



date : 9<sup>th</sup> April 2014

email : [infringement@bk.com.hk](mailto:infringement@bk.com.hk)

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

our ref : 24817-C&D-HON/0214

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 EMAIL ([raymondok@gmail.com](mailto:raymondok@gmail.com))([godfrey1125@gmail.com](mailto:godfrey1125@gmail.com))

Honwell Products (HK) Limited  
Room 1522, Nan Fung Centre  
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Foreign Lawyer 外地律師  
Ada Wang 王燕中國律師

Dear Sirs,

Re: Copyright Infringement & Unfair Competition  
Respondent: 阿里巴巴集團股份有限公司(Alibaba.com)

Infringing Product: 

We refer to the above captioned and enclose you herewith the draft letter for your approval.

The causes of action that we advise you to claim against the above Respondent herein are copyright infringement and unfair competition. If you have the other relevant registration(s) in the country in which the above Respondent carries on the subject business, please advise.

We believe the attached draft is in order and await your comments thereon and/or instruction to engross and issue.

Yours faithfully,

BENNY KONG & YEUNG  
DT/aw  
Encl.

DRAFT

9<sup>th</sup> April 2014

[infringement@bk.com.hk](mailto:infringement@bk.com.hk)

Mr. David Tsai/ Ms. Hedy Luk

24817-C&D-HON/0214

BY POST & BY EMAIL (b2b-ccbu-ipr@alibaba-inc.com)(ipr@alibaba-inc.com)

阿里巴巴集團股份有限公司  
阿里巴巴杭州總部  
中國杭州市  
濱江區網商路 699 號  
濱江新園區(310052)

Dear Sirs,  
先生/女士:

Re: Copyright Infringement & Unfair Competition  
侵犯版權及不公平競爭  
Respondent 答辯人: 阿里巴巴集團股份有限公司(Alibaba.com)

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 ACCENT LIGHT” with model no. H-1060IR (“our client’s Product”) and the reputation and goodwill in our client’s Product.  
本所客戶是產品 “Wireless LED ACCENT LIGHT” 型號 H-1060IR (“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 the registered proprietor of Registered Design, no. 0901496.0M001 in Hong Kong.  
本所客戶是本所客戶產品的香港外觀設計註冊號碼 0901496.0M001 的註冊持有人。

Photo featuring our client’s Product marked **Annexure A** are enclosed.  
請參閱附件A是本所客戶產品相片的複印本。

9<sup>th</sup> April 2014

阿里巴巴集团股份有限公司(Alibaba.com)

請參閱附件A是本所客戶產品相片及香港外觀設計註冊紀錄的複印本。

It has come to our client's attention that you have been assisting and/or causing one company named "Ninghai Tibour Electric Co., Limited" to offer and/or expose for sale product named "12LED Motion Sensor Light" ("the Infringing Product") which is a reproduction or contains substantial reproductions of our client's Product.

本所客戶注意到 貴司持續協助一間名為“宁波元彬进出口有限公司”的企業推廣、提供及/或出售產品“12LED Motion Sensor Light”（“侵權產品”），是為本所客戶產品的複製品或近乎與本所客戶產品一樣的複製品。

In particular, you featured photograph of the Infringing Product at a website as per the hyperlink ("the Infringing Webpage") described below:-

特別是 貴司在一個網站上載了侵權產品的照片（“侵權網頁”），網址如下：-

[http://tibour.en.alibaba.com/product/321204574-211857218/12LED Motion Sensor Light.html](http://tibour.en.alibaba.com/product/321204574-211857218/12LED_Motion_Sensor_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 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 DELETE THE INFRINGING WEBPAGE AND 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:-

.../3

9<sup>th</sup> April 2014

阿里巴巴集团股份有限公司(Alibaba.com)

本所要求貴司立即刪除侵權網頁及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兩點要求：-

1. **Disclose** the true identity of the seller who posted the Infringing Product on the Infringing Webpage for sale and his/her full particulars on your records including the address, contact numbers, contact emails and etc.; and  
披露刊登侵權網頁的賣家的真實身份及於 貴司的紀錄中他們的詳細資料包括姓名，地址和電郵聯絡資料等；及
2. **Undertake** to stop dealings 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。

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 **23<sup>rd</sup> April 2014**, 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4月23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/aw

# Annexure A 附件 A

(Our client's Product 本所客戶產品)



Name 名稱: Wireless LED ACCENT LIGHT  
Model no. 型號: H-1060IR

# **Annexure B 附件 B**

(The Infringing Product 侵權產品)

Welcome to Alibaba.com | [Join Free](#) | [Sign In](#) | [My Alibaba](#) | On Alibaba | Please input a keyword | [送出查詢](#) or [Post Buying Request](#)

**Verified Supplier** | Ninghai Tibour Elect... [Add Company to My Favorites](#)

[Onsite Check](#)

7<sup>th</sup>

# Ninghai Tibour Electric Co., Ltd.

[Home](#) | [Product Categories](#) | [Company Profile](#) | [Contacts](#)

[Home](#) > [Product Categories](#) > [Sensor and Touch Light](#) > [Sensor light\(TB6\)](#) > **12LED Motion Sensor Light**

## 12LED Motion Sensor Light

[Add to Inquiry Cart](#) | [Add to My Favorites](#) | [Share to:](#)



FOB Price: [Get Latest Price](#)  
Port: ningbo  
Minimum Order Quantity: 5000 Piece/Pieces  
Payment Terms: L/C,D/A,D/P,T/T,Western Union,MoneyGram

[Minisite Survey](#)

Mr. Jason Xia

Offline

[Contact Supplier](#)

[Start Order](#)

You Ma



[See larger image](#)

**Verified Supplier** | Ninghai Tibour Electric Co., Ltd.

[ Zhejiang, China (Mainland) ]

Business Type: Manufacturer

Onsite operations checked and legal status confirmed

Search products here

**Product Showcase**

### Product Categories

- Flashlight
- Head Lamp
- Sensor and Touch Light
- Gift
- Camping Light
- Outdoor lamp
- solar light
- Work light
- A-Cleaning Products
- C-Home Products
- LED Bicycle Light
- Cabinet Light
- SpotLight
- As seen on TV
- Tool
- LED Lamps

### Product Detail

[Report Suspicious Activity](#)

#### Quick Details

Place of Origin: Zhejiang, China (Mainland) | Model Number: TB6-1001A

#### Specifications

power: 2 LED, 3\*1.5V AA  
Material: ABS  
angle of coverage: 90-105(degrees)  
  
sensor distance: 2-3m  
sensor time: 20-30s  
Used in washroom, hotel, stair, corridor et.

#### Email to this supplier

From:

Enter email or Member ID.

To: Mr. Jason Xia  
Offline

Message:

Your message must be between 20-8000 characters

If this supplier doesn't contact me on 'message center' in 24 hours, I want Alibaba to recommend me more selected supplier. **AllSourcePro**

[Send](#)

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