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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91198063
Party	Defendant Evertec Information Technology Co., Ltd.
Correspondence Address	YOU YI LIN EVERTEC INFORMATION TECHNOLOGY CO LTD 3F NO. 77 SHENGL 3RD STREET ZHUBEI CITY HSINCHU COUNTY, 30264 TAIWAN frans_lin@evertec.asia, linyouyi@hotmail.com
Submission	Testimony For Defendant
Filer's Name	YOU YI LIN
Filer's e-mail	frans_lin@evertec.asia, linyouyi@hotmail.com
Signature	/YOU YI LIN/
Date	07/20/2013
Attachments	Notice of filling certified transcript - You-Yi Lin.pdf(122847 bytes) Set 1-DEPOSITION UPON WRITTEN QUESTIONS OF YOU-YI LIN.pdf(4504036 bytes) Set 2-DEPOSITION UPON WRITTEN QUESTIONS OF YOU-YI LIN.pdf(5075078 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
THE TRADEMARK TRIAL AND APPEAL BOARD**

.....
AlpinBreeze, LLC.

Opposer,

vs.

Evertec Information Technology Co., LTD.

Applicant,
.....

Opposition No. 91198063

NOTICE OF FILING CERTIFIED TRANSCRIPT – YOU-YI LIN

The Applicant, EVERTEC INFORMATION TECHNOLOGY CO., LTD. (“Applicant”), in accordance with related rules and/or related laws of Taiwan R.O.C., hereby furnishes the notice of filing certified transcript of You-Yi Lin’s trial testimony with exhibits taken on June 25, 2013.

A copy of the certified transcript, exhibits, and so forth has been forwarded to the Board via Electronic Filing on July 20, 2013.

Respectfully submitted,

Date: July 20, 2013

/You-Yi Lin/

You-Yi Lin

Evertec Information Technology Co., LTD.

3F, No.77, Shengli 3rd St., Zhubei City,

Hsinchu County 302, Taiwan

Tel: 886-2-8286-2866 Fax: 886-2-2848-3458

Email: frans_lin@evertec.asia

.....

CERTIFICATE OF SERVICE

I hereby certificate that a copy of the foregoing be served via email below on July 20, 2013.

Matthew H. Swyers
The Trademark Co.
344 Maple Ave W Ste 151
Vienna Va 22180, US
Tel: (800) 906-8626
mswyers@thetrademarkcompany.com

/You-Yi Lin/
You-Yi Lin

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
THE TRADEMARK TRIAL AND APPEAL BOARD**

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AlpinBreeze, LLC.

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.....

Opposition No. 91198063

DEPOSITION UPON WRITTEN QUESTIONS OF YOU-YI LIN

Name of witness: Mr. You-Yi Lin

Address: 4F, No.2, Alley 2, Lane 49, Chan-An Street,
Lujou District, New Taipei City 247, Taiwan,
R.O.C.

Notary Public: Mr. Li, Jiun-Hung¹

Date and Time of Deposition: June 25, 2013 at 2:00 p.m. local time

Place of Deposition: The Li, Jiun-Hung Notary Public Office,
Taiwan Banciao District Court, R.O.C.
5F., No. 17, Zhongzheng Rd. Xinzhuang Dist.,
New Taipei City, Taiwan, R.O.C.

¹ Mr. Li, Jiun-Hung is authorized to administer oaths by Taiwan Banciao District Court, with address of No. 138, Ching Yun Street, Tucheng Dist., New Taipei City 23653, Taiwan, R.O.C.

APPEARANCES

THE WITNESS

MR. YOU-YI LIN

NOTARY PUBLIC

MR. Li, Jiun-Hung
The Li, Jiun-Hung Notary Public Office,
Taiwan Banciao District Court, R.O.C.
5F., No. 17, Zhongzheng Rd. Xinzhuang Dist.,
New Taipei City, Taiwan, R.O.C.

THE APPLICANT

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Tel: 886-2-8286-2866
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FOR THE OPPOSER

MR. MATTHEW H. SWYERS (in absentia)
The Trademark Co.
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Tel: (800) 906-8626
mswyers@thetrademarkcompany.com

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Opposition No. 91198063

**DIRECT EXAMINATION QUESTIONS FOR THE
DEPOSITION UPON WRITTEN QUESTIONS OF YOU-YI LIN**

The Applicant, EVERTEC INFORMATION TECHNOLOGY CO., LTD.
("Applicant") provides the following Direct Examination Questions for the
Deposition Upon Written Questions.

OBJECTION AND MOTION TO STRIKE EXHIBITS AND/OR TESTMONY

The Applicant objects to the introduction of evidence and/or testimony based
on evidence not provided by Opposer during the discovery or anteriority. The
Applicant provides following questions during the deposition upon written
questions of You-Yi Lin.

*I, You-Yi Lin, swear with raising my right hand that the
testimony, given in following deposition, with written
questions and answers shall be the truth, the whole truth and
nothing but the truth.*

QUESTIONS

1. Please tell us your name as well as business address for the record.

Answer: My name is You-Yi Lin, President of Evertec Information Technology
Co., LTD. with the address of 3F, No.77, Shengli 3rd St., Zhubei City, Hsinchu
County 302, Taiwan.

2. Tell us about the average salary for a manager position in Taiwan.

Answer: The average salary for a manager position is about US\$2,000 to US\$3,000 per month in Taiwan.

3. Have you ever employed by Ms. Samanta Ng, owner of Alpinbreeze. LLC and how long did you be employed by her?

Answer: I have never been employed by Ms. Samanta Ng. There is no employment agreement between Ms. Samanta Ng. and me, You-Yi Lin. I have never got any salary in terms of money or goods from Ms. Samanta Ng.

