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## 我们认为商汤科技正在通过高度可疑的收入循环的方式来人为地 (非)智能地夸大收入

- 商汤科技(0020.HK)将自己描述为"领先的人工智能软件公司",但是,我们认为 在这里人工智能代表人工膨胀的收入。我们的研究揭露了商汤科技似乎存在一种通 过采用收入造假的方式来伪造收入的模式。
- 两起法庭案件描述了商汤科技直接或通过中间公司向客户提供资金,而这些资金又用于从商汤科技购买可能从未交付的商品。
- 中国财经媒体公司 Capital Watch 的首席执行官证实了这一方式,他报告说,商汤 科技投资于第三方公司,以换取等额的收入,而没有实际交付产品。
- 正如其中一起法庭案件所揭露的那样,商汤科技的[收入]循环方式涉及一个被警方 拘留且从未把钱还回来的交易对手。这意味着商汤科技要么故意与犯罪分子合作, 要么不进行风险管理。
- 我们发现了由商汤科技高管和高级员工控制的几个未披露的关联方——商汤科技似乎将这些实体隐藏在资产负债表之外,让人想起 Philidor-Valeant 的关系
- 据员工和媒体报道,商汤科技与中国政府有着深厚的联系,这导致了无利可图(而且看似没有偿付)的合同
- 自2019年以来,商汤科技与中国政府的关系也导致公司被美国政府列入黑名单,原因是其面部识别软件用于迫害维吾尔族穆斯林——该黑名单切断了商汤科技与美国科技市场的联系
- 我们认为,尽管商汤科技试图通过裁员来遏制亏损,但其现金消耗仍将有增无减, 而大量(且不断增长的)应收账款最好的情况是表明公司无法收回付款,最坏的情况是虚假收入
- 专家们对商汤科技的未来持怀疑态度,因为来自阿里巴巴、百度、华为、腾讯等规模更大、资金更雄厚的同行的激烈竞争
- 网上的员工评论反映了对一个没有方向且不盈利的业务的不满和失衡
- 聪明钱正在争先恐后地退出,阿里巴巴和一位联合创始人将他们各自的股份减少到零。

## 介绍

在香港股票市场上市的商汤科技集团(SenseTime Group Inc.)主要向中国政府提供面部识别技术。该公司大声宣称自己是最新的热门人工智能(AI)公司。针对人工智能最新趋势的新闻稿和演讲包括"智慧城市"、"智慧交通"、"智慧汽车"、"智慧商业"、"工业质量控制"、"智慧文化和旅游"、"智慧健康"、"智慧生活"和"人工智能教育"等领域的项目。商汤科技多次将自己介绍为"全球领先的人工智能平台公司"或"领先的人工智能算法提供商"。这个多头案例在公司和卖方分析师的推动下,其严重依赖商汤科技的各种人工智能技术成为公司的增长动力。虽然这些流行语可能会引起投资者的肤浅兴趣,但我们的研究揭示了截然不同的情况。

我们的研究表明,商汤科技已经走上了财务操纵的道路,通过收入循环方式,并且没有披露公司高管拥有和控制的一系列关联方公司。不幸的是,收入循环实际上并不能改善现金流。商汤科技仍然发现自己每年亏损数十亿元人民币。

我们认为,商汤科技的核心面部识别业务已经变得无利可图,因为竞争激烈,而且中国政府根本不会将高利润的合同授予外资占多数股权的企业。这种不幸的处境导致商汤科技大肆宣传他们的各种人工智能的努力,这实际上描述了一种分散的基于项目的业务,不太可能像真正的 SaaS 提供商那样扩展。该公司似乎缺乏差异化的人工智能技术,正如他们自己员工的反馈所证明的那样,紧随其后的是令人尴尬的失误,例如向投资者展示人工智能技术,后来被发现是竞争对手的产品。

