



date : 5th September 2013

email : infringement@bk.com.hk

reply to : Mr. David Tsai/ Ms. Hedy Luk

our ref : 23067-C&D-HON/0813

your ref :

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

香港告士打道160號
海外信託銀行大廈
19樓B室

19B, OTB Building
160 Gloucester Road
HongKong

BY POST & BY EMAIL (info@chcrown.com)(sales@chcrown.com)

宁海县西店五鑫电器厂
中国浙江宁波宁海县
西店镇建设北路 118 号

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f : +852 2519 3610
e : enquiry@bk.com.hk
w : www.bk.com.hk

Dear Sirs,
先生/女士:

Re: Copyright Infringement, Design Patent Infringement & Unfair Competition
侵犯版權、外觀專利侵權及不公平競爭
Respondent: Ninghai County Xidian Wuxin Electrical Factory
答辯人: 宁海县西店五鑫电器厂

Partners	合夥人
Benny Kong	江炳滔律師
David Tsai	蔡永杰律師
Jennifer Chong	莊敬儀律師
Foreign Lawyer	外地律師
Ada Wang	王燕中國律師



Infringing Product 侵權產品:

We act for Honwell Products (HK) Limited (“our client”).
本所代表漢威製品（香港）有限公司（“本所客戶”）。

Our client is the owner of the copyright subsisting in original artistic works in relation to the design of the LED light product named “Wireless LED under cabinet light” with model no. H-703 (“our client’s Product”) and the reputation and goodwill in our client’s Product.
本所客戶是產品 “Wireless LED under cabinet light” 型號 H-703 (“本所客戶產品”)的版權持有人，並擁有其產品成功建立的良好聲譽及商譽。

Our client is also the registered proprietor of the below registrations in China and Hong Kong:-
本所客戶是本所客戶產品於中國及香港註冊外觀設計持有人:-

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Ninghai County Xidian Wuxin Electrical Factory
宁海县西店五鑫电器厂

- (A) Design Patent, no. ZL 200730004063.5 (“the PRC Design”) in China; and
中國外觀專利註冊號碼為ZL 200730004063.5 (“中國外觀專利”);及
- (B) Registered Design, no. 0701961.5 in the Hong Kong Registered Designs Registry.
香港外觀設計註冊號碼為 0701961.5。

A Photo featuring our client’s Product and the Official Record of the PRC Design marked **Annexure A** are enclosed.
請參閱附件A是本所客戶產品相片及中國外觀專利註冊紀錄的複印本。

It came to our client’s attention that you have been offering and/or exposing for sale product named “LED Cabinet Light” (“the Infringing Product”) which is a reproduction or contains substantial reproductions of our client’s Product.
本所客戶注意到 貴司持續推廣、提供及/或出售產品 “LED Cabinet Light”(“侵權產品”)，是為本所客戶的產品的複製品或近乎與本所客戶的產品一樣的複製品。

In particular, you featured photograph of the Infringing Product at a website as per the hyperlink described below:-
特別是貴司在一個網站上載了侵權產品的照片，網址如下：-

http://www.weiku.com/products/9817506/LED_Cabinet_Lights_LED_light_spot_and_LED_light_bar.html

A screenshot featuring the Infringing Product marked **Annexure B** is enclosed for your reference.
附件B附載了該些被上載的侵權產品的照片的網頁，供 貴司參考。

Such unauthorized acts in dealing with the Infringing Product amount to copyright infringement, design patent infringement and unfair competition which entitle our client to institute Court proceedings against you for injunctions, orders for delivery up and disclosure, legal costs and damages.