4. What kind of relationship do you think between you and Ms. Samanta Ng?

Answer: The relationship between Ms. Samanta Ng and me might be regarded as a kind of business partner relationship.

5. How and when did you know Ms. Samanta Ng?

Answer: I knew her by a friend, Mike Chen, Product Manager of ViewSonic Corp., 9F, No. 192, Lien Chen Road Zhonghe Dist. New Taipei City 235 Taiwan in year 2008. He mentioned Ms. Samanta Ng, who was Swiss country sales manager of ViewSonic Corp was a super sales person in his company and could help me to sell PC peripheral products in Switzerland, so I started to contact with her via MSN/SKYPE and e-mail via his introduction around September of 2008.

6. Did you cooperate with Ms. Samanta Ng for business?

Answer: I had cooperated with Ms. Samanta Ng for some business projects such as selling PC peripherals, LCD Display, Puzhen aroma diffusers, Textile and Hotel Supplies products, etc. in Switzerland. However, all of them were discontinued due to reasons such as market, economic factor, and so on.

7. What was the way you cooperated with Ms. Samanta Ng for business?

Answer: The business model we planned was that I sourced products vendors in Taiwan or Asian countries and Ms. Samanta Ng sold them in Switzerland or Europe. Ms. Samanta Ng suggested the way that she played the role of CEO in Europe (Black/Bad guy) and I, You-Yi Lin played the role of Asian representative (White/Good guy) to contact those vendors to make the projects going more smoothly.

8. What was the last business project you cooperated with Ms. Samanta Ng?

Answer: The last project was related to an aroma diffuser product with its name of AROMA GENIE, founded in a department store in Taiwan. I introduced this product to Ms. Samanta Ng and began to cooperate together for several months based on the Bad guy/Good guy way.

9. Please direct your attention to EXHIBIT 1. Can you identify what this is?

Answer: This is the budget plan raised by Ms. Samanta Ng to start aroma diffuser business in Switzerland, the last business project. The company opening fee was US\$1500. Ms. Samanta Ng and I, You-Yi Lin had discussed the capital to set up the company together based on 50%/50% shares each, and the capital would be paid by Ms. Samanta firstly and I, You-Yi Lin paid by what I spent personally in Taiwan for surveying and contacting factories via international phone calls, and traffic fees including High Speed Railway, logo designing fees, and so forth in Taiwan/Hong Kong/Mainland China. If I, You-Yi Lin didn't have enough money before opening the company, I, You-Yi Lin could pay the rest based on company profits from sales revenue. There was another reason to adopt this way. Ms. Samanta Ng had played the CEO role, so the transfer payment for future orders couldn't be paid by some from Ms. Samanta Ng and some from me, You-Yi Lin to the factory.

However, Samanta Ng insisted on more than 50% shares of the company while the product was almost done to sell. I, You-Yi Lin had no choice to discuss with Ms. Samanta Ng again for company shares occupied and profit split for this business. I, You-Yi Lin made a concession to get 40% shares of future company and less profit split as Ms. Samanta Ng told me she could only get unemployment dole from Swiss government for 400 days then.

10. Please turn your attention to EXHIBIT 2. Can you identify what these are?

Answer: This was the plan to set up a paper company in Delaware of US as well as the flow chart of cash and goods to do business in Europe, discussed by Ms. Samanta Ng and me, You-Yi Lin for the last project. REDSNOOT LLC was the discussed company name. SAM represented Ms. Samanta Ng and LIN represented You-Yi Lin. Swissbreeze NG could be a kind of a Swiss personal company to do business in Switzerland.

11. Why did both of you decide to set up a company in Delaware of US?

Answer: Ms. Samanta Ng and I, You-Yi Lin agreed to set up a paper company in Delaware as the cost was cheaper. Moreover, Ms. Samanta Ng mentioned

she had tax problem in Switzerland and the paper company could also help her to avoid tax problem. Non-residents can be a member of an LLC which has it referred to an Offshore LLC in Delaware. An LLC does not pay tax. Foreign members are not liable to tax and don't have to file tax forms if the income derived not from the United States. An US LLC can be used in the same way as an offshore business company registered in a Tax Haven if you do not plan to trade with the United States.

12. Did you set up the company, REDSNOOT LLC in Delaware of US?

Answer: No. I, You-Yi ever asked to set up the offshore company via help of a friend, running an accounting firm in Taiwan, and he advised that it would be cheaper to set up via help of a Taiwan accounting firm than via help of another company in US that Ms. Samanta Ng sourced. Nevertheless, Ms. Samanta NG didn't accept to set up the company in US via Taiwan accounting firm even that could be cheaper. Not long after, I, You-Yi Lin felt a little bit shock that Ms. Samanta Ng registered an US offshore company so quickly without discussing with me to make a final decision that was not normal. To be more surprise, Ms. Samanta Ng used the brand name of alpinbreeze, suggested by me, You-Yi Lin to be company name instead of the name of REDSNOOT.

Ms. Samanta Ng informed me, You-Yi Lin that this offshore company, AlpinBreeze, LLC could not be separated into parts, so she had to own 100% shares. Moreover, she advised this offshore company was temporary, and to set up a real company in Switzerland together would be the final goal once the company had enough capital. Actually, the Taiwan accounting firm told me what she said was not true that the company could be separated into parts, and half of capital in a Swiss company could be used as operational capital. Whenever I, You-Yi Lin, wanted to discuss with the company shares or profit split with Ms Samanta, she refused by raising many excuses like saying that the product had high defected rate and we could not use the earning money to set up a Swiss company, her boyfriend had unemployed and asked understanding of I, You-Yi Lin that she might use the money of US company firstly, and so forth.

