

律 师 声 明 函

Statement Letter

关于：**Maerz** 麦尔兹双膛石灰窑相关知识产权的声明

**Re: Statement of Intellectual Property Rights Related to Double-Chamber Lime Kiln
of Maerz**

兹受蒂森克虏伯工程技术（中国）有限公司委托，北京市集佳律师事务所（以下亦称“本律所”）指派张亚洲律师、武树辰律师就市场上出现的涉嫌侵犯 **Maerz** 麦尔兹双膛石灰窑相关专利权及注册商标专用权之行为，借助公共媒介致函如下：

Entrusted by thyssenkrupp Industrial Solutions (China) Co., Ltd., Unitalen Attorneys at Law (hereinafter referred to as "Unitalen") has appointed attorneys ZHANG, Yazhou and WU, Shuchen to issue the following letter through public media channels regarding the suspected infringing acts upon registered trademark exclusive right and patent rights of double-chamber lime kiln of Maerz.

蒂森克虏伯工程技术（中国）有限公司是世界 500 强德国蒂森克虏伯集团旗下全资子公司，全权负责集团在中国区水泥和石灰行业的业务。蒂森克虏伯集团迄今已有 200 多年的历史，其于 1971 年收购了世界前三大著名水泥技术和装备制造厂商之一的 Polysius（伯利休斯集团），并于 2006 年收购了世界石灰行业技术领导者之一的瑞士品牌 **Maerz** 麦尔兹（以下简称“麦尔兹”），大大提升了集团为全球高端客户服务的能力和水平。

thyssenkrupp Industrial Solutions (China) Co., Ltd., a wholly owned subsidiary of

thyssenkrupp group which is one of the Fortune top 500 companies, is solely responsible for the group's business in the cement and lime industries in China. With a history of more than 200 years, thyssenkrupp group acquired Polysius in 1971, one of the world's top three manufacturers of cement technology and equipment, and acquired the Swiss brand Maerz (hereinafter referred to as "Maerz"), one of the global leaders in the lime industry in 2006, which greatly enhanced the group's ability to serve high-end customers worldwide.

为了进一步规范中国市场，避免国内客户因使用仿造技术所产生的不必要损失与潜在法律风险，麦尔兹董事会决定自 2022 年 11 月 28 日起，由蒂森克虏伯工程技术（中国）有限公司全权负责麦尔兹石灰窑技术在中国境内的所有授权。（详见本函件附件一麦尔兹独家授权书，及附件二麦尔兹独家授权书中文翻译件）

In order to further regulate the Chinese market and to avoid unnecessary losses and potential legal risks arising from use of counterfeits by domestic customers, the Board of Directors of Maerz has decided that as of November 28, 2022, thyssenkrupp Industrial Solutions (China) Co., Ltd. shall be solely responsible for all licenses of lime kilns of Maerz in China (for details, please refer to Annex I, "Letter of Authorization" by Maerz and Annex II, a Chinese translation thereof).

麦尔兹一直专注于石灰窑设备及相关技术的设计、研发、建造，其并流蓄热式石灰窑（亦称“双膛石灰窑”）成套技术能够实现更少的污染物排放，具有极高的热效率，实现更低的电耗以及更低的生产成本。2022 年 11 月由工信部牵头制定的《建材行业碳达峰实施方案》明确提出双膛石灰窑为石灰行业首推的绿色低碳技术。

Maerz has been focusing on the design, research and development, and construction of lime kiln equipment and related technologies, and its technology of parallel flow regenerative kilns (also known as "double-chamber lime kilns") can achieve less pollutant emission, with very high thermal efficiency, and can achieve lower power consumption, as well as lower production costs. The *Implementation Plan for Peaking Carbon Emissions in Building Materials Industry*, which was formulated with the lead of Ministry of Industry and Information Technology in November 2022, clearly puts forward double-chamber lime kilns as the most recommended green low-carbon technology for the lime industry.

