

TRADEMARK CAMPAIGN TIMELINE AND INSTRUCTIONS

JANUARY 2020



PHASE 1

DATA COLLECTION

Timeline (From the date of formal engagement with NAS)	Activity
3 to 4 weeks	Research and evidence collection
1 – 2 days	Client begins approval of qualified data through our web-based system

DATA:

- i. Qualified data which is found under the “for review” tab consist of suspected counterfeit sellers that have been investigated, evidence collected, and checked by our team of researchers.
- ii. Although we consider these items as qualified data, in all cases, the client provides the final approval via our web-based system, ensuring that all cases are correctly filed only against fake, unauthorized or counterfeit sellers.
- iii. With the exception of ‘Wish’ and ‘Amazon’, ALL suspected counterfeit sellers are based in ASIA and are confirmed as shipping products to the US.
- iv. Since ‘Wish’ and ‘Amazon’ do not indicate the location of the suspected counterfeit seller, where we have investigated other forms of intelligence and concluded that they are from ASIA, we request that the client checks and confirms the Seller is not licensed or authorized.
- v. To help the client with data review, we have indicated in the system “criteria” for each listing as to why we believe they are fake or counterfeit.
- vi. Clients can begin the review and approval process as soon as data is viewable under the “for review” tab.
- vii. To make it more efficient for the client, most clients provide us with either a list of authorized sellers to exclude, and/or confirm to us that all ASIAN sellers are unauthorized to ship to the US, and/or if there are online selling platforms to be considered as default counterfeits.
- viii. If the client has links to include in the investigation, we ask that they are kindly sent to us via email. We are currently developing a new feature in our system for the client to add similar tasks. We will announce this development as soon as it is live.

PHASE 2

CASE FILING

Timeline (Following the successful Data Collection Phase)	Activity
Day 1	Case filed in US Court
Day 14	Temporary Restraining Order
Day 14	Service Payment Platforms to freeze defendants accounts
Day 21	Receive financial sheets from Payment Platforms indicating frozen amounts of each defendant.
Day 21	Service defendants by email and publication.
Day 21 to 42	21 days Settlement period
Day 40	Preliminary Injunction Order
Day 85 to 90	Final Judgment Order

CLIENT INSTRUCTIONS:

- i. The above timeline has always been our target in terms of the efficiency for each case filing. However, a lot of factors may delay the court proceedings which include but are not limited to: judge on leave, court holidays, etc.
- ii. With this matter, 1 to 3 weeks margin of delay is expected in each activity level.
- iii. As soon as the case is filed, awareness among Chinese defendants will normally spread rapidly through sites set-up by Chinese counterfeiters such as <https://sellerdefense.cn/>. This works in the client's favour.
- iv. Defendants may attempt to contact or reach out to the client directly regarding the case we have filed. However, it is advised that clients do not reply to any attempted communication and forward them to us immediately. We will in turn forward them to counsel, who will handle them directly on your behalf.

PHASE 3

COLLECTION OF FUNDS & ACCOUNTING

Timeline	Activity
90 to 120 days from TRO	PayPal initiates transfers of settlements and defaults funds.
90 to 150 days from TRO	Wish initiates transfers of settlements and defaults funds.
120 to 180 days from TRO	Amazon initiates transfers of settlements and defaults funds.
Monthly Accounting Report	Record all funds credited and debited on the trust account. A copy will be sent to the client before distribution of funds or per client's request.

FUNDS & COMPLETION:

- i. Most of the settlement payments are paid by the defendants through their respective Payment processors from the defendant's frozen account and are sent to our trust account together with the default funds.
- ii. Default funds are the entire frozen amount within the defendant's payment processor account, where the defendant has refused to settle.
- iii. However, there are also some defendants who agree settlement and pay immediately directly to our trust account. Normally they pay through bank transfer, cheque, or payoneer.
- iv. There will be a total of 5 fund transfers:
 - Direct settlement payments which also includes Alipay settlements
 - PayPal settlement and default funds
 - Wish settlement funds
 - Wish default funds
 - Amazon settlement and default funds

Note: Currently, since Alipay are a Chinese firm, they are yet to agree to send us any default funds. They currently require judgement through a Chinese court.

- v. In line with the client's requirement, we will always send an Accounting Report prior to the distribution of funds from the trust account.
- vi. The schedule for the distribution of funds also depends on the client. Clients can request funds be distributed quarterly, or if total funds reach a pre-agreed threshold such as USD50,000. Please let us know your preference.
- vii. Any one case filing may take up to 8 to 9 months to reach to a full conclusion, where the case has been closed and all funds have been collected and distributed.