



Anatomy of a Trademark Dispute: The "Full Vision" Case

Understanding Sentencing and Probation in Trademark Infringement

The Opposing Parties

Complainant: Zejun International Co., Ltd.



- Rightful owner of the Class 9 Trademark for “Full Vision”.
- Built brand reputation and invested heavily in dashcams and auto accessories.

Defendant: Chenyou / Youtuan Co.

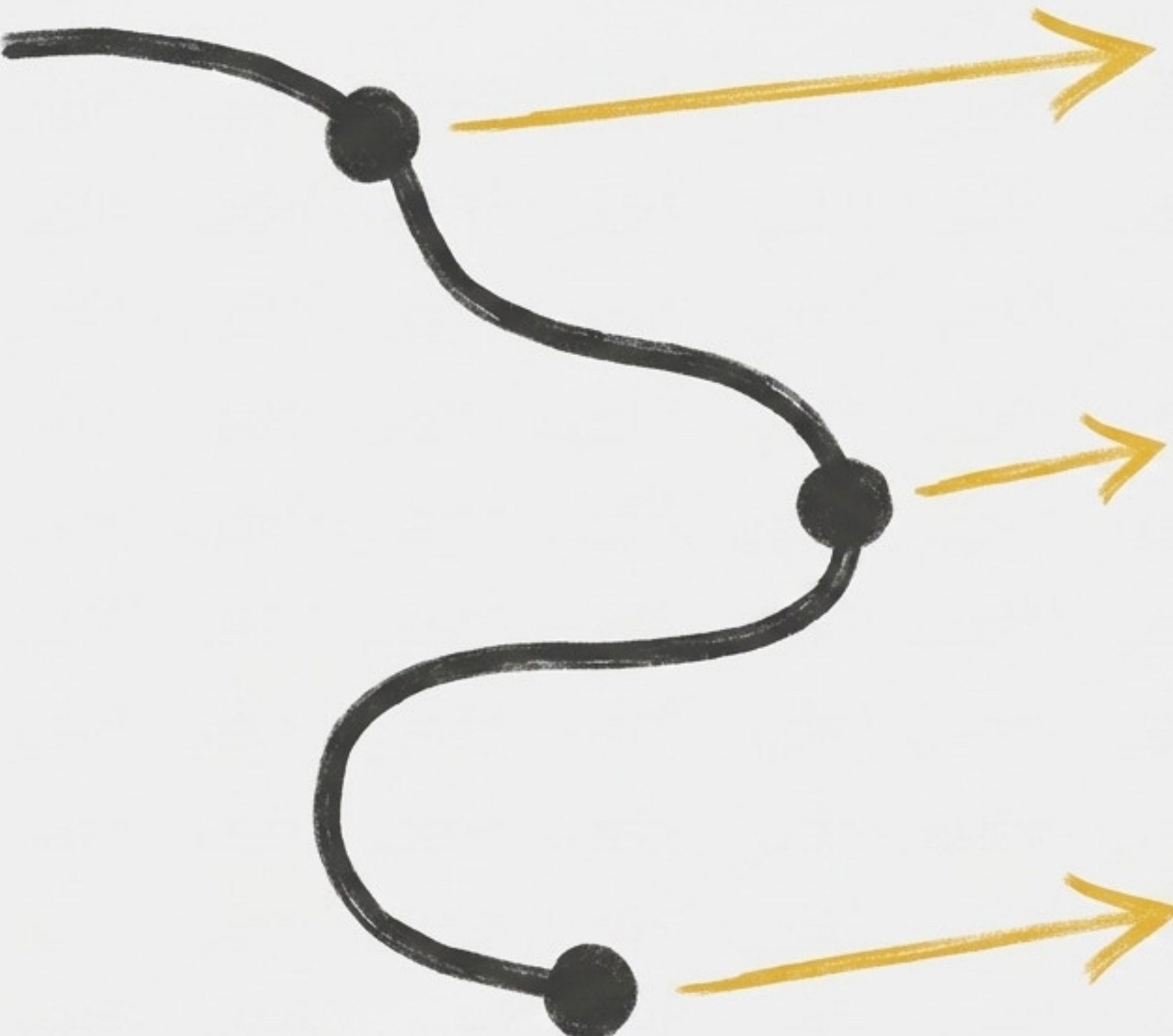


- Car audio & accessory retailer (Multiple physical storefronts and online platforms).
- Attempted to bypass IP rules using a nominee application.

The Anatomy of the Infringement



The Legal Journey



The Raid (2018)

Police raided multiple stores. Seized 15 total units (8 sold, 7 confiscated) bearing the infringing mark.

