



BENNY KONG & YEUNG
SOLICITORS

江炳滔律師事務所

Agents for Patents, Trade Marks and Designs
專利、商標及外觀設計註冊代理人

知識產權
管理計劃
IPMM

DATE: 14th April 2009
OUR REF: 13287-L/BK/B/126-nop
YOUR REF: Mr. Benny Kong/ Ms. Katherine Law
REPLY TO: Direct e-mail: katherinelaw@bk.com.hk

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BY HAND

Ninghai Neworiental Plastics Industry Co., Ltd.
Booth No.: GHD23
Hong Kong Electronics Fair (Spring Edition)
Hong Kong Convention and Exhibition Centre
Wanchai, Hong Kong

Dear Sirs,

Re: Infringement of Copyright
Respondent: Ninghai Neworiental Plastics Industry Co., Ltd.

We act for Honwell Products (HK) Limited of Hong Kong.

Our client is the owner of the copyright subsisting in original artistic works in relation to the design of the led light product with model no. H-740 ("our client's Product"). The said copyright is protected in various countries of the World, including Hong Kong and PRC.

A copy of the photograph featuring our client's Product marked **Annexure** is enclosed.

Our client is also the registered proprietor of the designs of our client's Product registered in the Hong Kong Registered Designs Registry with registration no. 0802486.9M001 respectively ("the Hong Kong Registered Design").

The said Registered Design is applied to our client's Product. The rights and privileges conferred in respect of the said Hong Kong Registered Design is valid and subsisting.

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14th April 2009
Ninghai Neworiental Plastics Industry Co., Ltd.

It has come to our client's attention that you have been promoting, offering for sale and distributing a led light product ("the Infringing Product"), which is a reproduction or contains substantial reproductions of our client's Product.

In particular, you featured the Infringing Product at booth no. GHD23 at the Hong Kong Electronics Fair (Spring Edition) of Hong Kong Convention and Exhibition Centre.

Such unauthorised promotion, offer and/or exposure for sale of the Infringing Product amount to infringement of copyright for which our client is entitled to institute the Court proceedings claiming, amongst other relief, a permanent injunction order restraining you from further dealings in the Infringing Product; delivery up of all infringing materials, pamphlets, magazines or other advertising media; thorough discovery of all your dealings in such Infringing Product; and damages (or account of profits) and costs.

We are instructed to, which we hereby do, require you to confirm that you will comply with the following:-

1. **Forthwith cease** all offer and/or exposure for sale and/or possession or howsoever any dealings in or with the Infringing Product.
2. You undertake to stop dealing in or with the Infringing Product in the future.
3. You do deliver up to our client all items of Infringing Product, together with any pamphlets, magazines or other advertising media relating thereto.
4. You do disclose, by means of a Statutory Declaration, all of your dealings in or with the Infringing Product, including the name and address of the supplier(s) of the Infringing Product; and exhibiting thereto all purchase documents, receipts and invoices relating to your dealings in or with the Infringing Product.

14th April 2009
Ninghai Neworiental Plastics Industry Co., Ltd.

5. You will pay to our client damages at such amount to be assessed by the Court, if not agreed.
6. You will pay to our client costs at such amount to be assessed by the Court, if not agreed.

Our client will also require you to execute a Deed of Undertaking to the above effect.

You are requested to cease all offer and/or exposure for sale and/or possession or purchase or howsoever dealings in or with products bearing the Infringing Products **forthwith** or we shall advise our client to institute Court proceedings against you without further notice.

You are advised to seek independent legal advice.

A copy of this letter is also sent to your office at No. 107, Binhai Road, Xidian Town, Ninghai, Zhejiang Province, China 315613 by ordinary post.

Yours faithfully,



BENNY KONG & YEUNG, Solicitors

Encl

BK/kl

c.c. (1) client

(2) Ninghai Neworiental Plastics Industry Co., Ltd. [BY POST BY FAX (86 574 651 85817 BY EMAIL (sales@newesast-plastic.com) No. 107, Binhai Road, Xidian Town, Ninghai, Zhejiang Province, China 315613]

Annexure

Our client's Product with model no. H-740