13. Did you try to help to sell products for last business project you cooperated with Ms. Samanta Ng?

Answer: As mentioned, the business model we planned was that I sourced products vendors in Taiwan or Asian countries and Ms. Samanta Ng sold them

in Switzerland or other countries. However, when the aroma diffuser product was almost ready, Ms. Samanta Ng recommended me, You-Yi Lin to help to sell products or I could not get 50% profit as well as shares of the creating company that was not the same as mutual promise in the beginning of this project. Ms. Samanta Ng indicated that she couldn't find any reasons to share profits with me if I didn't help to sell the product after the product was done. I had no choice to accept to help to sell aroma diffuser product overseas as I didn't want to get nothing after spending so much efforts, time, money, etc...

14. Please turn your attention to EXHIBIT 3. Can you identify what these are?

Answer: These are product quotation of aroma diffuser, vouchers, and e-mail communications (linyoyi@hotmail.com, sean_lin@toastling.com, and frans_lin@evertec.asia) between Sean Lin (Yungshiun Lin), director of DAY & DAY TRADING CORP. and I, You-Yi Lin on behalf of Evertec Information Technology Co., Ltd. Sean Lin quoted Evertec Information Technology Corp. Ltd. the price for 24pcs aroma diffuser at NT\$1,190/pcs (about US\$39.7/pcs) on March 18, 2009 and Evertec company transferred the payment on the same date. DAY & DAY TRADING CORP also issued two vouchers with GUI numbers, taxed by Taiwan government for the first transaction of 24pcs aroma diffuser dated March 25, 2009 and the second transaction of 60pcs aroma diffuser dated May 5, 2009. I never got any free products or things from DAY & DAY TRADING CORP. nor Ms. Samanta Ng.

15. Why did your company stop to buy from DAY & DAY TRADING CORP?

Answer: Evertec IT company had placed some orders with Day & Day company. Nevertheless, Sean Lin of DAY & DAY TRADING CORP told me sometimes that Ms. Samanta Ng had asked him not to sell to me for many times. My order quantities with Sean Lin were not big. Finally, Sean Lin decided not to sell to me as he was afraid of losing big orders from Ms. Samanta Ng. This suddenly product shortage also made Evertec facing some compensation loss as its customers were on promotion.

16. Please direct your attention to EXHIBIT 4. Can you identify what these are?

Answer: I had a plan to create a special logo before the last project to cooperate with Ms. Samanta Ng and had transferred the commission of NT\$2,000, around US\$67 to a logo designer, Karen Lin with address of NO.435, SECTION 5, MINZU ROAD, CHUNGLI CITY, TAOYUAN COUNTY,

TAIWAN, R.O.C to design it for me. During the design period of time, I, You-Yi Lin started to cooperate with Ms. Samanta Ng for the last project. I had ever discussed the logo matter with Ms. Samanta Ng and my wife, Shu-Chen Huang, with address of 4F, NO.2, ALLEY 2, LANE 49, CHAN-AN STREET, LUJOU CITY, TAIPEI COUNTY 247, TAIWAN, R.O.C.. Therefore, we generated the logo name of "swissbreeze". Exhibit 4 are the logo designs that I asked the designer to design based on the name of "swissbreeze" and the NT\$2,000 commission transfer record of my Deposit Passbook of Chinatrust bank in Taiwan to the designer on August 7, 2008.

17. Did you adopt the logo name of swissbreeze for your last project with Ms. Samanta Ng?

Answer: No. Ms. Samanta Ng found a Swiss rule that a product could not be put on the trademark of "swiss" plus something like "breeze" to sell in Switzerland unless the product was made in Switzerland. The aroma diffuser product was made in Taiwan, so we decided not to use it. Accordingly, I discussed with Ms. Samanta Ng and my wife, Shu-Chen Huang to generate some logo names to replace "swissbreeze".

18. Please direct your attention to EXHIBIT 5. Can you identify what this is?

Answer: As mentioned, I discussed with Ms. Samanta Ng and my wife, Shu-Chen Huang to generate some logo names to replace "swissbreeze". These were some of the names we generated based on the logo design.

19. Please turn your attention to EXHIBIT 6. Can you identify what these are?

Answer: My wife, Shu-Chen Huang and I both considered the logo name of "alpinbreeze" was the best one since the mountain of "Alpine" has a very good imagination in Taiwan. I mentioned this to Ms. Samanta Ng, as a business partner, and she also agreed to use the logo name of "alpinbreeze". It would be more save for me to sign an agreement with the designer for the final logo design. EXHIBIT 6 shows the original alpinbreeze logo design agreement between the designer, Karen Lin, and I, You-Yi Lin on December 1, 2008 and its English translation. The last part of EXHIBIT 6 shows the NT\$3,000 commission transfer record of my Deposit Passbook of Chinatrust bank in Taiwan to the designer on January 5, 2009. I didn't pay NT\$1,000 deposit in advance as the designer, Karen Lin advised it was not necessary due to mutual trust previously.

20. Did you know that Ms. Samanta Ng ever asked other designers to design alpinbreeze logo?

Answer: I don't have a good memory. There is no memory that Ms. Samanta Ng mentioned to me that she transferred certain commission amount to any designers. Ms. Samanta Ng might try to ask other designers to modify the colors or font size based on logo design of Karen Lin afterwards. I am not sure.

21. Please turn your direction to EXHIBIT 7. Could you identify what this is?

Answer: This is the information that Ms. Samanta advised me that she had registered trademark of "Puzhen" in Switzerland on October 21, 2008. She knew very well the importance of a trademark to business.

22. Did you know when Ms. Samanta Ng started to apply for trademark of alpinbreeze in US?

Answer: No. I just know she raised the opposition to my trademark on January 5, 2011 that I applied it on January 8, 2010. Alpinbreeze LLC instead of REDSNOOT LLC was registered on March 10, 2009. I believe she didn't apply for the trademark of alpinbreeze in US between March 10, 2009 and January 8, 2010.