First Instance Court

Found guilty of Trademark Infringement under Trademark Act §95(3).

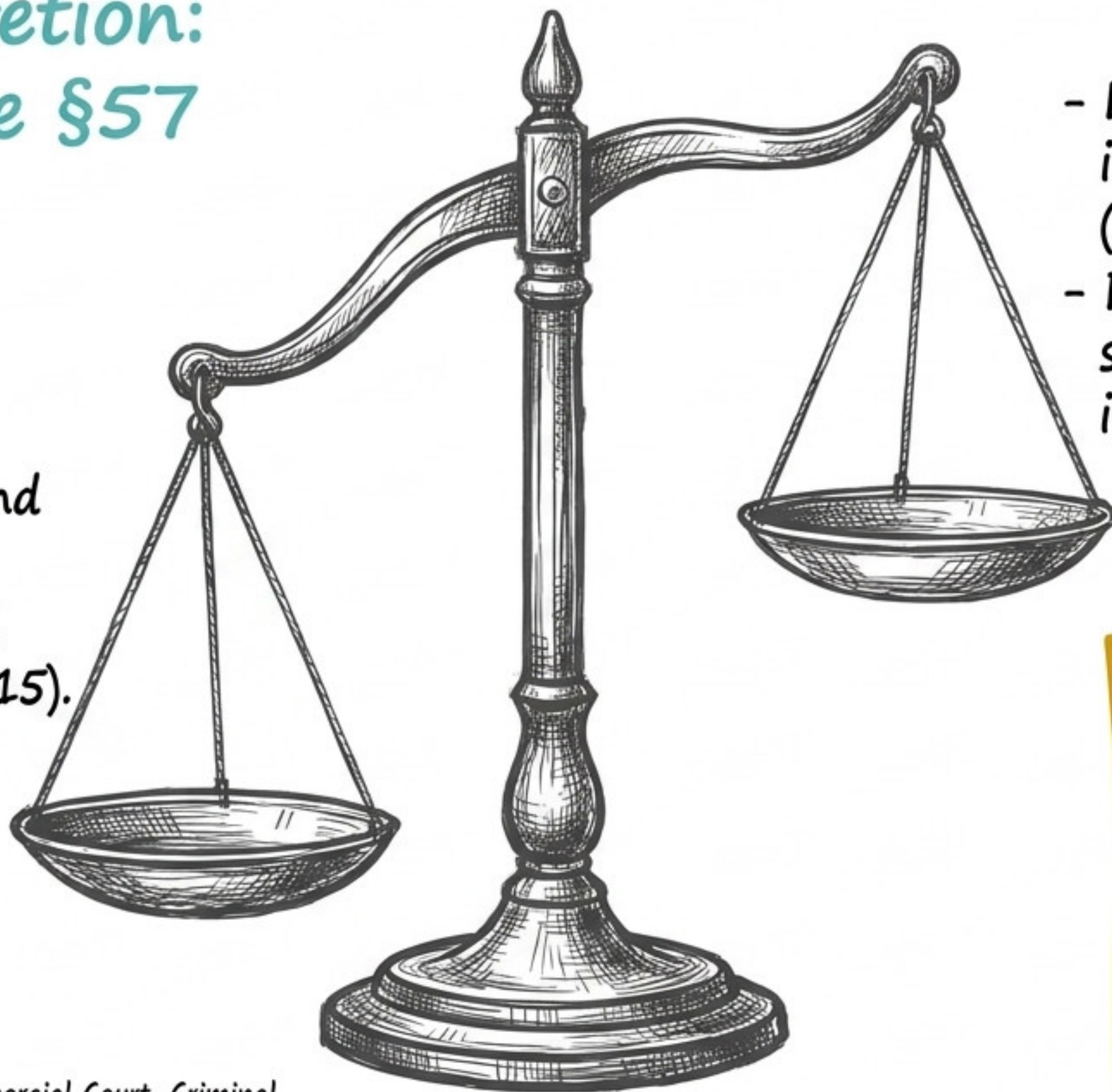
The Appeal (The Pivot)

The Defendant did NOT appeal the guilty verdict. The appeal was strictly limited to challenging the Sentencing and requesting Probation.