为保护其双膛石灰窑技术，麦尔兹在中国、欧洲、美国等 70 多个国家和地区均申请了相关发明专利。在中国，麦尔兹拥有诸多与石灰窑技术相关的有效专利（详见本函附件三 麦尔兹石灰窑技术专利），例如，麦尔兹通过专利技术以连接通道温度为调节参数，以此作为煅烧产品的依据，明显地提前进行调节操作，从而保持最终产品的反应性和质量尽可能稳定。除此之外，麦尔兹还拥有以下“麦尔兹”以及“MAERZ”等多个注册商标。

In order to protect its double-chamber lime kiln technology, Maerz has applied for relevant patents in more than 70 countries and regions, including China, Europe and the United States. In China, Maerz has a number of patents in force relating to its lime kiln technology (see Annex III Lime Kiln Technical Patent of Maerz for details). For example, by means of patented technologies of Maerz, continuous measurement could be made in the region of the overflow channel, by which the feature of flame length is established as a parameter of the hot gas, making it possible to carry out adjustment significantly earlier than the prior art and thereby keeping the reactivity of the end product as constant as possible. In addition, Maerz also owns the following registered trademarks "麦尔兹 (Maerz)" and "MAERZ", etc.

目前，上述专利已被许可给蒂森克虏伯工程技术（中国）有限公司使用。根据《专利法》第十一条之规定，未经许可，其他任何人均不得制造、销售、许诺销售、使用、进口应用相关专利技术的产品。如果被认定侵权，相关制造方、销售方、使用方应承担停止侵权、赔偿损失等法律责任。《专利法》第七十一条规定侵犯专利权的赔偿数额按照被侵权所受到的实际损失或者侵权人因侵权所获得的利益等方法确定，且对故意侵犯专利权，情节严重的，可以在按照上述方法确定数额的一倍以上五倍以下确定赔偿数额。根据《商标法》第五十七条之规定，有下列行为之一的，均属侵犯注册商标专用权：（一）未经商标注册人的许可，在同一种商品上使用与其注册商标相同的商标的；（二）未经商标注册人的许可，在同一种商品上使用与其注册商标近似的商标，或者在类似商品上使用与其注册商标相同或者近似的商标，容易导致混淆的；（三）销售侵犯注册商标专用权的商品的；（四）伪造、擅自制造他人注册商标标识或者销售伪造、擅自制造的注册商标标识的；（五）未经商标注册人同意，更换其注册商标并将该更换商标的商品又投入市场的；（六）故意为侵犯他人商标专用权行为

提供便利条件，帮助他人实施侵犯商标专用权行为的；（七）给他人的注册商标专用权造成其他损害的。除此之外，相关行为情节严重的，还可构成犯罪。如，根据《中华人民共和国刑法》第二百一十四条之规定，销售明知是假冒注册商标的商品，违法所得数额较大或者有其他严重情节的，处三年以下有期徒刑，并处或者单处罚金；违法所得数额巨大或者有其他特别严重情节的，处三年以上十年以下有期徒刑，并处罚金。而根据《刑法》第二百一十六条之规定，假冒他人专利，情节严重的，处三年以下有期徒刑或者拘役，并处或者单处罚金。

Currently, the above patents have been licensed to thyssenkrupp Industrial Solutions (China) Co., Ltd. According to Article 11 of the *Chinese Patent Law*, no entity or individual may, without authorization of the patentee, exploit the patent, that is, make, sell, offer to sell, use or import the patented product. If the infringement is constituted, the relevant maker, seller and user shall bear the legal responsibility of stopping the infringement and compensating the damages. As stipulated in Article 71 of the *Chinese Patent Law*, the amount of compensation for the damages caused by the patent infringement shall be determined according to such criteria as the actual loss suffered due to the infringement or the profits earned by the infringer from the infringement. In the case of an intentional patent infringement with serious circumstances, the damages may be determined as not less than one nor more than five times the amount determined in the aforesaid method. In the light of Article 52 of the *Trademark Law of the People's Republic of China*, any of the following constitutes an infringement of the exclusive right to use a registered trademark: 1) using a trademark that is identical with a registered trademark in connection with the same goods without the authorization of the owner of the registered trademark; 2) using a trademark that is similar to a registered trademark in connection with the same goods, or that is identical with or similar to a registered trademark in connection with the same or similar goods, without the authorization of the owner of the registered trademark, which may cause public confusion; 3) selling goods that violate the exclusive right to use a registered trademark; 4) counterfeiting, or making, without authorization, representations of another party's registered trademark, or selling such representations; 5) altering another party's registered trademark without authorization and selling goods

