


DYNEEMA[®] 注册商标声明

DSM Dyneema B.V. 公司和 DSM IP Assets B.V. 公司，均依照荷兰法律组建，以下统称为“DSM”，我们在此特针对 DYNEEMA[®] 中英文注册商标相关事宜做出如下声明。

DSM 是著名的 DYNEEMA[®]/迪尼玛[®]/大力马[®]/  商标所有人，前述商标已在包括中国在内的世界多个国家注册，中国商标局核准商标注册号为 3027207, 3027208, 3027209, 国际注册 G666717 号等。DYNEEMA[®] 在聚乙烯纤维等多种产品上享有较高声誉，广泛用于终端市场，其中包括渔具，劳动保护手套和绳具行业。



同时，DYNEEMA[®]/迪尼玛[®] 还是 DSM 的商号，根据《保护工业产权巴黎公约》第八条和《中华人民共和国民事诉讼法通则》的规定，DSM 对其商号 DYNEEMA[®]/迪尼玛[®] 享有权益。

我们要强调的是，DYNEEMA[®]/迪尼玛[®] 作为 DSM 的商标和商号，具有显著的独创性。有鉴于此，未经授权使用 DSM 的商标和商号 DYNEEMA[®]/迪尼玛[®] 很难被视为巧合，而应当被视为恶意。

DSM 仅授权 DSM 公司的被许可人使用上述注册商标。未经 DSM 授权或许可使用上述注册商标为侵犯注册商标专用权的行为。

如果你公司并非 DSM 公司的被许可人，你公司无权使用任何与上述注册商标相同或相似的商标并且需要立即采取措施停止在有关产品、广告、宣传资料、网站等方面以任何形式使用与上述注册商标相同或相似的商标和文字的行为。

根据中国商标法有关规定，将上述注册商标作为商品通用名称使用为侵犯注册商标专用权的行为。在表述有关产品时，你公司只能使用类似“UHMWPE 纤维”等表达方式。

根据《中华人民共和国商标法》和《中华人民共和国反不正当竞争法》的相关规定，未经 DSM 授权或许可使用与 DYNEEMA[®]/迪尼玛[®]/大力马[®]/  注册商标相同或近似的商标、商号或通用名称的行为，构成商标侵权和不正当竞争行为，可能引起消费者或第三方对产品来源产生混淆、误认，甚至受到欺骗，需承担相关行政，民事及刑事责任。针对未经 DSM 授权或许可使用与 DYNEEMA[®]/迪尼玛[®]/大力马[®]/  注册商标相同或近似的商标、商号或通用名称的第三方（包括但不限于在中国国际钓鱼用品贸易展览会上的使用），DSM 特此要求其采取下列措施：

·立即停止在商业活动中未经授权将 DYNEEMA[®] 中英文注册商标作为商标、商号或通用名称使用在产品，产品包装，广告，宣传材料等之上的行为；

·立即销毁所有带有 DYNEEMA[®] 中英文注册商标的产品及产品包装；

·立即销毁所有涉及 DYNEEMA[®] 中英文注册商标的广告宣传及促销材料。

我们希望基于相互尊重、诚实信用原则和商业道德，以及为了保护公众利益，相关第三方能够立即采取前述措施。我们欢迎提供假冒或侵权产品信息，协助我们采取法律行动以保护我们的知识产权及消费者权益。

欢迎登陆 www.dyneema.cn 了解更多关于 DYNEEMA[®] 产品的信息或洽：

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如有任何问题，请和我们的中国商标代理人联系：

中国国际贸易促进委员会专利商标事务所 霍爱民 先生

北京复兴门内大街 158 号远洋大厦 10 层

电话：010-66046057/66412345

传真：010-66415678/66413211

感谢您对 DYNEEMA[®] 产品的长期关注和支持！

商标权利人：DSM Dyneema B.V.

DSM IP Assets B.V.