内部人士正在向公众出售他们的股票,投资者也需要警惕地质疑人工智能的炒作,并更深入地研究一家我们认为非常不诚实的公司。

## 明显的内部人士揭露了收入循环方式的运作模式

财经媒体公司 Capital Watch 的首席执行官详细描述了所谓的商汤科技的收入循环方式。 他似乎对这个过程非常熟悉。



来源: https://36kr.com/p/2223085043282952

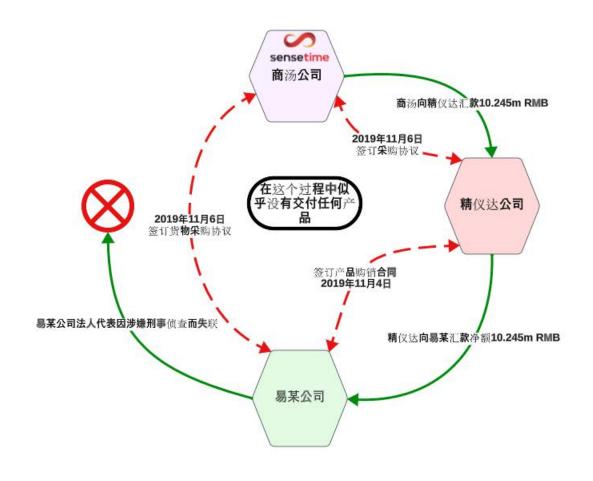
这篇微信朋友圈的转译称,商汤科技向 4-5 家公司投资 2 亿元人民币。资金接收公司冒充商汤科技的代理商,然后将收到的 2 亿元人民币转回商汤科技,商汤科技将其记为收入。最初,商汤科技还会生产和交付一两百台产品。后来,他们连生产和物流都免了,[商汤科技及其代理商]直接发票往来[而不交付任何实际产品]。

进一步确凿的证据有力地支持了这些指控。

## 地方法院的案例似乎描述了捏造收入的方式

中国法院的两起记录在案的诉讼涉及商汤科技;这两份文件似乎都表明商汤科技一直在从事伪造收入的活动。

**法院案例一:** 北京市商汤科技开发有限公司(以下简称"商汤公司")为原告;诉江苏精仪达科技有限公司(以下简称"精仪达公司")为被告



资料来源: 法庭文件 (2020) 苏0903民初1048号; Grizzly 分析

考虑到本案的重要性,以下是更详细的说明:

- 1. 商汤公司于 2019 年 11 月 6 日与精仪达公司签订了总价值 1024.5 万元的产品清单 (即东芝移动硬盘、三星固态硬盘等)的采购协议。商汤公司于 2019 年 11 月 17 日向精仪达公司汇款 1024.5 万元。
- 2. 精仪达公司于 2019 年 11 月 4 日与易某公司签订产品购销合同,向易某公司采购基本相同的产品,总金额为 1028.9 万元。2019 年 11 月 18 日,精仪达公司向易某公司汇款 1028.9 万元(同日易某公司向精仪达公司退回 4.4 万元,所以净汇款为1024.5 万元)。而就在前一天,精仪达公司刚刚收到商汤公司汇入的 1024.5 万元。
- 3. 同时,易某公司还于 2019 年 11 月 6 日与商汤公司签订了货物采购协议,这和商 汤公司与精仪达公司签订采购协议为同一天。该协议项下的产品几乎和商汤公司据 称要从精仪达公司购买的产品一致,除了某些商汤科技的软件。

换言之,在此次三方交易中,根据法庭文件中提及的多份合同/协议,商汤公司向精仪达公司购买产品,精仪达公司向易某公司购买相同的产品,最后,易某公司再从商汤公司购

买基本相同的产品。这些货款本来应该是从商汤公司到精仪达公司,从精仪达公司到易某公司,最后从易某公司再回到商汤公司。这个循环之所以被打破,是因为易某公司的法定代表人蔡某在本次交易完成前因涉嫌刑事侦查而失去联系。通过利用这种循环交易,我们认为商汤科技可以人为地夸大其报告的收入。

我们很幸运地抓住了这个,因为三方之一的易某公司的关键人物在交易过程中失去了联系,这导致了商汤公司与精仪达公司的这场诉讼。想象一下,有多少类似的交易可能被忽视或者没有被曝光。

本案中,商汤公司起诉精仪达公司,称诉讼理由为精仪达公司未履行协议,交付协议项下的产品。但本案的判决是,法院判决精仪达公司履行了协议,无需偿还商汤公司要求偿还的 1024.5 万元人民币及利息。