bearing such an altered trademark; 6) help any others to infringe the exclusive right to use its registered trademark with intention to provide convenience for infringing the exclusive right to use its registered trademark; 7) otherwise causing prejudice to another party's exclusive right to use its registered trademark. Further, acts of relevant entities or individuals may also constitute crimes as provided in the Criminal Law. As provided in Article 214 of the *Criminal Law of the People's Republic of China*, whoever knowingly sells goods on which a false registered trademark is used shall, if the amount of illegal income is relatively large or there is any other serious circumstance, be sentenced to imprisonment of not more than three years and a fine or be sentenced to a fine only; or if the amount of illegal income is huge or there is any other especially serious circumstance, be sentenced to imprisonment of not less than three years nor more than ten years and a fine. Article 216 of the Criminal Law also stipulates that whoever counterfeits other people's patents, and when the circumstances are serious, is to be sentenced to not more than three years of fixed-term imprisonment, limited incarceration, and may in addition or exclusively be sentenced to a fine.

近期，蒂森克虏伯工程技术(中国)有限公司发现中国市场上充斥着大量号称“麦尔兹窑”的双膛石灰窑项目。如上所述，蒂森克虏伯工程技术(中国)有限公司为麦尔兹石灰窑技术在中华人民共和国的唯一授权代理，市场上所谓“麦尔兹窑”供应商制造、销售和使用麦尔兹上述专利技术的产品涉嫌构成专利侵权。同时，未经麦尔兹公司许可，在相同或类似商品上使用麦尔兹的注册商标的行为，涉嫌构成商标侵权。

Recently, thyssenkrupp Industrial Solutions (China) Co., Ltd. has discovered that a large number of double-chamber lime kiln projects called "Maerz Kilns" are available in the China market. As aforementioned, thyssenkrupp Industrial Solutions (China) Co., Ltd. is the solely authorized agent of Maerz's lime kiln technology in the People's Republic of China, and the manufacture, sale and use of Maerz's products using the above-mentioned patents by the so-called "Maerz Kiln" suppliers in the market are suspected of constituting patent infringement. At the same time, the use of Maerz's registered trademark on the same or similar goods without Maerz's permission is suspected of constituting trademark infringement.

对于专利以及商标侵权行为，麦尔兹及蒂森克虏伯工程技术（中国）有限公司持“零容忍”态度，本律所将配合权利人积极开展维权行动，必要时诉诸法律程序（包括但不限于诉前禁令、提起诉讼、向相关政府部门提交行政投诉），以捍卫自身合法权益，保护国内客户免受因使用侵权产品带来的经济风险和法律风险。

Maerz and thyssenkrupp Industrial Solutions (China) Co., Ltd. hold a "zero-tolerance" attitude towards patent and trademark infringement, and Unitalen will firmly cooperate with the right holders to actively enforce their rights and defend their legal interests, and if necessary, resort to legal proceedings (including but not limited to preliminary injunctions, filing lawsuits, and filing administrative complaints before relevant governmental departments), in order to safeguard their own legitimate rights and interests, as well as to protect the domestic clients from the economic and legal risks brought about by the use of infringing products.

特此声明！

Hereby declared!

