



Supreme Court's Final Judgement Rejects All of RBVC Claims to The Red Bull Trademark Ownership

January 05, 2021 - On December 21, 2020 - the Supreme People's Court (Supreme Court) rendered a final judgment in the trademark ownership case between Red Bull Vitamin Drink Co., Ltd. (RBVC, controlled by Mr. Yan Bin) and T.C. Pharmaceutical Industries Co., Ltd. (TCP) – the judgment reaffirmed the first instance judgement rendered by the Beijing Municipal Higher People's Court issued on November 25, 2019 and rejected all of RBVC's claims including the claim of ownership over the Red Bull Trademark.

Most notably the Supreme Court's final judgement concluded that:

- The 1995 Joint Venture contract clearly stipulates that **TCP investment did not include the transfer of the trademark ownership and that the Red Bull formula and technique involved in its formulation as well as the trademarks are under the control and ownership of TCP;**
- Multiple Trademark Licensing Agreements have been executed and performed from 1996 to 2016 and the articles therein explicitly stipulate that the **Red Bull trademarks belong to TCP.**
- For a period spanning 20 years, since the inception of RBVC, **all RBVC shareholders have never once questioned TCP's ownership of the Red Bull trademarks. The above facts indicate that RBVC's claim of Red bull trademark ownership has no factual or legal basis.**
- **The Ownership of the Red bull trademarks is evident - the use of the trademarks was licensed to RBVC and RBVC cannot claim trademark ownership through its use or promotion.**
- The "50 Year contract" **is of a doubtful nature** and cannot be accepted as evidence in this case.

The Supreme Court's fair and public trial process and final judgment further confirms TCP's independent and complete ownership of the "Red Bull Trademarks Series". The Court's judgement has set an example for creating a stable, fair, and transparent business environment as well as promoting the protection of intellectual property rights.

RBVC's trademark license term ended on October 6, 2016, yet RBVC continues to illegally use the Red Bull trademarks to produce and distribute Red Bull products in China which also constitutes a serious violation of the ownership and exclusive rights of the Red Bull trademark. TCP has filed trademark infringement and unfair competition lawsuits for these infringements.

We have full confidence in the strength of our legal position and the merits of our own claims in these cases. We trust that proceedings will follow due course and that justice will be served.

Having first introduced Red Bull to China more than two decades ago, we are fully dedicated to expanding our global brand's strong and vibrant presence in the Chinese market and, by doing so, continue contributing to the economic development of both the industry and China as a whole.

Our commitment to investments in China and our new business model and cooperation with local



partners is allowing us to relaunch our brand and operations as well as making it possible for us to introduce more innovative offerings from TCP's "House of Brands" to Chinese consumers, ensuring we continue to provide our local fans with the highest quality products.

Link:

Click here: [The Supreme People's Court Final Judgement in Full](#)

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