本院审查认为:人民法院审理经济纠纷案件,认为有经济犯罪嫌疑的,应当将相关材料移送公安机关或检察机关。本案中,原告商汤公司、被告精仪达公司及上海易华电子商务有限公司三方于 2019 年 11 月 4 日、6 日签订了采购协议,三方之间为循环贸易。商汤公司于 2019 年 11 月 17 日将货款 1024.5 万元汇付给被告精仪达公司,精仪达公司于次日将该款项汇付给上海易华电子商务有限公司,现因上海易华电子商务有限公司及其法定代表人蔡某因涉嫌犯罪已被公安机关立案侦查。本院审查认为,上海易华电子商务有限公司及其法定代表人蔡某涉嫌犯罪,故本案应移送公安机关查处。依照《中华人民共和国民事诉讼法》第一百五十四条、最高人民法院《关于在审理经济纠纷案件中涉及经济犯罪嫌疑若干问题的规定》第十一条、《最高人民法院关于适用<中华人民共和国民事诉讼法》的解释》第二百零八条第三款规定,裁定如下:

驳回原告北京市商汤科技开发有限公司的起诉。

来源: 法庭文件 (2020) 苏 0903 民初 3312 号

此外,法院判决书还指出,原告商汤公司、被告精仪达公司、上海易华电子商务有限公司 (上述的"易某公司")三方之间为**循环贸易**。

另据<u>报道</u>,不久前商汤科技知识产权总监高某涉嫌**收受供应商"金额巨大"的贿赂**,警方已实施刑事强制措施。

尽管上述这笔交易看起来完全是虚假的,但它反映了商汤科技与犯罪分子合作的可怕风险 管理。

法院案例二:四川长虹佳华信息产品有限责任公司(以下简称"长虹佳华")为原告;诉福建省新泽尔资讯科技有限公司(以下简称"新泽尔公司")及其法定代表人苏彩通为被告首先简单介绍一下这起诉讼的背景:2019年12月3日,长虹佳华(卖方)与新泽尔公司(买方)签订了涉及商汤科技产品总价值327万元的购销合同。

1.2019 年 6 月份,原告业务经理季世元和其合作伙伴上海商汤智能科技有限公司(以下简称商汤公司)业务经理李广得知被告有"人脸识别"产品采购需要,多次到被告处走访推销商汤公司的"人脸识别"产品。但因被告已经采购并使用了深圳巨龙公司的"人脸识别"产品,便表示无需再购买。此时原告跟商汤公司的业务经理提出,由被告向原告采购一小部分"人脸识别"产品,原告向被告提供310 万元的借款,利息按年利率11%计付,但要求以签订货物买卖合同的形式支付借款。被告当时业务因深受疫情影响,急需一笔资金用于生产经营,于是

**便答应了原告的借款方案**。具体方案为:第一步,先由原告向商汤公司虚拟采购案涉产品并签订相应买卖合同和收货单,然后原告向商汤公司支付 310 万元虚拟货款;第二步,由商汤公司向被告的下游代理商福建坤骏公司科技有限公司(以下简称坤骏公司)虚拟采购案涉产品并签订相应买卖合同收货单,商汤公司将该 310 万元虚拟货款支付给坤骏公司;第三步,由坤骏公司将该 310 万元款项以同样方式付至被告子公司厦门市新泽尔信息科技有限公司账户;第四步,由厦门市新泽尔信息科技有限公司也以同样方式将该 310 万元付至被告银行账户;最后,由被告以同样方式向原告虚拟采购案涉产品并签订相应买卖合同和收货单,在形式上形成被告向原告购货 310 万元,货已收而款未付清的闭合式循环。

来源: 法庭文件 (2020) 京 0106 民初 30115 号

在本次交易中,不管法院的裁决如何,我们发现被告(新泽尔公司及其法定代表人)对本合同为何无效的解释,对于外人了解原告(长虹佳华)与商汤科技如何就该产品销售与被告进行接触非常有帮助。根据被告的说法,他们一开始其实并不需要购买商汤科技的面部识别产品,因为他们已经从另一家公司购买并使用了类似的产品。但是,我们怀疑商汤科技将此类交易确认为收入。整个交易似乎没有其他意义,只是为商汤科技制造虚假发票/收入。

在上述两个案例中,商汤科技似乎都参与了某种形式的收入造假。不可能全面地捕捉到每一个捏造收入的例子,但当错误渗透到公众的视线中时,比如法庭记录,很可能还有许多其他的错误没有浮出水面。 当大局指标,例如商汤科技的 470+天应收账款周转被公布时,这些都是通常在阴影中发现的可疑细节。

