



Press Release

Beijing court rejects RBVC's lawsuit against Hainan Red Bull with regards to 2015 Purchasing and Sales Agreement

[Beijing, June 6, 2019] In 2017, Red Bull Vitamin Drink Co., Ltd. (under the control of Mr. Yan Bin and hereafter referred to as "RBVC") sued Hainan Red Bull Beverage Co., Ltd. (founded by Mr. Chaleo Yoovidhya, the Red Bull inventor, hereafter referred to as Hainan Red Bull) over disputes regarding the original 2015 Original Equipment Manufacturing (OEM) contract signed between the two parties. The People's Court of Huairou District of Beijing recently rendered its ruling on the aforementioned case and rejected the entirety of RBVC's claims.

On January 22, 2015, RBVC and Hainan Red Bull signed the Agreement on Purchasing and Sales for Red Bull Beverages (hereafter referred to as the 2015 Purchasing and Sales Agreement). RBVC commissioned Hainan Red Bull to produce and process Red Bull beverage products. Having fully performed on its duties under the 2015 Purchasing and Sales Agreement and following the termination of the licensing agreement, Hainan Red Bull no longer provided OEM services to RBVC, which had no right to use the Red Bull trademark.

In May 2017, RBVC filed a lawsuit against Hainan Red Bull, demanding the termination of the 2015 Purchasing and Sales Agreement and the return of the sums paid by RBVC for the ordered beverages as well as compensation for losses. Following a thorough investigation, the Beijing court confirmed that Hainan Red Bull had delivered the Red Bull products in August 2016 and that both sides had fulfilled the 2015 Purchasing and Sales Agreement. No evidence was found indicating that Hainan Red Bull had breached any of its obligations under the contract, and the court rejected all of RBVC's claims.

In October 2016, RBVC's Red Bull trademark license expired and was not renewed by T.C. Pharmaceutical Industries Co., Ltd., a member of TCP Group (TCP), and the Yoovidhya family, the inventors and owners of the Red Bull brand and trademarks globally. Soon afterwards TCP announced legal complaints against Mr. Yan Bin and companies owned or controlled by him with respect to trademark infringement, unfair competition and associated matters in relation to the unlicensed manufacturing and distribution of Red Bull products.

In response, Mr. Yan Bin has since taken deliberate steps to delay the legitimate lawsuits filed by TCP by filing his own frivolous cases including: a trademark ownership lawsuit and shareholder qualification confirmation lawsuit. Mr. Yan Bin's intentions are seemingly to make illegal claims with regards to the ownership of stock rights and the Red Bull trademark as well as to mislead public opinion regarding Red Bull's trademark licensing agreement and RBVC stock ownership.

The court's decision once again unequivocally demonstrates that the lawsuits filed by companies owned or controlled by Mr. Yan Bin and or his affiliates have no factual or legal basis. We remain



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committed to seeing through the lawsuits that we have filed to safeguard our legal rights. We trust that proceedings will follow due course and that justice will be served.

More than 20 years ago, Mr. Chaleo Yoovidhya first introduced Red Bull to China by establishing the first Chinese Red Bull factory in Hainan province. Hainan is the Yoovidhya family's ancestral home and where he first named their famous drink "Red Bull" in Chinese. Even since China and Red Bull have enjoyed a close relationship.

To ensure the long-term development of "Red Bull" in China, we will continue to work with our new partners to provide quality, legal Red Bull products to the vast number of Chinese consumers in the future.

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About T.C. Pharmaceutical Industries Co., Ltd.

The TCP Group is one of the leading food and beverage companies in Thailand, with a diverse product portfolio comprising four product categories – energy drinks, electrolyte beverages, functional drinks and snacks – and more than 30 product lines under nine brands. This includes Red Bull, the world's leading energy drink, which the company's founder Mr. Chaleo Yoovidhya invented in 1975. The TCP Group is the only producer of the Red Bull flavor around the world and, together with the Yoovidhya Family, owns the Red Bull trademarks worldwide. The company has over 2,600 employees at its headquarters, production sites, and joint-venture locations around the world.

Mr. Chaleo established Hainan Red Bull Energy Drink Co. Ltd. in 1993, in Hainan province, the birthplace of his father. China is the Yoovidhya Family's ancestral homeland, and their Chinese family name is Xu (许). Hainan Red Bull manufactures Red Bull – named Hong Niu in Chinese by Mr. Chaleo – for the domestic market. In response to the drink's increasing popularity, Mr. Chaleo and his family established Red Bull Vitamin Drink Co. Ltd. (RBVC) in 1995 with other shareholders in order to serve Red Bull to Chinese consumers nationwide. In September 2018, following the expiration of RBVC's joint venture term and with liquidation proceedings underway, TCP decided to launch new partnerships and a new business model in order to continue providing quality, legal Red Bull products to the vast number of Chinese consumers as well as ensure Red Bull continues to be one of the most popular drinks in China today.

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