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ASIA TELEVISION HOLDINGS LIMITED

亞洲電視控股有限公司

(incorporated in the Cayman Islands with limited liability)

(Stock Code: 707)

VOLUNTARY ANNOUNCEMENT: THE CIVIL JUDGEMENT ON THE INFRINGEMENT CASE RELATED TO MISS ASIA

This announcement is made by Asia Television Holdings Limited (the “**Company**”, together with its subsidiaries, the “**Group**”) on a voluntary basis.

References is made to the announcement of the Company dated 19 August 2020 (the “**Announcement**”) in relation to, among others, the case that “Shenzhen Qianhai Asian Star Performing Arts Entertainment Co., Ltd.* 深圳市前海亞洲星匯演藝娛樂有限公司” claimed to have been authorised to host the Miss Asia Pageant 2020 in the Greater China region. On 18 August 2020, the legal representative of the Group in China received a letter from the Comprehensive Administrative Law Enforcement Bureau of Pilot Free Trade Zone Qianhai & Shekou Area of Shenzhen* 深圳前海蛇口自貿片區綜合行政執法局, confirming that the reported matter meets the conditions for filing and the case was filed. Unless otherwise defined, capitalised terms used herein shall have the same meanings as those defined in the Announcement.

The Civil Judgement

Asia Television Limited, an indirect non-wholly owned subsidiary of the Company (“**ATV**”/ the “**Plaintiff**”) received the civil judgement dated 20 July 2022 as issued by the People’s Court of Qianhai Cooperation District, Shenzhen, Guangdong Province* 廣東省深圳前海合作區人民法院 (the “**Court**”) in respect of the infringement case related to Miss Asia (the “**Judgment**”), of which ATV being the Plaintiff, while “Shenzhen Qianhai Asian Star Performing Arts Entertainment Co., Ltd.* 深圳市前海亞洲星匯演藝娛樂有限公司” (“**Asian Star 亞洲星匯**”), “Shenzhen Qianhai Boheng Times Holdings Co., Ltd.* 深圳市前海柏亨時代控股有限公司” (“**Boheng Times 柏亨時代**”), Lau Pak Hang, Alan and “Guangzhou Yingluntong Consulting Services Limited* 廣州市盈銓通諮詢服務有限公司” (“**Guangzhou Yingluntong 廣州盈銓通**”) being the Defendants (the “**Case**”).

As mentioned in the Judgment, the Plaintiff, Asian Star and Boheng Times had entrusted litigation agents to participate in the litigation, while Lau Pak Hang, Alan and Guangzhou Yingluantong, as summoned by a subpoena by the Court, refused to participate in the litigation without a proper reason, thus the Court conducted a trial by default in accordance with the law.

Pursuant to the Judgment, the Plaintiff filed the claims with the Court as follows:

- 1) order each Defendant to immediately cease all improper competitive practices against the Plaintiff involved in the Case, which included: (1) to cease using “亞洲小姐”, “MISS ASIA”, the logo of Miss Asia and any names or logos similar to those of Miss Asia on pageant contest immediately and to cease other confusing behaviours involving the case; (2) to stop immediately the false propaganda involved in the Case that could cause misunderstanding; (3) to stop immediately any behaviours that could cause damage to the reputation of the Plaintiff ;(4) to stop immediately other behaviours that disturb the market competition order and undermine the legal rights of the Plaintiff involved in the Case.
- 2) order defendant Asian Star to cease using and cancel the WeChat public account of “Miss Asia* 亞洲小姐” and the Sina Weibo account of “Miss Asia Global Organising Committee* 亞洲小姐競選全球組委會” with immediate effect, as well as to cease immediately any propaganda of its pageant contest using the name and logo of “亞洲小姐” and “MISS ASIA” on its Weibo account of “Asian Star Performing Arts Entertainment* 亞洲星匯演藝娛樂”.
- 3) order defendant Boheng Times to cease immediately any propaganda of its pageant contest using the name and logo of “亞洲小姐” and “MISS ASIA” on WeChat public account of “Asian Star* 亞洲星匯”.
- 4) order defendant Asian Star and Boheng Times to immediately delete and stop reproducing three articles titled “Clarification Statement by Miss Asia Global Organising Committee on False Report 亞洲小姐全球組委會關於不實報導的澄清聲明”, “Combatting Vigorously the Illegal Use of the “Miss Asia” Trademark by Inke Live* 嚴厲打擊映客直播非法使用亞洲小姐商標” and “Unveiling the Truth about Trademark Dispute over “Miss Asia”, the Global Pageant* 全球選美盛事 “亞洲小姐” 背後的商標之爭幕後真相”.
- 5) order each Defendant to jointly publish the statement of the cessation of the improper competitive practices involved in the case on China Business Journal for three successive publications, publicly eliminating the adverse effects that brought to the Plaintiff due to the improper competitive practices involved in the Case. The content of the statement have to be confirmed by the Plaintiff.