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5th September 2013

Ninghai County Xidian Wuxin Electrical Factory
宁海县西店五鑫电器厂

此等未經准許的處理侵權產品的行為侵犯了本所客戶產品的版權、註冊外觀專利及構成不公平競爭。本所的客戶有權對 貴司提出訴訟，以申請禁制令、交付令及披露令、法律費用和賠償。

You are demanded to **IMMEDIATELY STOP** all dealings in and with the Infringing Product and to confirm with us within the next **14 days** that you will comply with the followings:-

本所要求 貴司立即停止處理有關侵權產品，並於**14**天內向本所確認並遵守以下五點要求：

1. You undertake to stop dealing in or with the Infringing Product in the future.
承諾從此停止展示及處理有關侵權產品；
2. You do deliver up to our client all items of Infringing Product, together with any pamphlets, magazines or other advertising media relating thereto.
交出所有侵權產品予本所的客戶，需連同任何有關小冊子、雜誌或其他與之相關的媒體廣告一併交出；
3. You do disclose, by means of a Statutory Declaration, all of your dealings in or with the Infringing Product, including the names and addresses of the supplier and buyers of the Infringing Product; and exhibiting thereto all purchase documents, receipts and invoices relating to your dealings in or with the Infringing Product.
披露(以法定聲明的方式)所有 貴司與有關侵權產品的交易，包括供應商和買家的姓名和地址；以及展示所有與侵權產品有關的採購文件、收據和發票；
4. You will pay to our client damages at such amount to be assessed by the Court, if not agreed.
賠償本所客戶的損失，如雙方未能就賠償金額作出協定，則交由法院評定金額；和

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Ninghai County Xidian Wuxin Electrical Factory
宁海县西店五鑫电器厂

5. You will pay to our client costs at such amount to be assessed by the Court, if not agreed.
補償給本所客戶合理法律費用，如雙方未能就金額作出協定，則交由法院評定金額。

Our client will also require you to execute a Deed of Undertaking to the above effect.
本所客戶要求 貴司就回應以上要求另外簽署一份《承諾書》。

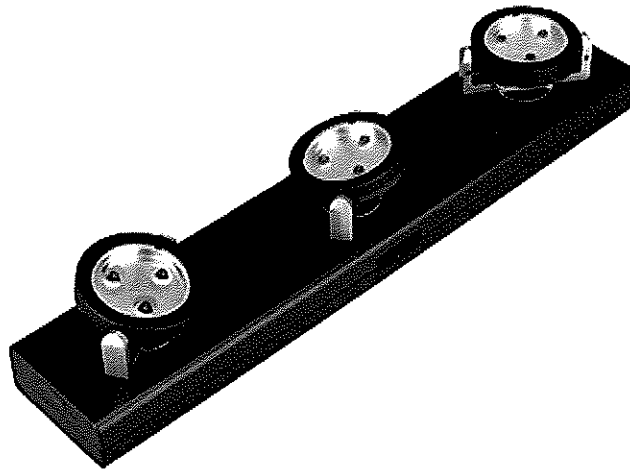
Unless you forthwith stop dealing in or with the Infringing Product and confirm your acceptance to the above requests on or before **19th September 2013**, we shall advise our client to institute Court proceedings against you for injunctions, orders for delivery up and disclosure, legal costs and damages without further notice.
如 貴司未能在**2013年9月19日**或之前承諾本所遵行上述要求，本所會建議本所客戶就其一切相關損失針對貴司啟動法律程序，向法院申請禁制令、交付令、披露令、賠償訟費及損失等，並不另行通知。

Yours faithfully,
專此


BENNY KONG & YEUNG, Solicitors
江炳滔律師事務所
Encl (Annexures A & B)
連附件 (附件 A 及 B)
c.c. client
副件予客戶
DT/hl

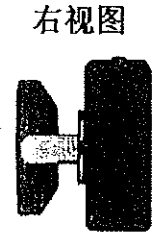
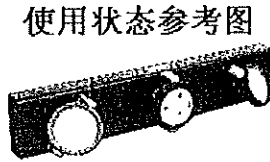
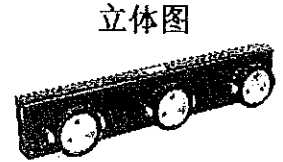
Annexure A 附件 A