# 商汤科技的应收账款正在膨胀,必须予以减计——这是虚假收入和可怕经营状况的明显迹象

商汤科技的财务状况很糟糕,意味着核心业务正在失败。2022 年,商汤科技报告收入 38 亿元人民币(与 2021 年的 47 亿元人民币相比同比下降 19.0%),全年亏损 61 亿元人民币。经一定调整后,公司仍录得负 42 亿元经调整的 EBITDA 及 47 亿元人民币经调整后的净亏损。这两个调整后的指标都比 2021 年差得多。2023 年上半年的亏损继续有增无减。

#### 商汤科技的红色墨水业绩在 2023 年有增无减

人民币 (数以千计)	2023 *	2022	2021
收入	\$2,866,244	\$3,808,510	\$4,700,263
销售成本	-\$1,568,898	-\$1,266,243	-\$1,422,625
经营亏损	-\$6,694,610	-\$6,528,323	-\$3,729,734
除所得税前亏损	-\$6,533,680	-\$6,332,812	-\$17,141,544
本年度亏损	-\$6,285,248	-\$6,092,990	-\$17,177,050
本公司权益持有人应占亏损	-\$6,285,248	-\$6,044,796	-\$17,140,086
<b>公田敷 EDITDA</b>	Ć4 051 700	ĆA 212 AAA	¢979.070
经调整 EBITDA	-\$4,051,708	-\$4,213,444	-\$878,970

(\* 2023 年: 前六个月, 年化)

根据公司的披露,似乎两个主要业务部门(智慧商业和智慧城市)正在逐年大幅下降。例如,智慧商业的收入从 2021 年的 19.6 亿元下降到 2022 年的 14.6 亿元,智慧城市的收入从 2021 年的 21.4 亿元下降到 2022 年的 11.0 亿元。智慧城市业务几乎同比削减了一半。

### 业务线没有可扩展增长的迹象

人民币 (百万)	<b>2023</b> 前 <b>6</b> 个月	% of Revenues	2022		2022 20		021
智慧商业	853.6	59.6%	1464.3	38.4%	1957.9	41.7%	
智慧生活	311.8	21.8%	955.1	25.1%	415.4	8.8%	
智慧城市	183.8	12.8%	1096.4	28.8%	2142.8	45.6%	
智能汽车	83.9	5.9%	292.7	7.7%	184.2	3.9%	
总计	1433.1	100.0%	3808.5	100.0%	4700.3	100.0%	

<sup>\* 2023</sup> 年数据来自商汤科技中期报告——2023 年 8 月 28 日。

		As at Decen	nber 31,
	Note	2022 RMB'000	2021 RMB'000
Assets			
Non-current assets			
Property, plant and equipment	16	6,999,010	2,909,263
Right-of-use assets	17	315,094	432,164
Intangible assets	18	332,887	224,586
Contract assets	5(f)	22,999	20,335
Investments accounted for using the equity method	12	54,241	26,930
Deferred income tax assets	20	689,697	457,199
Restricted cash	26	271,392	-
Financial assets at fair value through profit or loss	25	6,676,533	4,310,970
Long-term receivables	24	357,952	306,860
Other non-current assets	19	183,009	171,795
		15,902,814	8,860,102
Current assets			
Inventories	21	617,110	496,144
Contract assets	5(f)	27,231	19,023
Trade, other receivables and prepayments	23	6,071,675	5,775,885
Financial assets at fair value through profit or loss	25	632,124	272,549
Restricted cash	26	348	319
Term deposits	26	6,212,878	4,990,791
Cash and cash equivalents	26	7,962,813	16,529,506
		21,524,179	28,084,217
Total assets		37,426,993	36,944,319

	Notes	As at June 30, 2023 RMB'000 (Unaudited)	As at December 31 2022 RMB'000
Assets			
Non-current assets			
Property, plant and equipment	13	7,355,409	6,999,010
Right-of-use assets	14	420,910	315,094
Intangible assets	15	326,806	332,887
Contract assets	5(f)	22,898	22,999
Investments accounted for using the equity method		108,668	54,241
Deferred income tax assets	17	817,596	689,697
Restricted cash	22	243,316	271,392
Financial assets at fair value through profit or loss	21	6,456,082	6,676,533
Long-term receivables	20	218,560	357,952
Other non-current assets	16	300,243	183,009
		16,270,488	15,902,814
Current assets			
Inventories	18	569,043	617,110
Contract assets	5(f)	29,283	27,231
Trade, other receivables and prepayments	19	5,764,921	6,071,675
Financial assets at fair value through profit or loss	21	1,033,290	632,124
Restricted cash	22	92,506	348
Term deposits	22	4,688,844	6,212,878
Cash and cash equivalents	22	7,153,015	7,962,813
		19,330,902	21,524,179
Total assets		35,601,390	37,426,993

