



The China National Intellectual Property Administration confirms TCP Red Bull trademark (3D) ownership by rejecting RBVC invalidation application

July 9, 2020: The China National Intellectual Property Administration (CNIPA) recently decided to reject Red Bull Vitamin Drink Co., Ltd.'s (RBVC) application for invalidation of the Red Bull 3D Trademark (Reg. No. 11460102) belonging to the inventor and owner of the Red Bull brand and trademarks globally, T.C. Pharmaceutical Industries Co., Ltd. (TCP).

This decision unequivocally upholds the legitimacy of our legal complaints and proprietary rights while both exposing and discrediting the non-meritorious legal maneuvering being undertaken by Mr. Yan Bin to obtain the Red Bull Trademark and failing that to invalidate it in order to continue illegally producing products using the Red Bull Gold Can and associated trademarks owned by TCP.

This particular case further demonstrates that:

1. TCP is the undisputed owner of the Red Bull Gold Can packaging and the 3D trademark, and shall enjoy the rights and interests related its well-known commodity status.
2. The use of the Gold Can packaging and Red Bull 3D trademark was based on the trademark license granted by TCP to its former licensee. As such and considering that the trademark license expired in October 2016 and that the RBVC joint-venture term has also expired, our former licensee, RBVC does not enjoy any rights to the Red Bull 3D trademark and or packaging or for that matter any TCP owned IP in China.
3. The only legitimate and licensed approved Red Bull products using the Gold Can and associated 3D trademark currently available on the Chinese market are Red Bull® An Nai Ji Drink and Red Bull® Vitamin Flavor Drink.
4. TCP remains steadfast in its determination to take all necessary legal measures against any unauthorized use of the Gold can featuring the Red Bull 3D trademark for commercial purposes, in order to protect the Legitimate rights of TCP and Red Bull consumers.

We are fully confident in the legal and factual basis we have put forward in our litigation and believe that all delaying tactics and frivolous actions by Mr. Yan Bin and the enterprises under his control will eventually fail, as fair judgements of the relevant cases are gradually rendered.

Having first introduced Red Bull to China in 1993, T.C. Pharmaceutical Industries Co., Ltd. is fully dedicated to maintaining our brand's strong and vibrant presence and long-term development in the Chinese market. To achieve this, we have cooperated with new Chinese partners and introduced our new Red Bull products to ensure that we continue to serve the Chinese market and provide consumers with high-quality, legal Red Bull products. In the meantime, we are expanding our investment in China and aim to continuously contribute to the sustainable development of the local economy.

Media enquiries :

TCmediaenquiries@hkstrategies.com

www.hongniufacts.com