(Our client's Product 本所客戶產品)



Name 名稱: Wireless LED under Cabinet Light
Model no. 型號: H-703

 中华人民共和国国家知识产权局 外观设计	
【申请号】	200730004063.5
【申请日】	2007.02.09
【名称】	LED挂灯(三头旋转、H-703)
【公开(公告)号】	CN300742842
【公开(公告)日】	2008.02.06
【主分类号】	26-05
【分案原申请号】	
【分类号】	26-05
【颁证日】	
【优先权】	
【申请(专利权)人】	汉威制品(香港)有限公司
【地址】	中国香港荃湾沙咀道11-19号达贸中心703及705室
【发明(设计)人】	邓江坚
【国际申请】	
【国际公布】	
【进入国家日期】	
【专利代理机构】	广州新诺专利商标事务所有限有限公司
【代理人】	周端仪
【摘要】	



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Annexure B 附件 B

(The Infringing Product 侵權產品)

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[Home](#) > [Products](#) > [Lights & Lighting](#) > [Lighting Fixtures](#) > [Residential Lighting](#) > [Ceiling Spotlights](#) > LED Cabinet Lights/LED light spot and LED light barRelated Searches : [spot light led lamp](#) [Fashion spot light led](#) [LED downlight/LED spot light/LED](#) [7W Cabinet Light LED](#) [Led cabinet spot light](#) [spot light led JM-SP03](#)**LED Cabinet Lights/LED light spot and LED light bar****[Grand Hotel Nouvel Opera](#)****HK\$1,043.14**

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Min.Order: 2000 Piece/Pieces

Place of Origin: Zhejiang China (Mainland)

Color: Silver

Port: NINGBO

Install Style: Ceiling

Related Products: [under cabinet light](#), [led ceiling light](#), [led magnetic cabinet light](#)**Supplier - Ninghai County Xidian Wuxin Electrical Factory**

China (Mainland)

Total Annual Sales Volume: US\$1 Million - US\$2.5 Million

Business Type: Manufacturer

Main Markets: North America, South America, Eastern Europe, Oceania, Mid East, Western Europe

Credibility: ★★★★★

Certification:

Ms. Yazmin

86-574-65283111

[View the Seller's Store](#)

Post Date : May 10

Related to recommend**LED cabinet Bar Light**

Min.Order: 10 Piece/Pieces

Gold Member

**LED cabinet Bar Light**

Min.Order: 10 Piece/Pieces

Gold Member

**LED cabinet Bar Light**

Min.Order: 10 Piece/Pieces

Gold Member

**LED cabinet Bar Light**

Min.Order: 10 Piece/Pieces

Gold Member

**Product Details****Company Profile****Item specifics**

Place of Origin: Zhejiang China (Mainland)

Color: Silver

Port: NINGBO

Install Style: Ceiling

Light Source: LED

Model Number: LK-7115

Material: Other

Emitting Color: White

Payment Terms: T/T

Brand Name: wixin

Specifications**[香港節能-HK Energy](#)**[www.hkenergy.hk](#)

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 3x3LED cabinet light
 Item Name: Adjustable LED Swivel Light
 Description: *Material: ABS
 *Product size: 31×6×4.5cm
 *Bulb: 9pcs LED
 *Brightness: 12000-13000MCD
 *Use 6xAAA batteries(not included)
 MOQ: 1000PCS
 Packing: Double blister
 Package: 48PCS/CTN
 Carton Dimension: 59*40*38CM
 G.W./N.W.: 17/15KGS

Company Related Products[View the Seller's Products](#)**16LED CORDLESS READING LAMP/BOOK light**

16LED CORDLESS READING LAMP/BOOK light

16LED CORDLESS READING LAMP If you have any questions pls call me :0086-13605747396

Description :

*16 White LED for 13000MCD can use 100,000hours.