2023 年半年中期报告没有显著改善

		As at Decem	ber 31,
	Note	2022 RMB'000	2021 RMB'000
Liabilities			
Non-current liabilities			
Borrowings	34	2,907,153	339,505
Lease liabilities	17	105,228	228,802
Deferred income tax liabilities	20	9,593	43,316
Contract liabilities	32	74,553	37,550
Deferred revenue	35	307,593	140,251
Preferred share and other financial liabilities	29	1,395,814	1,072,583
Long-term payables	31(b)	11,611	44,955
Put option liability	33	278,584	255,028
		5,090,129	2,161,990
Current liabilities			
Borrowings	34	321,461	383
Trade and other payables	31(a)	2,472,581	2,290,258
Lease liabilities	17	183,002	155,495
Contract liabilities	32	207,571	172,131
Deferred revenue	35	120,635	171,130
Current income tax liabilities		17,754	5,848
		3,323,004	2,795,245
Total liabilities		8,413,133	4,957,235
Total equity and liabilities		37,426,993	36,944,319
Net current assets		18,201,175	25,288,972
Total assets less current liabilities		34,103,989	34,149,074

	Notes	As at June 30, 2023 RMB'000 (Unaudited)	As at December 31 2022 RMB'000
Liabilities			
Non-current liabilities			
Borrowings	30	3,621,854	2,907,153
Lease liabilities	14	199,164	105,228
Deferred income tax liabilities	17	8,893	9,593
Contract liabilities	28	31,455	74,553
Deferred revenue		302,197	307,593
Preferred share and other financial liabilities	25	1,494,834	1,395,814
Long-term payables		5,215	11,61
Put option liability	29	289,032	278,584
		5,952,644	5,090,129
Current liabilities			
Borrowings	30	170,993	321,46
Trade and other payables	27	2,341,170	2,472,581
Lease liabilities	14	167,909	183,002
Contract liabilities	28	175,735	207,571
Deferred revenue		86,764	120,635
Current income tax liabilities		10,185	17,754
		2,952,756	3,323,004
Total liabilities		8,905,400	8,413,133
Total equity and liabilities		35,601,390	37,426,993

2023 年 6 月的中期报告的借款额比 2022 年年底上升了 24%

截至 2023 年 6 月 30 日,该公司拥有约 118 亿人民币现金等价物 + 定期存款,资产负债表上有 36 亿的借款。商汤科技在 2022 年录得约 80 亿元人民币的负自由现金流(2021 年为负 35 亿元人民币),2023 年上半年又录得 25 亿元人民币的流出。 这使得该公司手头的现金流出可以持续不到两年。

		Year ended December 31,		
	Note	2022 RMB'000	2021 RMB'000	
Cash flows from operating activities				
Cash used in operations	36(a)	(3,073,538)	(2,447,650	
Income tax paid		(10,945)	(37,791	
Net cash used in operating activities		(3,084,483)	(2,485,441	
Cash flows from investing activities				
Purchase of property, plant and equipment		(4,890,289)	(1,073,109	
Purchase of intangible assets		(276,838)	(192,404	
Proceeds from disposal of property, plant and equipment		4,514	8,402	

	Notes	Six months ende	ed June 30
		2023 RMB'000 (Unaudited)	2022 RMB'000 (Unaudited)
Cash flows from operating activities			
Cash used in operations		(1,793,363)	(1,837,345)
Income tax paid		(11,442)	(10,804)
Net cash used in operating activities		(1,804,805)	(1,848,149)
Cash flows from investing activities			
Purchase of property, plant and equipment		(690,836)	(997,184)
Purchase of intangible assets		(43,872)	(112,292)
Proceeds from disposal of property, plant and equipment		5,712	1,045