23. Did you ever oppose the registration of Ms. Samanta Ng to the Community trademark Office (OHIM) in Europe?

Answer: Yes. I raised opposition by my French trademark of alpinbreeze by an Italian attorney, Mr. Avv. Stefano Merico, Via del Caucaso, 21, 00144 - Rome (Italy).

24. What happened after you raised the opposition to Ms. Samanta Ng in Europe?

Answer: Ms. Samanta Ng raised a trademark lawsuit in France accordingly. I tried to ask help of an Italian attorney, and he introduced a French attorney, Mr. Benjamin MARTIN-TARDIVAT, 21 rue Léon Jost 75017 Paris, France to me for the French trademark lawsuit. To counsel with an attorney for Court proceedings in France was very expensive that our tiny company could not be affordable even knowing our company could have the chance to win till the end. Moreover, our French attorney knows the opposition attorney, Me Leroux., Centre d'Affaires Edouard VII, 3, square Edouard VII, Paris-75009. He mentioned to me that "she has mentioned her client, Ms. Samanta Ng "financial power" and her wish to obtain the ALPINBREEZE mark at "any cost". I do not know whether this

"threat" is true or not". Finally, I accepted the suggested way to withdraw our French trademark to close the opposition to OHIM as well as French lawsuit due to financial factors.

25. Are there any other adversarial proceedings with Ms. Samanta Ng?

Answer: There is another trademark opposition with Ms. Samanta Ng in Mainland China.

26. Please turn your attention to EXHIBIT 8. Can you identify what these are?

Answer: This is the verdict of China Trademark Office to alpinbreeze trademark opposition between Ms. Samanta Ng and me, You-Yi Lin on September 30, 2012. It indicates that the grounds for opposition raised by Ms. Samanta Ng were not accepted by the China Trademark Office, and the Office adjudicated approval of the registration of alpinbreeze trademark by I, You-Yi Lin on September 30, 2012.

27. Please direct your attention to EXHIBIT 9. Can you identify what this is?

Answer: It introduces the concept of LIMITED LIABILITY COMPANY (LLC) in USA. Foreign members of LLC are not liable to tax and don't have to file tax forms if the income derived is not from the United States.

The US Limited Liability Company allows Non-US resident full ownership and these members are not required to file any tax returns once the income of their LLC is not derived from the United States and it is not effectively connected with trade or business within the United States nor do they employ US residents or rely on a dedicated place of business within the United States.

An US LLC can be used in the same way an offshore business company registered in a Tax Haven may be used if you do not plan to trade with the United States. I believe Ms. Samanta Ng has never filed any tax returns to US government.

28. Please turn your attention to EXHIBIT 10. Can you identify what these are?

Answer: In addition to the aroma diffuser product of the last project with Ms. Samanta Ng, the product of EXHIBIT 10 shows another aroma diffuser, developed by me, You-Yi Lin. It also shows two patents I got from Taiwan government on January 21, 2011 and August 11, 2011 based on technical solutions of improvement of the high defect rate after using by customers for

most of aroma diffusers in the market.

29. Please direct your attention to EXHIBIT 11. Can you identify what these are?

Answer: I have an US customer, Ms. Martha Chen, with address of 319 Vista Marazul, Oceanside, CA 92057, USA sells my aroma diffuser in connection with alpinbreeze logo through the on-line channel of "amazon.com" in US. EXHIBIT 11 shows the receipt of Express Mail Service that I sent the goods with alpinbreeze logo from Taiwan to US on December 7, 2010. It also shows the e-mail that an US customer ordered an alpinbreeze aroma diffuser via the channel "amazon.com" in US.

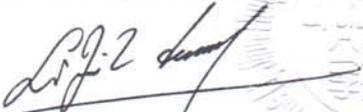
30. Please turn your attention to EXHIBIT 12. Can you identify what these are?

Answer: EXHIBIT 12 shows contents of alpinbreeze advertisement via facebook (www.facebook.com) in US that it targeted around 1,700 US female residents, above 18 years old and fond of aromatherapy as well as my spending of about US\$180 for advertising above from December 5, 2010 to February 28, 2011.

Date: JUN 25 2013

You-Yi Lin
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102 新北院民認宏字
102 NEW TAIPEI YUAN MIN REN HUNG ZI

案號： 00433 日期： JUN 25 2013
Case No. : 00433 Date : JUN 25 2013
本文件之簽名或蓋章在臺灣新北地方法院所屬民間公證人李俊宏事務所認證。 公證人：李俊宏
Attested at the Li, Jiun-Hung Notary Public Office, Taiwan New Taipei District Court, R.O.C. that the signature(s)/seal(s) in this document is/are authentic.
Notary Public

Li, Jiun-Hung

事務所地址：新北市新莊區中正路17號5樓
事務所電話：(02)8994-5089
5F., No.17, Zhongzheng Rd., Xinzhuang Dist.,
New Taipei City 24243, Taiwan, R.O.C.
886-2-8994-5089

- EXHIBIT-1:** The budget plan for the last cooperated business project to start aroma diffuser business in Switzerland
- EXHIBIT-2:** The plan to set up a paper company in Delaware of US as well as the flow chart of cash and goods to do business in Europe
- EXHIBIT-3:** E-mail communications between Sean Lin (Yungshiun Lin), director of DAY & DAY TRADING CORP. and You-Yi Lin on behalf of Evertec Information Technology Co., Ltd. It also includes the product quotation of the aroma diffuser (item no: LT09888-1E), and vouchers from DAY & DAY TRADING CORP for Evertec Information Technology Co., Ltd. to buy the diffuser(item no: LT09888-1E) .
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- EXHIBIT-6:** "alpinbreeze" logo design agreement and bank transfer record for the commission
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- EXHIBIT-12:** "alpinbreeze" advertisement in US

nbsp;

(&N)