DYNEEMA[®] Trademark Announcement

On behalf of DSM Dyneema B.V. and DSM IP Assets B.V., both companies established under the laws of the Netherlands, hereinafter jointly referred to as "DSM", we would like to make the announcement regarding the trademark DYNEEMA[®] in English and Chinese as follows:

DSM is owner of the renowned trademark DYNEEMA[®] in English and Chinese, registered in many countries throughout the world, including China, under Reg. Nos. 302707, 3027208, 3027209, IR 666717, etc. The trademark DYNEEMA[®] in English and Chinese enjoys a solid reputation on different products, in particular on polyethylene or UHMWPE fiber, used in a wide range of end markets and applications, including the fishing tackle, protective gloves and rope industries.

Meanwhile, DYNEEMA in English and Chinese is the trade name of DSM. In accordance with Article 8 of the Paris Convention for the Protection of Industrial Property and the applicable laws and regulations in China, DSM enjoys legal rights onto the trade name DYNEEMA in English and Chinese.

It is particularly noteworthy that the trademark and trade name DYNEEMA in English and Chinese is a word coined by DSM and any unauthorized use of the trademark and trade name DYNEEMA in English and Chinese cannot be explained as a coincidence and should be viewed as in bad faith.

Use of these trademarks is strictly limited to the licensees of DSM. Use without such license is considered trademark infringement.

If you are not a licensee of DSM, you have no right to use words or trademarks identical with or similar to the DYNEEMA[®] trademark in English and Chinese. You will then have to refrain from using any words or trademarks identical with or similar to our trademark DYNEEMA[®] in English and Chinese including but not limited to use on or in relation to products and/or advertising materials and/or promotional materials and/or your website.

Use of the trademark DYNEEMA[®] in English and Chinese as a generic term is also prohibited and considered as trademark infringement according to the PRC Trademark Law, and you will have to make use of the generic term UHMWPE or similar generic available to you to refer to the polyethylene or UHMWPE fiber.

According to the applicable laws of the PRC, namely the PRC Trademark Law and the PRC Anti-Unfair Competition Law, etc., use of trademark identical with or similar to the trademark DYNEEMA[®] in English and Chinese as trademark, trade name without the consent of DSM or as a generic term constitutes trademark infringement and unfair competition, resulting in causing consumers and other third parties to be confused, mistaken, or deceived as to the source of origin of your products and giving rise to administrative, civil and criminal liabilities. Anyone using trademark identical with or similar to the trademark DYNEEMA[®] in English and Chinese as trademark, trade name or generic term including but not limited to use at China Fish without the consent of DSM is hereby asked to take the following steps:

·Immediately stop the unauthorized use of the trademark DYNEEMA[®] in English and Chinese in commerce as trademark, trade name or generic term on the products, packaging, advertising and promotional materials, etc.

·Immediately destroy all the products and product packages bearing the trademark DYNEEMA[®] in English and Chinese.

·Immediately destroy all advertising materials/promotion materials containing any reference to the trademark DYNEEMA[®] in English and Chinese

We hope that based on the principle of mutual respect, fair trading and professional courtesy and for the sake of protecting public interest, the parties concerned should take the above steps immediately.

We welcome the contribution of information on possible counterfeiters/infringers to help us and join in our efforts to take legal actions in protecting our IP rights and the interest of the consumers.

For more information on the genuine DYNEEMA[®] products, please visit our website at www.dyneema.com or contact:

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476 Li Bing Road, Zhang Jiang
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If you have any questions, please contact us or our Chinese associate at the address as follows:

CCPIT Patent and Trademark Law Office
Attn. Mr. Huo Aimin
10/F, Ocean Plaza, 158 Fuxingmennei Street, Beijing 100031, China
Telephone: 86-10-66046057/66412345 Fax: 86-10-66415678/66413211

Thank you very much for your attention and for your interest in our DYNEEMA[®] products!

Trademark Owner: DSM Dyneema B.V.
DSM IP Assets B. V.