据报道,该公司今年已在各个部门进行了裁员(<u>链接</u>),在大规模和可信的竞争正在向人工智能投入大量资源的时候,这并不令人鼓舞。

最糟糕的是,披露的贸易应收账款数量及其拨备让我们怀疑该公司是否一直在做假账。据估计,其 40%的收入来自政府合同(链接),由于房地产泡沫,城市和地方政府的主要收入来源急剧减少,这表明这些应收账款可能永远无法收回。换句话说,尽管目前报告的财务状况看起来很糟糕,但商汤科技的现实情况可能更糟。

#### 应收账款和减值比较,2022年与2021年

(RMB ,000)	2023 半年中期	2022	2021	YoY
贸易应收账款总额	7,726,107	7,796,278	6,064,147	
减值拨备	-2,919,315	-2,578,516	-980,402	
拨备占贸易应收账款总额的百分比	37.8%	33.10%	16.20%	204%
其他应收账款总额	586,892	582,078	678,850	
减值准备金	-393,482	-370,941	-349,615	
占其他应收账款总额的拨备百分比	67.0%	63.70%	51.50%	124%

来源: 公司文件; Grizzly 分析

贸易应收账款项目方面,截至 2022 年 12 月 31 日,公司贸易应收账款总额为 78 亿元人民币, 2023 年上半年未出现实质性改善。 然而,公司将减值准备定为人民币 25.8 亿元,约占贸易应收账款总额的 33.1%,截至 2023 年 6 月又增加了 13%。其他应收账款项目,减值拨备占其他应收账款总额的百分比甚至更高(超过 50%)。

一方面,该公司报告的收入为 38 亿元人民币,毛利率超过 66%(2022 财年),但另一方面,这些报告收入中的大部分似乎永远不会从其客户那里收取。商汤科技本身将这些减值主要归因于新冠疫情,但这种天文数字的减值数字发出了巨大的危险信号,并表明存在进一步的问题。

更有可能的是,这些高减值是收入造假的直接结果,例如商汤科技一直在进行的虚构交易的发票,以及政府客户按照自己的时间表付款,如果他们最终会支付的话。(例如,房地产泡沫需要多少年才能破灭?坏消息还没有全部出来)。

商汤科技的财务和会计团队似乎是有问题的。投资者应该怀疑该公司报告的财务状况的真实性。即使经历了大规模减值,贸易应收账款周转仍由 2021 年的 319 天增加至 2022 年的 494 天。 自 2017 年以来,应收账款的收款情况每年都在惊人地恶化,因此这对管理层来说并不奇怪。

#### 贸易应收账款营业额分析: 同比

年份 (* TTM)	2023 *	2022	2021	2020	2019	2018
应收账款周转率 (天)	479	494	319	293	219	157
较上期增加百分比	-3.1%	54.9%	8.9%	33.8%	39.5%	
TTM 收入	3,822,679	3,808,510	4,700,263	3,446,165	3,026,603	1,853,422
贸易应收账款	4,806,792	5,217,800	5,083,745	3,138,660	2,403,228	1,229,567

来源: 公司文件; Grizzly 分析

用公司自己的话说:

"As of June 30, 2023, the aging of our gross trade receivables has worsened, compared to that as of December 31, 2022. A **significant portion** of our historical revenue was derived from **Smart City**, which typically features a long payment cycle as **required by their internal financial management and payment approval processes**. Although our overall cash collection amount has begun to improve year over year during the first half of 2023, **cash collections for relatively long outstanding receivables remain challenging**, as some of our customers, especially those in Smart City, face **"temporary"** budget constraints and uncertain macroeconomic environment.

来源于商汤科技截止于 2023 年 6 月 30 日的 2023 年中期报告 (加粗并高亮显示 by Grizzly Research):

商汤科技首席财务官王征在资本市场拥有丰富的投资经验。然而,投资者应注意,王先生在审计/会计行业并没有太多经验。

## 巧妙隐藏的未披露关联方从来都不是一个好兆头

我们的研究发现了一些与商汤科技潜在的未披露关联方。许多是由商汤科技的高级职员拥有多数股权,或者通过公开来源相互关联。商汤科技有意识地选择将这些实体排除在资产负债表之外,这令人深感担忧,尤其是考虑到上文描述过的收入循环。

以上内容仅为本文档的试下载部分,为可阅读页数的一半内容。如要下载或阅读全文,请访问: <a href="https://d.book118.com/67802612300">https://d.book118.com/67802612300</a> 4006041