寄件者: "Lin You-Yi" <linyouyi@hotmail.com>
 日期: 2011年2月8日 下午 04:39
 收件者: <frans_lin@evertec.asia>
 主旨: FW: START BUDGET DO NOT FORWARD

From: frans_lin@swissbreeze.com
 To: linyouyi@hotmail.com
 Subject: Fw: START BUDGET DO NOT FORWARD
 Date: Tue, 10 Feb 2009 20:34:27 +0800

----- Original Message -----

From: [Ng Samanta](#)
 To: [Frans Lin](#)
 Sent: Tuesday, February 10, 2009 8:06 PM
 Subject: START BUDGET DO NOT FORWARD

	USD	USD	CHF
capital needed first delivery			
diffuser	34.5	100	3450.00
carton	1.5	1000	1500.00
kettle	0	1000	0.00
manual	1.1	1000	1100.00
vat custom tax switzerland	3.45	100	345.00
air shipping	12.7	100	1270.00
company opening		1500	1500.00
total			9165.00
			10998.00



Samanta NG
 Director

phone: +41 27 967 18 17

mobile: +41 79 616 23 73

email: samanta.ng@swissbreeze.com

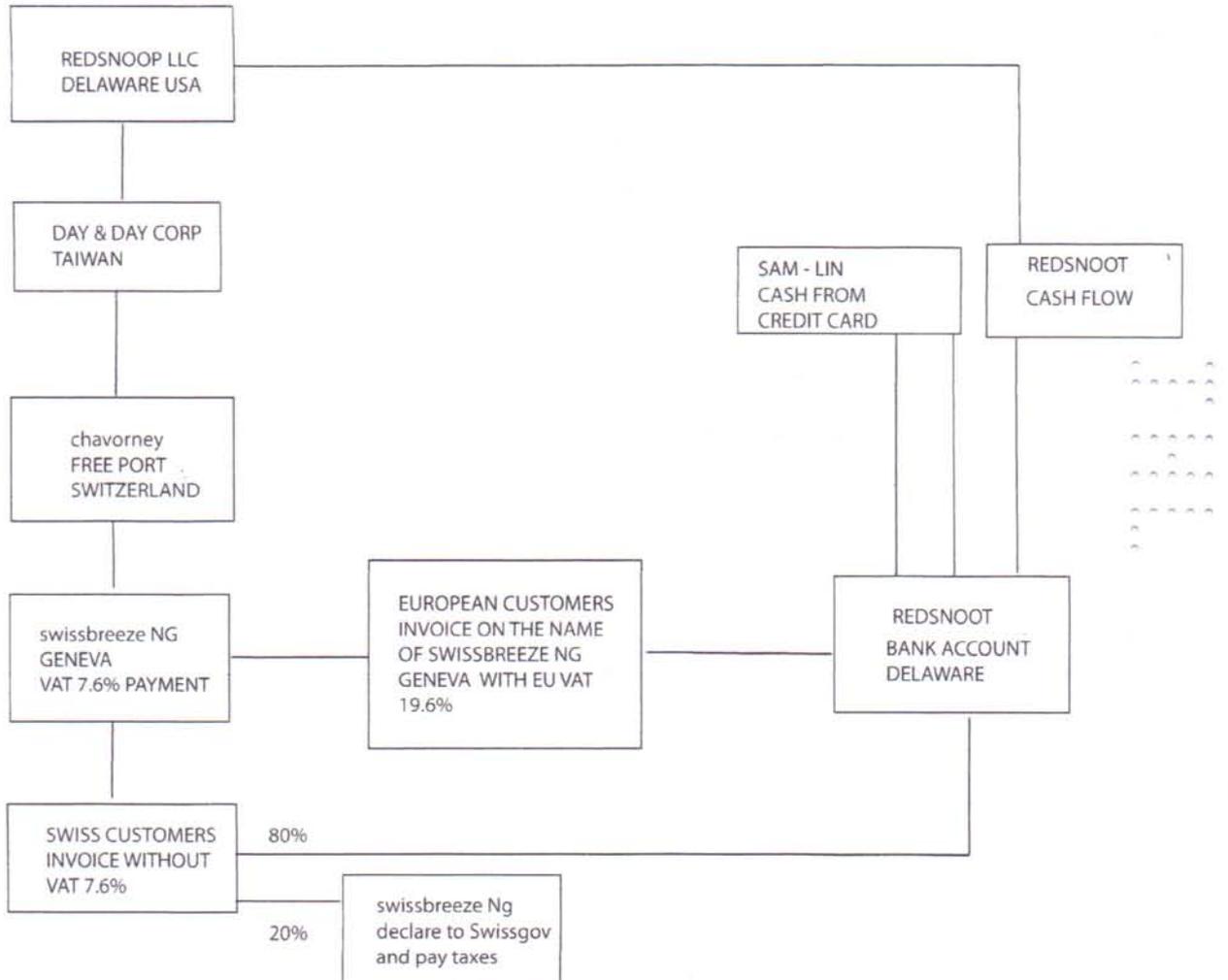
www.swissbreeze.com

5 chemin des picottes

CH-1217 Geneva

Switzerland

EXHIBIT - 2



nbspc;

(&N)

寄件者: "Frans Lin - Evertec Information Technology" <frans_lin@evertec.asia>
日期: 2009年3月18日 下午 08:33
收件者: "Lin You-Yi" <linyoyi@hotmail.com>
主旨: Fw: 公司及統編

----- Original Message -----

From: Lin You-Yi
To: sean_lin@toastliving.com
Cc: frans_lin@evertec.asia
Sent: Wednesday, March 18, 2009 6:07 PM
Subject: RE: 公司及統編

Dear Sean,

1. 我已轉帳**NT\$29,988**到貴公司戶頭, 請確認是否收到(如下).

