



date : 13th June 2013

email : infringement@bk.com.hk

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

our ref : 22551-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 (raymondok@gmail.com)(godfrey1125@gmail.com)

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

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

Dear Sirs,

Re: Copyright Infringement, Contributory Passing Off & False Descriptions
Respondent: Softlayer Technologies, Inc.

Foreign Lawyer	外地律師
Ada Wang	王燕中國律師

Infringing Product: _____

We refer to your instructions dated 10th 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, contributory passing off and false descriptions. 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

13th June 2013

infringement@bk.com.hk

Mr. David Tsai/Ms. Hedy Luk

22551-C&D-HON/0613

BY POST & BY EMAIL (copyright@softlayer.com)

Softlayer Technologies, Inc.
4849 Alpha Road
Dallas, TX 75244
USA

Dear Sirs,

Re: Copyright Infringement, Contributory Passing Off & False Descriptions
Respondent: Softlayer Technologies, Inc.

Infringing Product: _____

We act for Honwell Products (HK) Limited of Hong Kong (“our client”).

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.

Our client is also the registered proprietor of the below registrations in China and Hong Kong:-

- (A) Design Patent, no. ZL 200630010675.0 in China; and
- (B) Registered Design, no. 0600152.7 in Hong Kong.

A photo featuring our client’s Product marked **Annexure A** is enclosed.

It came to our client’s attention that you have been assisting and/or causing one company named “HAB Industries Inc.” to offer and/or expose for sale product named “LED Wireless Pucklights” (collectively referred to “the Infringing Product”) which is a reproduction or contains substantial reproductions of our client’s Product.

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13th June 2013
Softlayer Technologies, Inc.

In particular, you featured photographs of the Infringing Product at a website as per the hyperlinks (“the Infringing Webpage”) described below:-

<http://habindustries.com/product.php?productsID=36&categoryID=173>

A screenshot featuring the Infringing Product marked **Annexure B** is enclosed for your reference.

Such unauthorized acts in dealing with the Infringing Product may amount to copyright infringement, contributory passing off and false descriptions which entitle our client to institute Court proceedings against you for injunctions, orders for delivery up and disclosure, legal costs and damages.

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:-

1. **Disclose** the true identity of the seller who posted the Infringing Product for sale on the Infringing Webpages and his or her full particulars on your records including the address, contact numbers, contact emails and etc.; and
2. **Undertake** to stop dealings in or with the Infringing Product in the future.

Our client will also require you to execute a Deed of Undertaking to the above effect.

Unless you forthwith stop dealing in or with the Infringing Product and confirm your acceptance to the above requests on or before **27th June 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.

Yours faithfully,

BENNY KONG & YEUNG, Solicitors
Encl (Annexures A & B)
c.c. client
DT/hl

Annexure A

(Our client's Product)



Name: Wireless LED Task Light
Model no.: H-620

Annexure B

(The Infringing Product)



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LED Wireless Pucklights

Features

- Pucks sync with remote switch using 2.8 GHz wireless technology
- 4 bright LED bulbs provide bright white light
- Easy to install and no wiring required
- Pucks work up to 30 ft away from switch
- Sync up to 20 pucks to 1 switch
- Pucks use 3AAA batteries each and switch uses 2AAA batteries

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