



TCP denounces RBVC's law firm's defamatory statement

July 21, 2020, in response to the Red Bull Vitamin Drink Co., Ltd (RBVC) statement circulated on July 10 by its law firm, the TCP group (TCP), the creators and owners of the Red Bull energy drink hereby declare that:

1. The false and damaging statement circulated on July 10th seriously discredits and damages the reputation of the TCP group and its **legally authorized products "Red Bull® An Nai Ji Drink" and "Red Bull® Vitamin Flavor Drink"**. The statement purposefully misleads the public's perception with regards to the ownership of the Red Bull brand and Red Bull products and is threatening to TCP's legally authorized manufacturers, agents and distributors. TCP reserves the right to take all legal action in respect of such acts.
2. **RBVC's business period (Unified Social Credit Code 91110000618908360E) expired on September 29, 2018 – this is a fact which is publicly available on the National Enterprise Credit Information Disclosure System. No information relating to an RBVC term extension can be found on the National Enterprise Credit Information Disclosure System.** In addition, the China International Trade and Economic Arbitration Commission has clearly determined in its arbitration award that RBVC's term is 20 years and expired on September 29, 2018. **The ruling has come into force and the Beijing No. 4 Intermediate People's Court has rejected an application by Mr. Yan Bin, who controls Global Markets Holding Co., LTD., to cancel the arbitration award, thus reaffirming the validity of the ruling and the fact that the RBVC term has expired.**
3. Since September 20, 2016 and following RBVC board resolution Mr. Yan Bin is no longer the Chairman of RBVC. This resolution was confirmed in the court of appeal in Bangkok, Thailand on August 20, 2019. In accordance with the "Company Law of the People's Republic of China" and other relevant laws and regulations, the effective resolution of the board of directors shall take effect. **Therefore, Mr. Yan Bin will no longer serve as the legal representative and Chairman of RBVC after September 20, 2016, and his behavior cannot represent the true intentions of RBVC. The ousted former director of RBVC does not have any rights to authorize RBVC to entrust a law firm to make any statements on its behalf.**
4. Considering the relevant documents of the China Trademark Office and other state administrative organs and the judgment of the Beijing High People's Court, **the ownership status of the "Red Bull" series of trademarks (including the 3D red Bull can trademark) is clear and belongs to the TCP. TCP has enjoyed complete and independent ownership of the Red Bull series of registered trademarks from its inception in China and worldwide. The ruling by the State Intellectual Property Office once again provides concrete proof that the ownership and legal validity of the Red Bull can 3D trademark is owned by TCP.**
5. As the founder and owner of the internationally renowned Red Bull brand and the "Red Bull" trademark, TCP reiterates that **"Red Bull® An Nai Ji Drink" and "Red Bull® Vitamin Flavor Drink" are the only legally authorized golden can Red Bull products available in**



the Chinese market and that the trademark license agreement between TCP and RBVC has expired and has not been renewed.

6. In addition, considering that both the trademark license agreement granted to RBVC and that RBVC's business term have expired; the unauthorized production and sale of Red Bull products and the use of the Red Bull trademark by RBVC and its factories and distribution companies outside the RBVC system, as well as by Mr. Yan Bin's affiliated companies, are without question illegal. **TCP remains steadfast in its determination to take all necessary legal measures against these illegal acts and the involved parties.**
7. The legal actions taken by Mr. Yan Bin and his affiliates serve only one purpose, which is to further delay the litigation against Mr. Yan Bin and the companies he controls so that he can continue to illegally use the Red Bull brand.

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.

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