



date : 25th June 2013

email : infringement@bk.com.hk

reply to : Mr. David Tsai/Ms. Karen Poon

our ref : 22608-C&D-HON/0613

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 (godfrey1125@gmail.com)(raymondok@gmail.com)

Honwell Products (HK) Limited
Flat A, 12th Floor
Waylee Industrial Centre
30-38 Tsuen King Circuit
Tsuen Wan, Hong Kong

Attn: Mr. Raymond Lok

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Partners	合夥人
Benny Kong	江炳滔律師
David Tsai	蔡永杰律師
Jennifer Chong	莊敏儀律師

Dear Sirs,

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

Foreign Lawyer	外地律師
Ada Wang	王燕中國律師



Infringing Products:

We refer to your instructions dated 20th June 2013 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, design patent 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
Encl.
DT/hl

DRAFT

25th June 2013

infringement@bk.com.hk

Mr. David Tsai/Ms. Hedy Luk

22608-C&D-HON/0613

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, Design Patent Infringement & Unfair Competition
侵犯版權、外觀專利侵權及不公平競爭
Respondent 答辯人: 阿里巴巴集團股份有限公司 (Alibaba.com)



Infringing Products 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-1060M (“our client’s Product”) and the reputation and goodwill in our client’s Product.
本所客戶擁有產品“Wireless LED Accent light” 型號H-1060M（“本所客戶產品”）的著作版權，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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25th June 2013

阿里巴巴集团股份有限公司 (Alibaba.com)

- (A) Design Patent, no. ZL 200930207463.5 (“the PRC Design”) in China; and 中國外觀專利註冊號碼為ZL 200930207463.5 (“中國外觀專利”);及
- (B) Registered Design, no. 0901496.0M001 in Hong Kong. 香港外觀設計註冊號碼為 0901496.0M001 。

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 assisting and/or causing one company named “Ningbo Asia Leader Import & Export Co., Ltd.” to offer and/or expose for sale product named “New Design Motion Sensor Light Bulb” (“the Infringing Products”) which are reproductions or contain substantial reproductions of our client’s Product.

本所客戶注意到貴司持續協助一間名為“宁波亚丰进出口有限公司”的企業推廣、提供及/或出售產品“New Design Motion Sensor Light Bulb” (“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 Products 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://nbexporter.en.alibaba.com/product/841721884-214355324/New_Design_Motion_Sensor_Light_Bulb.html

Screenshot featuring the Infringing Products 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。

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25th June 2013

阿里巴巴集团股份有限公司 (Alibaba.com)

Such unauthorized acts in dealing with the Infringing Products 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。

You are demanded to **IMMEDIATELY DELETE THE INFRINGING WEBPAGE AND STOP** all dealings in and with the Infringing Products 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兩點要求：-

1. **Disclose** the true identity of the seller who posted the Infringing Webpage and his or 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/她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 Products 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》。


.../4

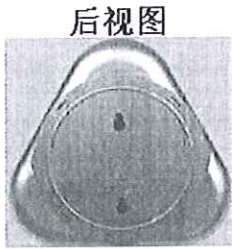
Annexure A 附件 A

(Our client's Product 本所客戶產品)



Name 名稱: Wireless LED under Accent Light
Model no. 型號: H-1060M

 中华人民共和国国家知识产权局 外观图形	
【申请号】	200930207463.5
【申请日】	2009.08.20
【名称】	三角形LED灯(H-1060)
【公开(公告)号】	CN301239710S
【公开(公告)日】	2010.05.26
【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】	中国香港新界荃湾荃景围30-38号汇利工业中心12字楼A座
【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 44100
【代理人】	周端仪
【摘要】	



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 共 7 张外观专利图形

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1. 点击每幅图片, 可以浏览图片的大图。
2. 用鼠标右键点击每幅图片, 可以进行图片的打印和保存。

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主办单位: 国家知识产权局 | 网站管理: 国家知识产权局办公室 | 网站维护: 知识产权出版社
 版权所有: 国家知识产权局 未经许可不得复制
 ICP备案编号: 京ICP备05069085号

Annexure B 附件 B

(The Infringing Products 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](#)

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Verified Supplier | Ningbo Asia Leader Import & Export Co., Ltd.

[Zhejiang, China (Mainland)]

Business Type: Trading Company

Main Markets: North America 30.33%, Northern Europe 28.44%, Western Europe 25.59%

Comprehensive capabilities verified by [Bureau Veritas](#)

Facilities onsite checked

New Design Motion Sensor Light Bulb



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FOB Price: US \$ 2 - 5 / Piece | [Get Latest Price](#)

Port: Ningbo/Shanghai

Minimum Order Quantity: 1000 Piece/Pieces

Supply Ability: 50000 Piece/Pieces per Month

Payment Terms: L/C,D/P,T/T,Western Union

Ms. Connie Shen

Offline

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Product Detail

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Quick Details

Light Source: LED	Item Type: Tube Lights	LED Light Source: 9LED
Warranty(Years): 2	Input Voltage(V): 220	Lamp Luminous Flux(lm): 18
Working Lifetime(Hour): 200	Lamp Body Material: ABS	IP Rating: IP67
Certification: CCC,CE,CQC,GS,RoHS,REACH	Place of Origin: China (Mainland)	Brand Name: ASIA LEADER
	Model Number: BT-3816	

Packaging & Delivery

Packaging Details:	color box
Delivery Detail:	25 days

Specifications

- 1.Power:3*AAA battery
- 2.9LED
- 3.With sensor
- 4.Material:ABS
- 5.Easy to use

Specifications

1. Induction way: famous infrared sensors with double window, large diameter
2. Sensing: built-in light sensor, temperature compensation devices
3. When movement is detected and Turns off automatically after 20-25 seconds if no motion is detected
4. Has an adjustable Direction LED that allows You to Aim the Light at the perfect Angle
5. Can be used as flashlight, bedside lamp and at the time of power cuts

Product Details:

Product Name	New Design Motion Sensor Light Bulb
Item No.	BT-3816
Size	85*85*35mm
Bulb	9 LED