

Annex G Solar KEYMARK certificates and sub-licenses for other brands, product names, and sellers

1. Definitions

Certificate Holder: Company (legal entity with entry in the commercial register), which is responsible for fulfilment of all duties of the certification and has got the right to use the mark for the certified products. The certificate holder may or may not be the manufacturer of the certified product. In the case of not being the manufacturer, the responsibilities as licensee are the same as if it is a manufacturer

OEM (main-license): Normally, it is the original equipment manufacturer (OEM) of a product that applies for certification and is granted the right to use the Solar KEYMARK after positive assessment of all certification relevant documents. This term is used when the license holder has a contract with another company that acts as an OBL.

OBL (sub-license, private label): An own brand labelling (OBL) manufacturer is a company re-labelling a product with valid Solar KEYMARK certification under his own company name and product name (brand) without making any other changes to that product, thereby taking responsibility for it as the legal manufacturer under the above definition, and thus applies for a Solar KEYMARK certificate on his own. The terms “private label” or “sub-license” are also used to describe this situation.

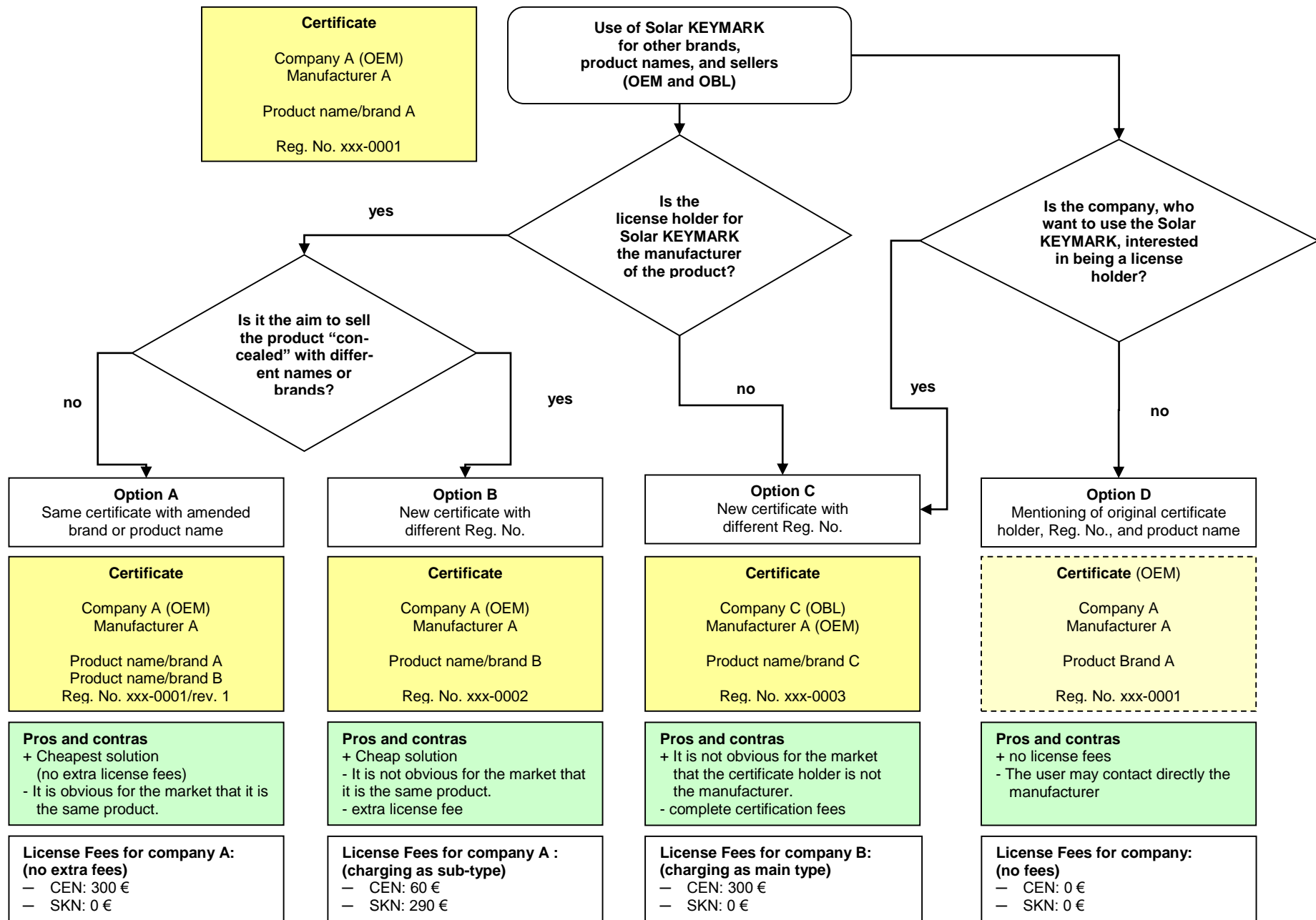
Brand or Trade Mark: Brand is the name, term, design, symbol, or any other feature that identifies one seller's product distinct from those of other sellers. It is no legal entity with entry in the commercial register. A same product may be sold under different brands or trademark in different markets.

