



## GIACOMINI/嘉科米尼 Trademark Statement

TO: GIACOMINI distributors and business partners in China

Giacomini S.p.A., established under the laws of the Republic of Italy, is the owner of the registered

trademarks “GIACOMINI”, “嘉科米尼”, and “” etc. around the world, and the legitimate owner of the IP rights related to the trade name “GIACOMINI” and “嘉科米尼”.

In order to protect the Chinese consumers and the interests of our distributors and partners in China and our intellectual property rights, we have adopted a zero-tolerance policy towards the malicious squatting of our trademarks and trade name. With the help of our Chinese distributors and business partners and the support of Chinese trademark authorities and courts, our invalidation action against the following trademark registration of GIACOMINI (Hangzhou) Pipe Technology Co., Ltd. (嘉科米尼(杭州)管道科技有限公司, hereinafter “GHP”) has come to success at the Beijing People’s High Court in the appeal proceedings.

商标/Trademark	嘉科米尼 
商标号/Trademark No.	10378625
类别/Class	17
核定使用商品/Designated Goods	非金属管道接头；塑料管；浇水软管；排水软管；非金属软管；纺织材料制软管；车辆取暖器软管；车辆水箱用连接软管；非金属制管套；管道用非金属加固材料

In the court verdict, Beijing High People’s Court held that “[GHP] and [Giacomini S.p.A.] are both business operators in valves and pipes industry, thus [GHP] should have known the prior trademark “GIACOMINI” [of Giacomini S.p.A.], which has certain influence, and that under such circumstance, the intention of GHP in applying for trademark registrations on goods such as junctions for pipes [not of metal] and plastic pipe can hardly be justified. Therefore, the trademark in dispute constitutes ‘registration, in bad faith, of a trademark which is used by another person and enjoys certain reputation.’ and should be invalidated”.



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The court ordered to the National Intellectual Property Administration (hereinafter “CNIPA”) to re-decide on our request for invalidation of the above-mentioned trademark. Accordingly, the CNIPA will invalidate this trademark very soon.

Therefore, GHP lost its legal rights on the trademark “**GIACOMINI** 嘉科米尼” in respect of the designated goods above.

Should you find any use of the trademark “**GIACOMINI** 嘉科米尼” on GHP’s products connected with the above-mentioned goods, please inform us immediately and we will take relevant legal measures to stop such behaviors and safeguard the rights and interests of dealers, partners and consumers.

In the meantime, in the recent trademark opposition proceedings we filed against GHP’s following trademark applications for “GIACOMINI 嘉科米尼”, the CNIPA held similar opinion, ruling that the GHP’s applications for the below trademarks “GIACOMINI 嘉科米尼” should not be approved for registration.

序号/No.	商标/Trademark	商标号/Trademark No.	类别/Class
1.	<b>GIACOMINI</b> 嘉科米尼	30195179	17
2.		30208214	19
3.	嘉科米尼 <b>GIACOMINI</b>	32678193	35

CNIPA held, in the decisions on the trademark oppositions, that: “in view of the fact that the opposing party’s cited mark is a imaginary word with no meaning, which carries strong distinctiveness, it is hardly a coincidence that the opposed party applied for registration the disputed mark which is identical with or similar to the trademark of the opposing party. Therefore, the opposed party had the intention of copying the opposing party’s prior mark and has disrupted the order of trademark registration and damaged the order of fair competition.” and “in addition to the opposed trademark, the opposed party has also filed multiple trademarks identical with or similar to the cited trademarks of the opposing party. The trademark of the opposing party has certain originality, it is hardly a coincidence that the opposed party applied for registration the disputed mark which is identical with or similar to the trademark of the opposing party.



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Therefore, the opposed party had the intention of copying the opposing party's prior mark and has disrupted the order of trademark registration and damaged the order of fair competition." As a result, the above trademark applications have been refused by CNIPA.

Therefore, GHP does not have any rights on the above trademarks, and its use of such trademarks on those designated goods is prohibited by law. If you find GHP using such trademarks on those designated goods, please inform us as well. We will take relevant legal measures to stop such behaviors and safeguard the rights and interests of dealers, partners and consumers in China.

We welcome the contribution in providing information on any possible counterfeit/infringement that could help us in our efforts to take legal actions to protect our IP rights and the interests of our distributors, partners and consumers.

If you should have any questions, please contact Giacomini Heating and Cooling (Beijing) Co. Ltd., or our Chinese legal counselors:

**CCPIT Patent and Trademark Law Office**

10/F, Ocean Plaza, 158 Fuxingmennei Street, Beijing 100031, China

Mr. Huo Aimin

Mr. Liu Fan

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If you would like to know more about our company or want to identify whether the product you purchased is made by GIACOMINI S.p.A., please visit our website [www.giacomini.com](http://www.giacomini.com) and / or [www.giacomini.cn](http://www.giacomini.cn), or contact **Giacomini Heating and Cooling (Beijing) Co. Ltd.** (address: B1-12, Tianyuangang Centre, Commercial Street, Dongsanhuan North Road, Chaoyang District, Beijing. Tel: 0086-010-84861901).

Once again, we would like to extend our heartfelt thanks to our customers, distributors and partners in China for their unwavering support, and also would like to thank the Chinese trademark authorities and courts for the support in protecting our IP rights.

**Thank you very much for your support and interest in**

**嘉科米尼®/ GIACOMINI® products!**

Sincerely yours,

GIACOMINI S.P.A.

August 28<sup>th</sup>, 2020



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