction of the solar panel series REC N-Peak in 2018 and REC Alpha in 2019, products based on monocrystalline PERC technology, which is the scope of the patent infringement, has decreased in importance for REC Group in Europe. The above most recent innovations N-Peak and Alpha by REC Group are not subject of the litigation because they are based on different technology.

“As a global, pioneering solar energy company, we champion innovation and intellectual property rights. The more solar companies invest in developing groundbreaking innovation, the more improvement we will see in efficiencies and costs per kWh and achieving full access to renewable energy for communities. REC Group is known for setting new standards in the industry. And we will continue with our path of innovation as 'Solar's Most Trusted',” adds Seber.

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About REC Group:

REC Group is an international pioneering solar energy company dedicated to empowering consumers with clean, affordable solar power in order to facilitate global energy transitions. Committed to quality and innovation, REC offers photovoltaic modules with leading high quality, backed by an exceptional low warranty claims rate of less than 100ppm. Founded in Norway in 1996, REC employs 2,000 people and has an annual solar panel capacity of 1.8 GW. With over 10 GW installed worldwide, REC is empowering more than 16 million people with clean solar energy. REC Group is a Bluestar Elkem company with headquarters in Norway, operational headquarters in Singapore, and regional bases in North America, Europe, and Asia-Pacific.

Find out more at recgroup.com or    