2. Chart

Normally, it is the manufacturer of a product (OEM) who applies for certification and is granted the right to use the Solar KEYMARK after positive assessment of all certification relevant documents.

Furthermore, a customer of the manufacturer (certificate holder) can apply for a certificate on his own as OBL to get the right to use the Solar KEYMARK. The main benefits are that he can place the certified products on the market using another trademark and product name and has not to pay again for testing and inspection but only for certification and license fee.

The different possible options for OBL are shown on the following flow chart.



3. Procedure for granting Solar KEYMARK certificates (option A, B, and C)

3.1. Rules and requirements

- OBL certificates have to be issued always on the basis of OEM certificates. It is not possible to issue an OBL certificate on the basis of another OBL certificate.
- For every new certificate (OEM or OBL) a new registration No. is required.
- Data sheets for OBL certificates shall always be in the current valid Excel-format to harmonize the European database for solar thermal products.
- It is recommended that also the data sheet of the respective OEM certificate is updated to the new Excel-format if necessary.
- The OBL certificate can have either 5 year validity or the same expiry date as the main certificate. This is finally in the responsibility of the CB. In any case, the OBL certificate needs to be linked to the OEM certificate (e.g. concerning surveillance procedures like factory inspection and/or physical inspection).

3.2. Documents needed

- application form provided by the CB who issued the OEM certificate taking into account the relationship between OEM and OBL manufacturer and the respective obligations (e.g. changing the product, selling different products with the same product name/brand etc.)
- new test report (voluntary) for the applicant and/or written permission for the right to use the original test report(s) and inspection report for the products for which the OBL manufacturer applies for certification.
- declaration of OEM and OBL that the respective product is the same as the certified once
- new data sheet issued for the OBL (voluntary since some certification bodies will prepare this as part of the certificate)
- test report/check on new installation manual and type plate for the applied products
- in some cases the CB requires a registration of the trade mark/brand/company

3.3. Fees

- certification fee according to the current schedule of fees of the involved CB
- license fee to CEN and SKN according to Annex C of the scheme rules (every new certificate – also for brands/trademarks – includes a license fee to CEN and/or SKN)
- This ensures a transparent and fair competition between the CB for charging license CEN/SKN fees. Otherwise, the certificate holder may move to another CB because of reduced license fees.

4. Procedure for maintaining Solar KEYMARK certificates (option A, B, and C)

4.1. Requirements for follow up activities

- Bi-annual Physical Inspection (PI) carried out at the manufacturer and check of the installation manual and type plate of the sub-license holder
- A Yearly Factory Inspection (FI) at the sub-license holder is currently not requested but possible for special reasons.
- As long as the surveillance requirements were assessed positive, the sub-license can be renewed for further 5 years.

4.2. Rules for withdrawal of certificates

4.2.1. Case of rupture of contract between manufacturer and other company that is licence holder

It is possible to withdraw an OBL certificate if the OEM certificate holder does not want to cooperate with the OBL manufacturer anymore. In this case there is no contract (commercial relationship) anymore between both companies. The KEYMARK certified products on stock can be sold for a certain period with confirmation of the CB (maximum limit should be 2 years).

4.2.2. Case of withdrawal of certificate of manufacturer

If the OEM certificate is withdrawn, the OBL certificate may also be withdrawn, but there are two possible cases:

- If the product is no longer being produced, the certificate will be withdrawn (see clause 4.2.1).
- If the product is still being produced, the OBL certificate is handled like OEM certificate and can remain valid as long as all requirements of the respective standard(s) and Scheme rules (e.g. the surveillance requirements) are fulfilled.