Judicial Discretion: Criminal Code §57

Aggravating Factors:

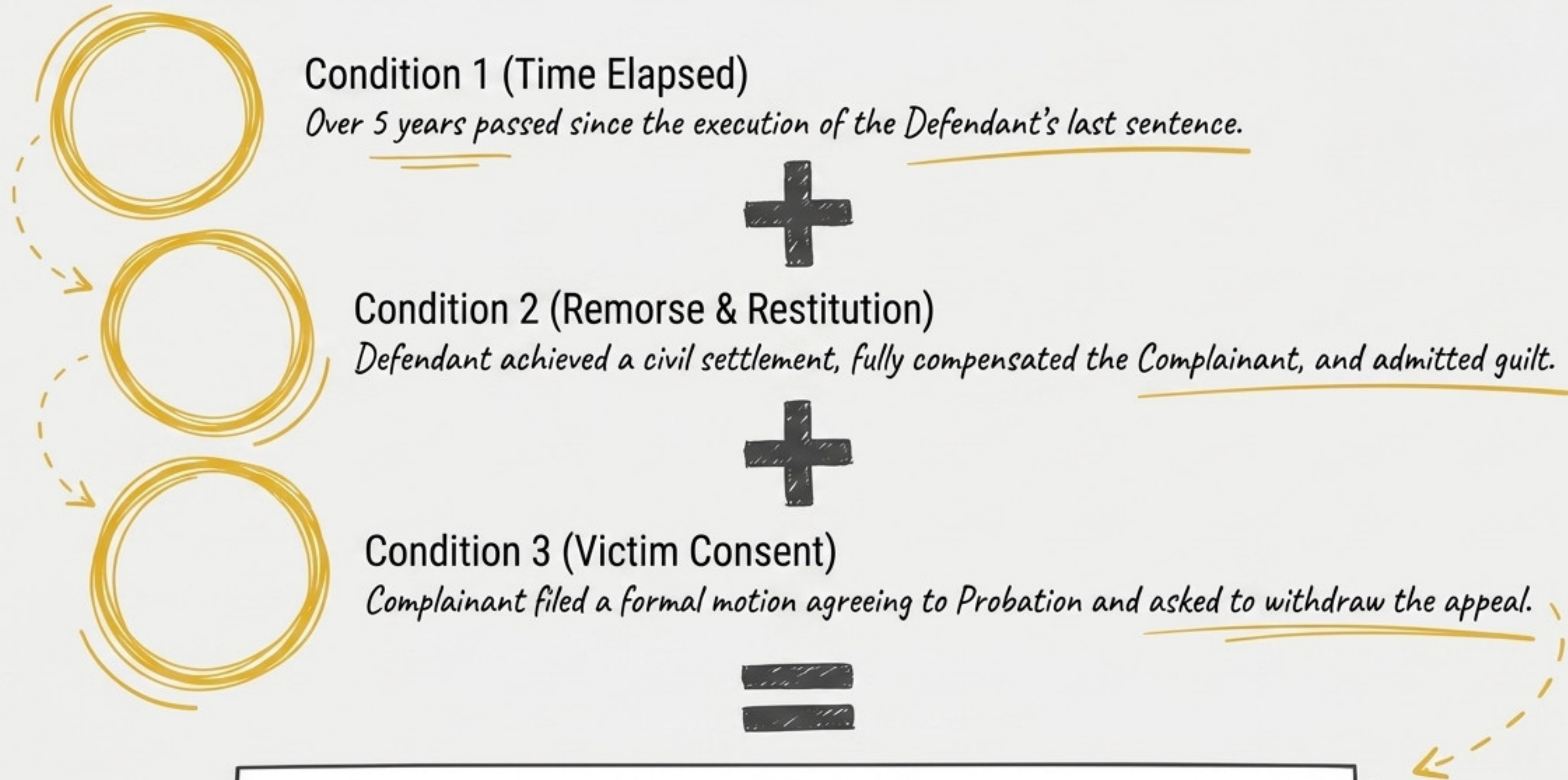
- Profit-driven motive.
- Harm to fair trade and brand reputation.
- Prior criminal record (3-month term in 2015).
- Initial denial of guilt during investigation.



- Low volume of infringement infringement (only 15 units).
- Defendant's profile: High school education, average income, chronic illness.

Verdict: The Appellate Court ruled the original Sentencing was fair and proportional. Appeal dismissed.

Granting Probation: Criminal Code §74(1)(ii)



Outcome: 2 Years of Probation Granted.

Case Summary & Legal Insights

The Ruling

- Trademark Infringement conviction upheld.
- Sentencing maintained based on operation scale.
- 2-year Probation granted due to remediation.

Trademark Insight

Registering a mark in a service class (Class 35) does NOT grant the right to brand physical goods (Class 9) belonging to another owner.

Litigation Strategy

Even with a prior record, securing a civil settlement and explicit Complainant consent are the strongest levers for Probation.