北京市集佳律师事务所
UNITALEN ATTORNEYS AT LAW
张亚洲律师、武树辰律师

Attorneys: ZHANG, Yazhou, WU, Shuchen

2025年10月20日

October 20, 2025

附件一 麦尔兹独家授权书

Annex I Letter of Authorization by Maerz



Maerz Ofenbau AG, Richard Wagner-Strasse 28, 8027 Zurich, Switzerland

To whom it may concern

Zurich, 24 March 2023

Letter of Authorisation

We Maerz Ofenbau AG, a company duly organized under the laws of Switzerland and having its principle place of business at Richard-Wagner-Strasse 28, 8002 Zurich, Switzerland, hereby authorise thyssenkrupp Industrial Solutions (China) Co., Ltd., a company duly organised under the laws of the People's Republic of China and having its principle place of business at 7th Floor, Tower 2, Hongqiao Vanke Center, No. 988 Shenchang Rd., Minhang District, Shanghai 201106, China, to solely issue and distribute licenses for lime kilns designed by Maerz Ofenbau AG for lime plants to be built in the People's Republic of China.

thyssenkrupp Industrial Solutions (China) Co., Ltd. is entitled to offer the Maerz PFR kiln type technology, engineering, software, know-how and licence, as well as key components, such as firing systems, hydraulic systems, control systems etc.