- 6) order each Defendant to jointly indemnify the Plaintiff of any economic loss and the reasonable expenditure for the protection of rights amounted to RMB4,999,999 in total.
- 7) order each Defendant to jointly bear the litigation costs of the Case.

In respect of the facts and reasons as mentioned by the Plaintiff, as well as the joint argument by defendants Asian Star and Boheng Times, the Court, based upon the proof and cross-examination of the parties involved together with representations in court for the parties involved, confirmed the facts including the usage of “亞洲小姐”, “MISS ASIA” and the logo of “Miss Asia” by the Plaintiff and the Defendants, respectively; the cooperation history between the Plaintiff and the Defendants; the hosting fess of the contest in the competition region undertaken by the Plaintiff in previous years; the expenditure for the protection of rights incurred by the Plaintiff.

Pursuant to the Judgment, one of the focal point of the Case being the nature of the sued conducts, it is mentioned that the Plaintiff had submitted adequate proof that it had organised the “Miss Asia Pageant” contest since 1985, it has been using the name of “亞洲小姐” and “MISS ASIA” and had been using the logo of Miss Asia at every “Miss Asia Pageant” contest since 1989. After years of hosting and continuous publicity, the “Miss Asia Pageant” contest organised or authorised to be organised by the Plaintiff remained influential and well-known in the aspect of pageant contest and was well received by the public, which could greatly differentiate itself from other pageant contests.

In addition, the non-performing parties of the Case has been affirmed by the Court:

ASIAN STAR

Asian Star is the principal operator of a series of improper competitive practices involved in the Case, it shall bear relevant civil liability therefor.

BOHENG TIMES

As the corporate sole shareholder of Asian Star, Boheng Times has not adduced evidences to prove the fact that the assets of Asian Star were independent from that of Boheng Times at the time of the improper practices, and it used the WeChat public account under the name of “Asian Star” to publish certain promotion materials of the “Miss Asia Pageant” hosted by Asian Star, such act has impaired commercial reputation and commodity reputation of its competitor and directly constituted improper competitive practices, Boheng Times shall bear relevant liability in accordance with the law therefor.

LAU PAK HANG, ALAN

Firstly, at the time of commencing the civil action by the Plaintiff, Lau Pak Hang, Alan was the legal representative of Asian Star and the natural person sole shareholder of Boheng Times, and Boheng Times was the corporate sole shareholder of Asian Star, Lan Pak Hang, Alan has not adduced evidences to prove the fact that the assets of Boheng Times were independent from his personal assets, he also has not adduced evidences to prove the fact that the assets of Asian Star were independent from that of Boheng Times. Secondly, Lau Pak Hang, Alan served as a “guest judge” of “Miss Asia Pageant”, the subject of the Case, in the capacities of “Head of Asia Digital Media Co. Ltd.” and “Miss Asia Global Organising Committee Chairman”, he also accepted media interviews in the capacities of Head of Asia Digital Media Co. Ltd., aka “the Principal of the School of Miss Asia Pageant”, and “the legitimate host of Miss Asia Pageant”, during which he claimed that “Lau Pak Hang, Alan, as the principal, is obliged to file the second application for registration of the trademark

of Miss Asia Pageant in order to avoid the trademark reaching the wrong hands and allow the truth to be disclosed to the public about the trademark dispute on Miss Asia Pageant”. Such act has directly constituted improper competitive practices, Lau Pak Hang, Alan, the defendant, shall bear relevant civil liability in accordance with the law therefor.

GUANGZHOU YINGLUANTONG

Firstly, the trademark application for registration under class 41 which includes “the arrangement of beauty pageant” by Guangzhou Yingluantong is substantially identical to the logo trademark of Miss Asia Pageant used by the Plaintiff in beauty pageant for a number of years, constituting subjective malice; subsequently, Asian Star was authorised to use registered trademark in a beauty pageant under the same name, causing objective confusion. Secondly, all press conference, press release, poster and WeChat public account’s content in relation to the beauty pageant involved in the Case stated that Guangzhou Yingluantong was the co-host of the beauty pageant. Thirdly, according to the article of “Clarification Statement by Miss Asia Global Organising Committee on False Report*亞洲小姐全球組委會關於不實報導的澄清聲明” published on WeChat public account of “Asian Star” under the name of Boheng Times and WeChat public account of “Miss Asia Global Organising Committee” under the name of Asian Star, “80% interest in Guangzhou Yingluantong 廣州盈銜通 is legally held by Asian Star Performing Arts Entertainment Group*(亞洲星匯演藝娛樂集團), and the registered trademark of the LOGO of Miss Asia Pageant is legally held by Guangzhou Yingluantong with the exclusive right of using the trademark in accordance with the law. Guangzhou Yingluantong is the sole legal host in China to host Miss Asia Pageant 2020 with no permission required”. Fourthly, the “designated legal affairs office of Miss Asia Global Organising Committee and Asian Star” informed a reporter from Hong Kong Commercial Daily about an editorial coverage on “Miss Asia Finals 2020 – Greater China Region and the Globe” that: “the legitimate owner of the trademark of Miss Asia is “Guangzhou Yingluantong” which is owned by Lau, the principal”. Guangzhou Yingluantong has directly committed improper competitive practices, and it shall bear relevant civil liability in accordance with the law therefor.

