

# Wiley Rein's Tim Brightbill Discusses Final U.S. Ruling on Chinese Solar Panel Tariffs

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Tim Brightbill, a partner in Wiley Rein's International Trade Practice, was quoted in several media outlets reacting to tariffs placed on Chinese solar panels in an ongoing trade dispute. The U.S. Commerce Department issued its final ruling, imposing antidumping tariffs ranging from about 24 percent to almost 250 percent and countervailing duty (subsidy) tariffs of 15 to 16 percent on solar panels coming from China. Earlier in the year, Commerce found that due to dumping and government subsidies, Chinese companies were selling their products in the U.S. at a price lower than the cost of production. The case stems from a legal filing one year ago by a coalition of manufacturers led by SolarWorld—the largest U.S. solar panel maker.

Quoted in a *New York Times* story, Mr. Brightbill—lead attorney for SolarWorld—said: "This is another important step in returning the solar marketplace in the United States to fair competition." In a *Bloomberg Business News* story, he stated: "We're pleased with the margins calculated by the Commerce Department, particularly the subsidy margins which increased significantly on the entire Chinese industry." In an interview with *Reuters*, he added that the industry still has concerns about the scope of the ruling, which could allow imports of Chinese modules using non-Chinese solar cells. "In our view, all Chinese cells and all Chinese modules are dumped and subsidized," Mr. Brightbill said. The domestic industry is looking to the Administration, the Commerce Department and U.S. Customs and Border Protection to close this potential loophole.

## Related Professionals

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## Practice Areas

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The tariffs will take final effect if the International Trade Commission finds that Chinese dumping has harmed or threatened to harm the U.S. industry. A determination is expected sometime in November.