Yours faithfully

Maerz Ofenbau AG

Stephan Lechner
Managing Director
Member of the Executive Board



Ruben Solla
CFO
Member of the Executive Board

附件二 麦尔兹独家授权书中文翻译件

Annex II Chinese Translation of the Letter of Authorization by Maerz



Maerz Ofenbau AG, Richard Wagner-Strasse 28, 8027 Zurich, Switzerland

苏黎世，2023 年 3 月 24 日

授权书

Maerz Ofenbau AG 麦尔兹欧芬堡集团是一家根据瑞士法律成立的公司，
营业地点：瑞士苏黎世理查德瓦格纳大街 28 号，邮编 8002

特此授权

蒂森克虏伯工程技术（中国）有限公司

营业地点：中国上海市闵行区申长路 988 号虹桥万科中心 2 号楼 7 层，邮编 201106
独家颁发在中国建造麦尔兹石灰窑的许可证。

蒂森克虏伯工程技术（中国）有限公司有权提供麦尔兹并流蓄热式双膛窑技术、工程设计、软件、专利技术和许可证，以及关键部件，如燃烧系统、液压系统、控制系统等。

Maerz Ofenbau AG

Stephan Lechner
Managing Director
Member of the Executive Board

Rubén Solla
CFO
Member of the Executive Board

此授权书翻译件由蒂森克虏伯工程技术（中国）有限公司翻译，蒂森克虏伯工程技术（中国）有限公司对此翻译件付相关法律责任。

附件三 麦尔兹石灰窑技术专利

Annex III Lime Kiln Technical Patent of Maerz

1. 发明专利号: ZL201080053913.X

1. Patent Number: ZL201080053913.X

发明专利名称: 并流再生式石灰窑及其操作方法

Title: Parallel flow regenerative lime kiln and the operation method

申请日: 2010 年 9 月 15 日

Application Date: September 15, 2010

优先权日: 2009 年 12 月 15 日

Priority Date: December 15, 2009

授权公告日: 2014 年 10 月 15 日

Date of Grant: October 15, 2014

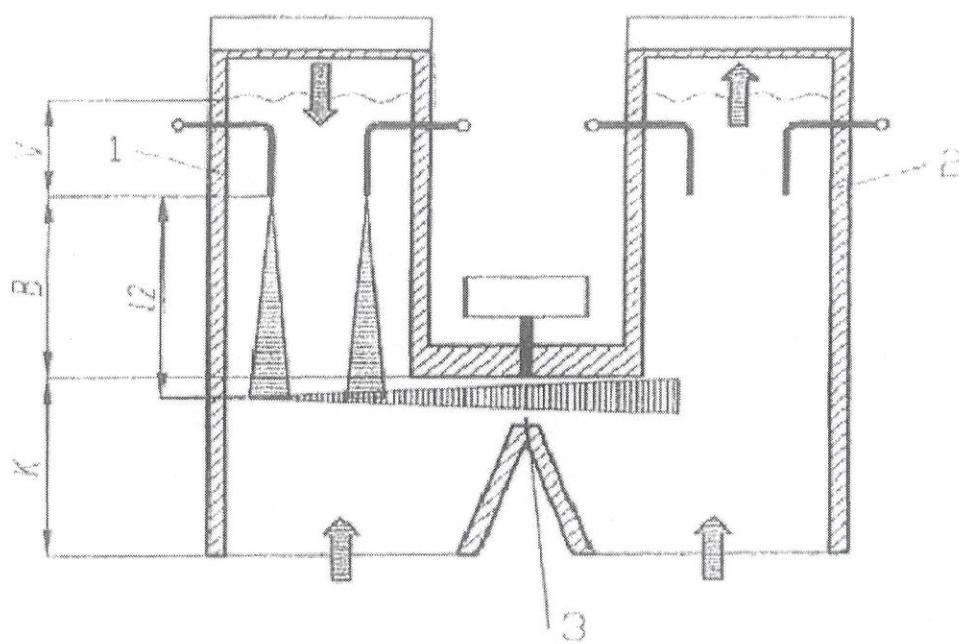


图 3

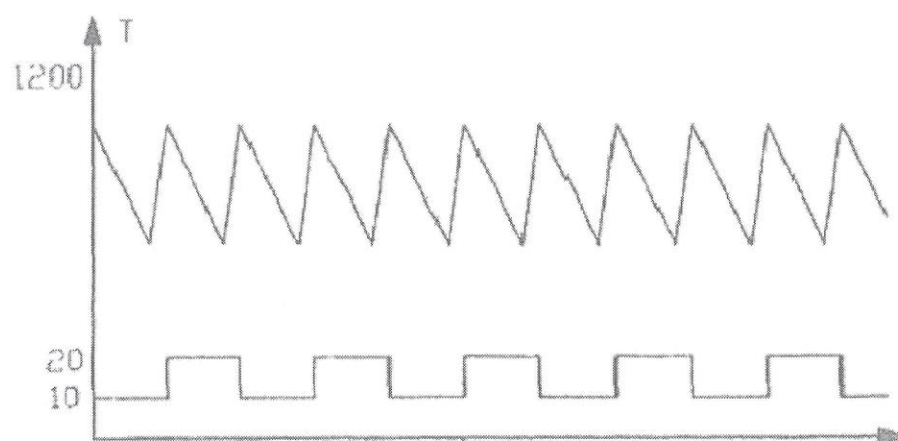


图 4

2. 发明专利号: ZL201480044775.7

2. Patent Number: ZL201480044775.7

发明专利名称: 平行流再生石灰窑中燃烧并冷却碳酸盐岩石的方法及平行流再生石灰窑

Title: Process for burning and cooling carbonate rock in a parallel-flow regenerative lime kiln, and a parallel-flow regenerative lime kiln

