



date : 5th September 2013

email : infringement@bk.com.hk

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

our ref : 23070-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 (sales@kpcell.com)(han1weiwei1@163.com)

余姚中盛电子科技有限公司
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黎洲街道南庙

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Dear Sirs,
先生/女士:

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

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: Yuyao Johnson Eletek Co., Ltd
答辯人: 余姚中盛电子科技有限公司

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-700 (“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-700（“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 Design Patent, no. ZL 200730001471.5 (“the PRC Design”) in China.
本所客戶是中國外觀專利號碼ZL200730001471.5（“中國外觀專利”）的註冊持有人。

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5th September 2013

Yuyao Johnson Eletek Co., Ltd
余姚中盛电子科技有限公司

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/15094849/wireless_led_under_cabinet_light_led_cabinet_light.html

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.

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。

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5th September 2013

Yuyao Johnson Eletek Co., Ltd
余姚中盛电子科技有限公司

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

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5th September 2013

Yuyao Johnson Eletek Co., Ltd

余姚中盛电子科技有限公司

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

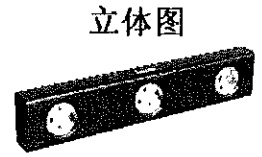
Annexure A 附件 A

(Our client's Product 本所客戶產品)



Name 名稱: Wireless LED under Cabinet Light
Model no. 型號: H-700

 中华人民共和国国家知识产权局 外观设计	
【申请号】	200730001471.5
【申请日】	2007.01.05
【名称】	LED挂灯(三头 H-700)
【公开(公告)号】	CN300719836
【公开(公告)日】	2007.12.12
【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有限公司
【代理人】	周端仪
【摘要】	



首页 上页 下页 尾页 共 7 张外观专利图形

关闭窗口

注意事项

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 ICP备案编号: 京ICP备05069085号

Annexure B 附件 B

(The Infringing Product 侵權產品)

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wireless led under cabinet light led cabinet light

Supplier - Yuyao Johnson Eletek Co., Ltd.

China (Mainland)

Total Annual Sales Volume:US\$2.5 Million - US\$5 Million

Business Type:Manufacturer

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

Credibility:★★★★★

Certification:

Mr.Allen

86-574-62578042,62577589

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Min.Order: 3000 Piece/Pieces
Port: ningbo
Minimum Order Quantity: 3000 Piece/Pieces
Supply Ability: 10000000 Piece/Pieces per Week
Payment Terms: L/C,T/T
Related Products: Wireless Led Under Cabinet Light,High Quality Led Cabinet Li

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

Port: ningbo

Minimum Order Quantity: 3000 Piece/Pieces

Supply Ability: 10000000 Piece/Pieces per Week

Payment Terms: L/C,T/T

Specifications

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AdChoices

led cabinet light

- 1.Material:ABS
- 2.12 LED
- 3.Brightness:13000-15000MCD

led cabinet light

1. Wireless led under cabinet light led cabinet light
- 2.Material:ABS
- 3.12 LED
- 4.Brightness:13000-15000MCD
- 5.Product size:30*6*3cm
- 6.Power:6*AAA dry battery
- 7.12 LED last up to 100000hours
- 8.Battery operated ,no wire or installation required
- 9.One touch on/off switch with dimmer
- 10.Light heads pivot independently for ideal light positioning
- 11.Perfect for :bookshelves closets offices kitchens