The Court confirmed that each Defendant had conducted, jointly or individually in different manners, such improper competitive practices involved in the Case, and made the ruling based on respective law and regulations as follows:

- 1) defendants Asian Star, Boheng Times, Lau Pak Hang, Alan and Guangzhou Yingluantong to cease such improper competitive practices involved in the Case immediately from the effective date of the ruling, which included but not limited to, defendants Asian Star and Guangzhou Yingluantong to stop using “亞洲小姐”, “MISS ASIA”, the name and logo of Miss Asia on the pageant contest hosted by the parties; defendant Asian Star to cease using the WeChat public account and Weibo account name that contained the characters of “亞洲小姐”, to stop publishing and to delete all content that used “亞洲小姐”, “MISS ASIA” and the logo of Miss Asia for the propaganda of the pageant contest hosted by the party; defendant Boheng Times to stop publishing and to delete all content that used “亞洲小姐”, “MISS ASIA” and the logo of Miss Asia for the propaganda of the pageant contest hosted by defendant Asian Star; defendant Asian Star and Boheng Times to stop reproducing and to delete three articles titled “Clarification Statement by Miss Asia Global Organising Committee on False Report* 亞洲小姐全球組委會關於不實報導的

澄清聲明”, “Combatting Vigorously the Illegal Use of the “Miss Asia” Trademark by Inke Live* 嚴厲打擊映客直播非法使用亞洲小姐商標” 和 “Unveiling the Truth about Trademark Dispute over “Miss Asia”, the Global Pageant* 全球選美盛事 “亞洲小姐” 背後的商標之爭幕後真相”; defendant Lau Pak Hang, Alan to cease using the capacity of “Miss Asia Global Organising Committee Chairman”, and to stop publishing any false statements related to “Miss Asia Pageant” contest.

- 2) defendants Asian Star, Boheng Times, Lau Pak Hang, Alan and Guangzhou Yingluantong to jointly publish a statement on China Business Journal within fifteen days from the effective date of the ruling to eliminate the impacts resulted due to the improper competitive practices involved in the Case. The content of the statement have to be reviewed by the Court.
- 3) defendants Asian Star, Boheng Times, Lau Pak Hang, Alan and Guangzhou Yingluantong to jointly indemnify the Plaintiff of its economic loss and the reasonable expenditure for the protection of rights amounted to RMB3,500,000 in total within ten days from the effective date of the ruling.
- 4) dismiss other claims made by the Plaintiff.

As set out in the Judgement, in the event of failure of performing payment obligation by the four Defendants within the period stated in the Judgement, they shall be liable to pay the double interest of the debts for the period of deferred performance in accordance with the law. Further, the four Defendants shall collectively bear the court fees of RMB35,800 in total.

As its legal advisor as to Chinese law being confirmed by ATV, the four Defendants had not fulfilled the obligations set out in the Judgement or filed an appeal, even if the appeal period of the Judgement has expired. In addition, ATV has recently been aware of the fact that Lau Pak Hang, Alan and its affiliate continue to use the name of “亞洲小姐”、”MISS ASIA”、the logo of Miss Asia or similar name and logo to promote the beauty pageant organised by them. The Company and ATV would give the four Defendants a severe reprimand for their non-performance of the obligations set out in the Judgement by the Court, blatant disregard for the laws and regulations of the People’s Republic of China as well as their intentional infringement of the trademark of ATV in an unceasing and malicious manner, the Company and ATV may take further action against the four Defendants upon discussion with their legal representatives.

By order of the Board
Asia Television Holdings Limited
Leong Wei Ping
Executive Director

Hong Kong, 24 October 2022

As at the date of this announcement, the Board comprises Dato’ Sri Lai Chai Suang 拿督斯里賴彩雲拿督, Mr. Leong Wei Ping 梁璋珩先生*, Mr. Chan Wai Kit, Mr. Sze Siu Bun, Ms. Sun Tingting and Ms. Tang Po Yi as executive Directors, Ms. Han Xingxing, Mr. Li Yu, Ms. Wong Chi Yan and Mr. Lee Cheung Yuet Horace as independent non-executive Directors.*

** For identification purpose only*