



date : 14th April 2014
email : infringement@bk.com.hk
reply to : Mr. David Tsai/ Ms. Hedy Luk
our ref : 24835-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

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海外信託銀行大廈
19樓B室

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160 Gloucester Road
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BY EMAIL (raymondok@gmail.com)(godfrey1125@gmail.com)

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| | |
|------------|-------|
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| | |
|---------------------|-------|
| Associate Solicitor | |
| Eric Fung | 馮念楷律師 |

| | |
|----------------|---------|
| Foreign Lawyer | 外地律師 |
| Ada Wang | 王燕 中國律師 |

Dear Sirs,

Re: Copyright Infringement & Unfair Competition
Respondent: 上海语逸礼品有限公司

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

14th April 2014

infringement@bk.com.hk

Mr. David Tsai/ Ms. Hedy Luk

24835-C&D-HON/0214

BY POST & BY EMAIL (fox512520@163.com)

上海语逸礼品有限公司
中国上海市闸北区
京江路 299 号宝丰大厦 1406 室 (200070)

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: 上海语逸礼品有限公司

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 TASK LIGHT” with model no. H-620 (“our client’s Product”) and the reputation and goodwill in our client’s Product.
本所客戶是產品 “WIRELESS LED TASK LIGHT” 型號 H-620設計 (“該等產品”)的版權持有人，並擁有其產品成功建立的良好聲譽及商譽。

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

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14th April 2014

上海语逸礼品有限公司

Our client is the registered proprietor of Design, no.0600152.7 in Hong Kong.
本所客戶也是該等產品的香港註冊外觀設計號碼 0600152.7的註冊持有人。

It has come to our client's attention that you have been offering and/or exposing for sale product named "LED 便利灯" ("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 便利灯" ("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.lidangdang.cn/?product-901.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該等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:-

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五點要求：

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14th April 2014

上海语逸礼品有限公司

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户，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.
賠償本所客户的損失，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.
補償給本所客户合理法律費用，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.
本所客户要求 貴司就回應以上要求另外簽署一份《承諾書》。

14th April 2014

上海语逸礼品有限公司

Unless you forthwith stop dealing in or with the Infringing Product and confirm your acceptance to the above requests on or before **28th 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**2014年4月28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 貴司啓動法律程序，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 TASK LIGHT
Model no. 型號: H-620

Annexure B 附件 B

(The Infringing Product 侵權產品)

收藏我们

您好, [请登录] [免费注册]



搜索

我的购物车 [0]

首页 公司介绍 业务合作 礼赠知识 会员中心 购物车 客户留言 定制礼品案例展示 帮助中心

所有商品分类

热门礼物: 精品台历 | 时尚箱包 | 数码精品 | 玉石翡翠 | 琉璃摆件

商品分类

家居生活馆

家纺用品 厨房用品
小家电系 实用、创意家居品
系列 系列

工艺礼品

精品琉璃 陶瓷工艺品
精品炭雕 水晶制品
民俗工艺品

文化收藏品

真丝邮票珍藏 真丝画/卷
册 轴
钱币收藏 玉石翡翠
红木珍品

数码电子

多用插座 移动电源
蓝牙耳机 创意音响
U盘 (移动 数码相框、电子
硬盘) 书、激光笔
电脑周边电 其他创意电子礼
子品 品

广告促销品

马克杯、咖啡 精美厨房促销
杯 品
便签纸砖 精品台/挂历
卡片吊牌 广告纸杯
广告扇 广告笔
广告伞 广告香皂
广告帽 名片盒/卡包
广告毛巾 广告烟具
广告鼠标垫 广告镜
记事本/笔记
本

生活保健品

按摩系列 健康秤
营养健康食品 美容保健

运动休闲品

健康运动系列 野餐、露营
户外工具 户外急救
其他户外休闲品

皮具箱包

公事包/电脑包/ 休闲旅行
背包 包
拉杆箱/包 银包
名片包、卡包、 商务皮具
钥匙包 套装

茶礼(茶具)

精品茶具 茶叶系列

品牌礼品

Zippo VICTORINOX瑞士军
刀

您当前的位置: 首页 » 数码电子 » 其他创意电子礼品 »

LED便利灯

商品编号: PGP503

货 号: PGP503

计量单位: 个

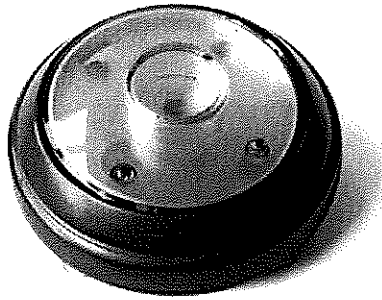
市场价: -¥33.00

销售价: **¥ 26.40**

节省: ¥6.60

购买数量:

收藏此商品



分享到:

商品详情

购买咨询(0)

商品评论(0)

产品名称: LED便利灯

产品型号: PGP503

市场价格: 33元

产品尺寸: 8.6×8.6×4.2CM

装箱规格: 46×46×20CM

数量: 100 PCS/CTN

净重: 7.50 KGS

毛重: 8.50 KGS

颜色: 灰色, 红色, 紫色

产品特点:

产品可吸附于衣橱内, 墙壁上。