

WARNING NOTICE

NOTICE is hereby given that SAFETYWARE SDN. BHD. (Company No. 632971-X) of Plot 237, Lengkok Perindustrian Bukit Minyak 3, Bukit Minyak Industrial Estate, 14100 Simpang Ampat, Penang, Malaysia (“**SSB**”) is the sole manufacturer and wholesaler of safety gloves for industry use known as Safetyware FlexiPlus PU Palm Coated Cut Resistant Gloves bearing the Trade Mark stated below with item codes FP-311W and FP-311G in and outside MALAYSIA.



(“*Trade Mark*”)



(“*the Product*”)

TAKE NOTICE that SSB is the proprietor of the Trade Mark duly registered with the Registrar of Trade Marks via Trade Mark No. 08000379 in Class 9 and the registration is and was at all material times valid and subsisting throughout MALAYSIA. Over the years, SSB has been extensively promoting, advertising and offering for sale the Product bearing the Trade Mark in a distinctive get-up associate with SSB.

AND TAKE NOTICE that any use of the Trade Mark and get up of the Product by any other party without the consent, approval or authority of SSB (“*the Unauthorized Party*”) by importation, manufacturing, distribution, offered for sale and sold those products with the same description and bearing deceptively identical or similar Trade Mark and accompanying get up of the Product is tantamount to an infringement of the Trade Mark and passing-off. In this regard, SSB shall promptly and diligently resort to commence infringement proceedings in the court against the Unauthorized Party for, *inter alia*, an injunctive relief, damages and an account of profits.

AND TAKE FURTHER NOTICE that the unauthorized use of the Trade Mark by the Unauthorized Party shall also be guilty of a criminal offence under the Trade Descriptions Act, 1972. For the Unauthorized Party who is an individual shall, on conviction, be liable to a fine not exceeding ***RM250,000.00*** and/or to imprisonment for a term not exceeding ***three (3) years*** and for a second or subsequent offence, to a fine not exceeding ***RM500,000.00*** and/or to imprisonment for a term not exceeding ***five (5) years***. Whereas for the Unauthorized Party who is a body corporate shall, on conviction, be liable to a fine not exceeding ***RM500,000.00*** and, for a second or subsequent offence, to a fine not exceeding ***RM1,000,000.00***.

Solicitors for SSB

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