親愛的艾維特科技有限公司客戶您好:
您於98/03/18之即時約定轉帳結果如下:

轉出帳號: 055-03-70XXX5-3
轉入銀行: 008華南銀行
轉入帳號: 00001511000XXX11
轉帳金額: 29,988
備註: Toast 24pcs diffuser付款



Evertec Information Technology
Bank transfer record
for 24 pcs diffuser
on March 18, 2009,
please confirm.

2. 貨物可否送到台北(如下)? 何時可好? 或我去載也可
247台北縣蘆洲市延平里長安街49巷2弄2號4樓

3. Invoice是否可秀我公司住址(如下), 但可隨貨給我

艾維特科技有限公司
統一編號: 24362994
新竹市竹北縣竹仁里四維街229號1樓
電話: 0921-722939

Please show
Evertec company name
tax number, and so on
on invoice

4. 另外,我網站上放Toast的commercial pictures是否 ok? 我新網站已請設計師在設計..

Best regards,
Frans

From: sean_lin@toastliving.com
To: linyoyi@hotmail.com
Subject: Re: 公司及統編
Date: Wed, 18 Mar 2009 16:56:58 +0800

Dear Frans

附檔為更新報價單
請確認

THANKS!

SEAN

----- Original Message -----
From: Lin You-Yi
To: sean_lin@toastliving.com
Sent: Wednesday, March 18, 2009 3:57 PM

b

1/4

2012/10/29(B)

Subject: RE: 公司及統編

Dear Sean,

有關24台水氧機,你還是應報我US\$34.5而非US\$36,這是歐洲知道的.
未來如我公司跟你訂也應是US\$34.5換成台幣,先用歐洲的包裝,我想歐洲不會用太快.
如其不夠我會各買1000pcs manual及box.

Best regards,
Frans

From: sean_lin@toastliving.com
To: linyouyi@hotmail.com
Subject: Re: 公司及統編
Date: Wed, 18 Mar 2009 15:26:39 +0800

Dear Frans

附檔為24台水氧機報價
請確認

*Attachment is quotation for 24PCS aroma diffuser,
please confirm.*

THANKS!

SEAN

----- Original Message -----

From: Lin You-Yi
To: sean@lerbolario.com.tw; sean_lin@toastliving.com
Sent: Tuesday, March 17, 2009 8:02 PM
Subject: RE: 公司及統編

From: linyouyi@hotmail.com
To: sean@lerbolario.com.tw
Subject: 公司及統編
Date: Fri, 13 Mar 2009 11:33:34 +0800

Dear Sean,

下面是公司的資料:

艾維特科技有限公司
統一編號: 24362994

*Following is company detail:
Evertec Information Technology Co.
tax number = 24362994*

Best regards,
Frans

check out the rest of the Windows Live™. More than mail—Windows Live™ goes way beyond your inbox. [More than messages](#)



Address = 20F, No. 495, Sec 2, Neihu Rd,
Banqiao Dist., New Taipei City 220
Taiwan (R.O.C.)

日日商業股份有限公司
台北縣板橋市文化路 2 段 495 號 20F
TEL : 02-22596698
FAX : 02-22597738, 02-22534025

DAY & DAY TRADING
CORP.

報價單 Quotation

Date: 報價日期: 民國九十八年三月十八日 March 18, 2009
Customer: 客戶名稱: 艾維特科技有限公司 Evertec Information Technology Co., LTD.
Firm Tax number: 統一編號: 24362994

品名 Product name	貨號 Model no	單價 (未稅) Unit price	數量 Quantity	金額 Amount
AROMA GENIE 水氧機	LT09888-1E	NT\$ 1,190 / pc	24 pcs	NT\$ 28,560
		Subtotal		NT\$ 28,560
		Sales Tax 5%		NT\$ 1,428
		Order Total		NT\$ 29,988

Contact:

聯絡人: 林雍順
T: 02 2259 6698 ext.128
F: 02 2253 4025
M: 0955 058 533

YUNGSHIUN LIN
(Sean Lin) Director

Mar. 25, 2009

Vertex Information Technology Co. Ltd.

GLI No.

EU 35288019 統一發票 (三聯式) 九十八年三、四月份

買受人: 艾維特科技有限公司

統一編號: 24362994 中華民國 98 年 3 月 25 日

地址: 縣市 鄉鎮市區 路街 段 巷 弄 號 樓 室

品名	數量	單價	金額	備註
超音波香芬精靈	24台	1190	28560	
營業人蓋用統一發票專用章				
銷售額合計: 28560 營業稅: 1428 總計: 29988				

總計新臺幣 (中文大寫) 千 百 拾 六 萬 玖 千 捌 拾 捌 元

第三聯 收執聯

tax number

Aroma diffuser

amount
total amount

Vat

Voucher stamp of DAY & DAY TRADING CORP.

May 5, 2009

FU 35192050 統一發票 (三聯式) 九十八年五、六月份

買受人: 艾維特科技有限公司

統一編號: 24362994 中華民國 98 年 5 月 5 日

地址: 縣市 鄉鎮市區 路街 段 巷 弄 號 樓 室

品名	數量	單價	金額	備註
香薰水擴孔	60	1162	69720	
營業人蓋用統一發票專用章				
銷售額合計: 69720 營業稅: 3486 總計: 73206				

總計新臺幣 (中文大寫) 千 百 拾 柒 萬 叁 千 貳 百 零 陸 元

第三聯 收執聯

Aroma diffuser

tax (VAT)

Voucher stamp of DAY & DAY TRADING CORP.



