

AMERICAN SUPERCONDUCTOR CORP / DE/

FORM 8-K (Current report filing)

Filed 08/23/16 for the Period Ending 08/17/16

Address	SIXTY FOUR JACKSON ROAD DEVENS, MA 01434
Telephone	9788423000
CIK	0000880807
Symbol	AMSC
SIC Code	3621 - Motors and Generators
Industry	Electronic Instr. & Controls
Sector	Technology
Fiscal Year	03/31

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION**
Washington, D.C. 20549

FORM 8-K

CURRENT REPORT
Pursuant to Section 13 or 15(d) of
The Securities Exchange Act of 1934

Date of Report (Date of earliest event reported):
August 17, 2016

American Superconductor Corporation
(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction
of incorporation)

000-19672
(Commission
File Number)

04-2959321
(IRS Employer
Identification No.)

64 Jackson Road
Devens, Massachusetts
(Address of principal executive offices)

01434
(Zip Code)

Registrant's telephone number, including area code (978) 842-3000

Not Applicable
(Former name or former address, if changed since last report.)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
 - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
 - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
 - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
-
-

Item 8.01. Other Events.

On August 17, 2016, American Superconductor Corporation (the “Company”) received notification that the Hainan Higher People’s Court dismissed the civil action captioned *(2014) Hainan Yi Zhong Zhi Min Chu Zi No. 2* for software copyright infringement filed by the Company’s wholly-owned Chinese subsidiary, Suzhou AMSC Superconductor Co., Ltd. (“AMSC China”) against Sinovel Wind Group Co. Ltd., a company registered in China (“Sinovel”) and a former licensee of wind turbine technology from the Company’s wholly-owned Austrian subsidiary, AMSC Austria GmbH, and Dalian Guotong Electric Co. Ltd., a supplier of power converter products to Sinovel (“Guotong”), for what it cited was a lack of evidence.

In this civil action, AMSC China is seeking a cease and desist order with respect to the unauthorized use of its software, monetary damages of RMB 1.2 million (approximately \$0.2 million) for its economic losses and reimbursement of all costs and reasonable expenses.

The Company expects to file an appeal of the Hainan Higher People’s Court’s decision with China’s Supreme People’s Court. China’s Supreme People’s Court has discretion to decide whether to hear the appeal.

Forward-Looking Statements

Statements in this report that are not strictly historical in nature constitute “forward-looking statements” within the meaning of the Private Securities Litigation Reform Act of 1995. Such statements include, but are not limited to, statements regarding the Company’s expectation regarding the filing of an appeal of the Hainan Higher People’s Court’s decision with China’s Supreme People’s Court. Such forward-looking statements represent management’s current expectations and are inherently uncertain. Actual results may differ materially from what management currently expects because of many risks and uncertainties, including the risk that the Company may not file an appeal of the Hainan Higher People’s Court’s decision in the timeframe it expects or at all and the risk that the China’s Supreme People’s Court may elect not to hear an appeal of the Hainan Higher People’s Court’s decision. These and the important factors discussed in the “Risk Factors” section of the Company’s Annual Report on Form 10-K for the fiscal year ended March 31, 2016, among others, could cause actual results to differ materially from those indicated by forward-looking statements made herein and presented elsewhere by management from time to time. In addition, any forward-looking statements included in this report represent the Company’s expectations as of the date of this report. While the Company anticipates that subsequent events and developments may cause the Company’s views to change, the Company specifically disclaims any obligation to update these forward-looking statements. These forward-looking statements should not be relied upon as representing the Company’s views as of any date subsequent to the date of this report.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

AMERICAN SUPERCONDUCTOR CORPORATION

Date: August 23, 2016

By: /s/ David A. Henry

David A. Henry

Executive Vice President and Chief Financial Officer