申请日: 2014 年 7 月 28 日

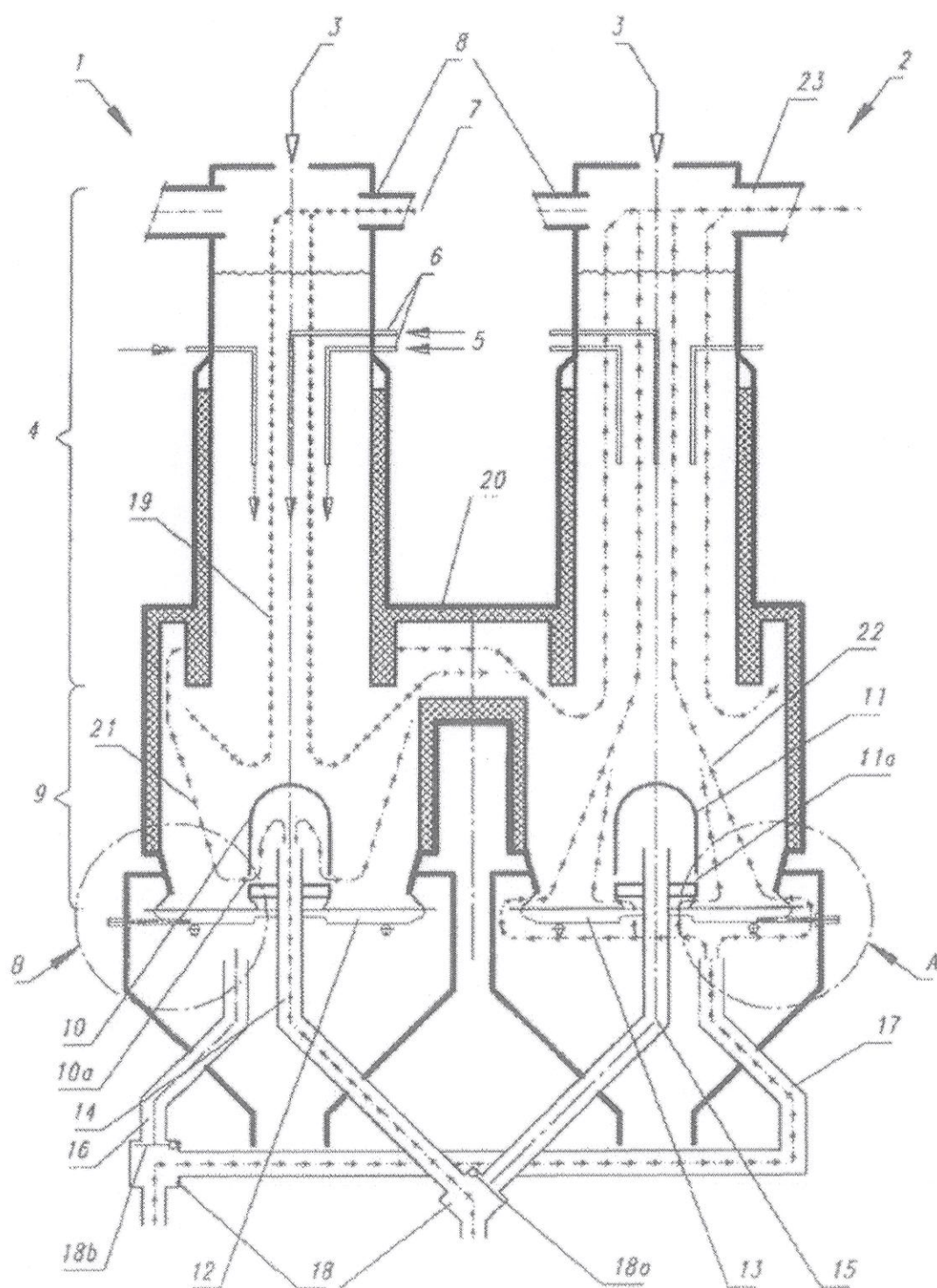
Application Date: July 28, 2014

优先权日: 2013 年 8 月 5 日

Priority Date: August 5, 2013

授权公告日: 2018 年 6 月 29 日

Date of Grant: June 29, 2018



上述专利经合法授权，目前处于有效状态。依据中国《专利法》的相关规定，上述专利权应受到中国法律严格保护。

The above-mentioned patents have been legally granted and are currently in a valid state. According to the relevant provisions of the *Chinese Patent Law*, the rights of above patents shall be strictly protected by the laws of China.

附件四 麦尔兹拥有但不限于以下注册商标：

Annex IV The registered trademarks owned by Maerz, without limitation to:

1. 商标：麦尔兹

Trademark: 麦尔兹

注册号：45235040

Register No.: 45235040

申请日：2020 年 4 月 8 日

Application Date: April 8, 2020

注册公告日：2022 年 2 月 14 日

Registration Date: February 14, 2022

核定使用商品： 煅烧窑等

Goods approved to be used with the trademark: Calcination kiln, etc.

2. 商标：MAERZ

Trademark: MAERZ

注册号：G893451D

Register No.: G893451D

申请日：2006 年 10 月 17 日

Application Date: October 17, 2006

注册公告日：2006 年 3 月 27 日

Registration Date: March 27, 2006

核定使用商品： 煅烧用的高温炉等

Goods approved to be used with the trademark: High temperature furnace for calcination, etc.