2008-08-27

EXHIBIT 4

designated account

DATE	DESCRIPTION	AMOUNT	CHECK NO.	BALANCE	REMARKS
	帳前負	74954-010505-6		\$1,362.00	
97.07.21	金融卡	\$1,000.00		\$362.00	自勵孔
97.08.06	薪資 代接薪資入帳	\$40,832.00		\$41,194.00	
97.08.06	金融卡	\$15,000.00		\$26,194.00	台新美
97.08.07	跨行轉	\$2,000.00	12400-b11645-8	\$24,194.00	台新美
97.08.07	手續費	\$17.00		\$24,177.00	
97.08.08	金融卡	\$12,000.00		\$12,177.00	自勵孔
97.08.14	金融卡	\$2,000.00		\$10,177.00	國泰世
97.08.25	保費	\$2,000.00	統 安聯保費	\$8,177.00	
97.08.27	跨行轉	\$8,000.00	0032/23159212300	\$177.00	台北農
97.08.27	手續費	\$17.00		\$160.00	
97.09.05	薪資 代接薪資入帳	\$40,581.00		\$40,741.00	
97.09.06	金融卡	\$19,000.00		\$28,741.00	自勵孔
97.09.08	金融卡	\$20,000.00		\$8,741.00	自勵孔
97.09.19	金融卡	\$3,000.00		\$5,741.00	台北農
97.09.29	保費	\$2,000.00	統 安聯保費	\$3,741.00	
97.10.27	保費	\$2,000.00	統 安聯保費	\$1,741.00	
97.11.24	轉帳存30351-***8149-*	\$4,000.00		\$5,741.00	自勵孔
97.11.25	保費	\$2,000.00	安聯人壽保費	\$3,741.00	
97.12.09	金融卡	\$4,000.00		\$2,741.00	自勵孔
97.12.21	利息	\$9.00		\$2,748.00	
97.12.23	保費	\$2,000.00	安聯人壽保費	\$748.00	
97.12.30	轉帳存30351-***8149-*	\$4,000.00		\$4,748.00	自勵孔
98.01.05	轉帳存30351-***8149-*	\$25,000.00		\$29,748.00	自勵孔

中信銀 (林)

.....
.....
.....
.....
.....

EXHIBIT 5


swissbreeze


fluidbreeze


swixbreeze


edelbreeze


nicebreeze


h2obreeze


alpenbreeze


alpinbreeze



ALPINBREEZE LOGO 設計合約書

EXHIBIT 6

立合約書人 林佑奕 (以下簡稱甲方) 與 林欣怡 (以下簡稱乙方) 合作 Logo 設計 案, 經雙方協議訂定合作契約, 以茲雙方共同信守。

雙方共同議定條款如下:

一、設計案內容: ALPINBREEZE LOGO 設計 (其細目以附件之設計製作費用估價單為準)。

二、甲方委託乙方擔任本設計案之 ALPINBREEZE LOGO 設計 職務。

三、經雙方同意議定於下列時間完成設計與製作, 雙方應共同遵守並控制設計製作之進度與品質。

3-1. 設計稿件交付時間

(1) 提案完成時間: 民國 97 年 12 月 1 日。

(2) 完稿完成時間: 民國 97 年 12 月 31 日。

3-2. 乙方於上述時間範圍內, 與甲方溝通協歷後, 乙方應配合甲方意見為必要之修改。甲方審核稿件時間須自收到稿件時起四日內確定稿件內容; 甲方審核稿件時間如逾四日, 乙方下次交稿時間則依甲方所逾日數順延之; 修改次數以三次為限, 如超過議定修改之次數, 每次修改酌收設計費百分之二十。

3-3. 雙方議定, 乙方如未按預訂進度交出上述作品, 則甲方有權, 以一日扣除其平面設計費百分之一為罰金, 並累計直到交出作品為止。

四、設計經費總計新臺幣 3,000 元整, 甲方須於簽約同時支付新臺幣 1000 元整之訂金。

五、雙方議定, 乙方交付完成品之同時甲方需支付新臺幣 2000 元之尾款, 甲方若有延遲付款之情形, 則每延一日需加付設計費百分之一為罰金, 並累計直到付清款項為止。

六、乙方設計製作稿件進行中, 因天候、製作意見、情事變更或不可歸責乙方之事由等因素而終止時, 依下列方式計費且著作權仍歸乙方所有。

(1) 提案階段: 依總金額之 30% 計算。

(2) 完稿階段: 依總金額之 70% 計算。

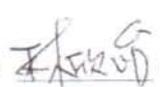
七、如作業中有大幅修正或追加稿件製作時, 交付時間得由雙方另行議定, 並另行追加製作費用。

八、本合約書以中華民國為準據法, 若因本合約書涉訟, 甲乙雙方同意以乙方居住地之地方法院為第一審管轄法院。

十、本合約書正本壹式貳份, 甲乙雙方各執存壹份為憑。

立合約書人

甲 方:  (簽章)

乙 方:  (簽章)

統一編號: _____

統一編號: _____

代表人: _____

代表人: _____

地 址: 台北縣蘆洲市長安街 49 巷 2 弄 2 號 4 樓

地 址: 桃園縣中壢市民族路 5 段 435 號

電 話: 02-82862866

電 話: 03-4200912; 0920-557071

中 華 民 國 97 年 12 月 1 日

ALPINBREEZE LOGO DESIGN AGREEMENT

This agreement is mad between 林佑奕 (Appointer, Frans Lin, hereinafter called the "Appointer") and 林欣怡 (Designer, Karen Lin, hereinafter called the "Designer") for Logo design project .

THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1 ∙ Design content : ALPINBREEZE LOGO DESIGN ∙

2 ∙ Appointer appoints Designer the job to design ALPINBREEZE LOGO for this project ∙

3 ∙ Both parties agreed to complete the design at the following time schedule and control the design quality ∙

3-1. Lead time

(1) Proposal completion : December 1, 2008 ∙

(2) Logo design completion : December 31, 2008 ∙

3-2. Designer should modify the logo design in coordination opinions of Appointer after mutual discussion with above time schedule. Appointer should review the content of logo design 4 days after receiving it or Designer will complete the final logo design based on the delay of Appointer. The limitation of modification should be no more than three times, the extra modification fee will be 20% of total design fee each time ∙

3-3. If Designer can not complete the logo design in time, Appointer has the right to punish Designer 1% of total design fee per day till logo design completion ∙

4 ∙ The total design fee is NTS 3,000 ∙ and Appointer should pay deposit of NTS 1000 in the beginning ∙

5 ∙ Appointer should pay rest payment of NTS 2000 while logo design completion ∙ Appointer will be punished by Designer 1% of total design fee per day till effecting payment fully if Appointer delays the rest payment ∙

6 ∙ The design fee will be accounted based on following once the design work is forced to terminate in the design process due to factors of weather, design comments, and any other causes beyond the reasonable control of the parties, and the copyright still belongs to Designer.

(1) Proposal status : 30% of total amount ∙

(2) Logo design completion : 70% of total amount ∙

7 ∙ The time schedule and fee may be changed by mutual agreement if there is big modification in the design process.

8 ∙ This Agreement shall be governed by and construed in accordance with the laws of Taiwan, R.O.C. Each party hereby submits to the jurisdiction of the Court in Designer residence ∙

9 ∙ IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives in duplicate, each party retaining one.

Appointer : 林佑奕 YOU-YI LIN (Signature)

Desinger : 林欣怡 KAREN LIN (Signature)

Company No : _____

Company No : _____

Representative : _____

Representative : _____

4F, NO.2, ALLEY 2, LANE 49, CHAN-AN

NO.435, SECTION 5, MINZU ROAD,

Address : STREET, LUJOU CITY, TAIPEI COUNTY

Address : CHUNGLI CITY, TAOYUAN COUNTY,

247, TAIWAN, R.O.C

TAIWAN, R.O.C

Telephone : 02-82862866

Telephone : 03-4200912 ; 0920-557071

Date: December 1, 2008

designer account 1

EXHIBIT 6

97.12.30	承前頁	30351-228149-6		\$14,270.00	
98.01.01	轉帳提	\$4,000.00	74954-010505-6	\$10,270.00	自動化
98.01.01	金融卡	\$3,000.00		\$7,270.00	自動化
98.01.05	證券款	遠東銀	\$28,375.00	\$35,645.00	
98.01.05	跨行轉	\$3,000.00	12400-511645-8	\$32,645.00	自動化
98.01.05	手續費	\$17.00		\$32,628.00	
98.01.05	轉帳提	\$25,000.00	74954-010505-6	\$7,628.00	自動化
98.01.05	金融卡	\$2,000.00		\$5,628.00	自動化
98.01.06	證券款	遠東銀	\$28,375.00	\$34,003.00	
98.01.06	金融卡	\$22,000.00		\$12,003.00	自動化
98.01.06	轉帳提	\$10,000.00	74954-010505-6	\$2,003.00	自動化
				\$78,913.00	
98.01.13	轉帳提	\$30,000.00	74954-010505-6	\$48,913.00	自動化
98.01.14	金融卡	\$7,000.00		\$41,913.00	台北銀
98.01.14	手續費	\$5.00		\$41,907.00	
98.01.14	轉帳提	\$30,000.00	74954-010505-6	\$11,907.00	自動化
98.01.15	金融卡	\$3,000.00		\$8,907.00	自動化
98.01.19	證券款	\$5,229.00		\$3,687.00	
98.01.20	委代人	折讓款	\$75.00	\$3,762.00	
98.01.21	證券款	區產	\$9,053.00	\$12,815.00	
98.01.21	轉帳提	\$3,000.00	74954-010505-6	\$9,815.00	自動化
98.01.22	證券款	\$6,530.00		\$3,285.00	
98.01.28	金融卡	\$2,000.00		\$1,285.00	南區農
98.01.28	手續費	\$6.00		\$1,279.00	

請翻次頁

nbsp;

(&N)

寄件者: "Lin You-Yi" <linyouyi@hotmail.com>
 日期: 2011年6月3日 下午 12:40
 收件者: <frans_lin@evertec.asia>
 附加檔案: _e-trademark.ige.ch_Servlet.pdf
 主旨: FW: puzhen trademark switzerland

Subject: puzhen trademark switzerland
 Date: Tue, 21 Oct 2008 15:40:56 +0200
 From: Samanta.Ng@Viewsoniceurope.com
 To: linyouyi@hotmail.com

Hello Lin,

I just registered the puzhen trademark in Switzerland as you can see here below.

As soon as the request will be accepted Aromasan and Pranarom will not more be able to sell puzhen products in Switzerland.

i used my credit card to pay the 350 USD registration fees.

So it's done my friend !!!!

:o)

sam

-
1. This email and any files transmitted with it are confidential, may be legally privileged and are for the sole use of the intended recipient. Copyright in this email and any accompanying document created by us is owned by us. If you are not the intended recipient of this email or any part of it please immediately notify the sender by email and delete this email from your system. You should not use, copy or disclose to any other person the contents of this email or its attachments (if any).
 2. We have taken every reasonable precaution to ensure that any attachment to this email has been swept for viruses, but we cannot accept any liability for any loss or damage sustained as a result of viruses worms or any other electronic data threat and would advise that you carry out your own checks before opening any attachment. Emails cannot be guaranteed to be secure or error free as information may be intercepted, corrupted, lost, delayed or incomplete as a result of the transmission process. ViewSonic Europe Limited and the sender do not accept liability for any errors or omissions in this email arising as a result of such transmission.
 3. Please note that any opinions represented in this email are solely those of the author and do not necessarily represent those of ViewSonic Europe Limited.
 4. ViewSonic Europe Limited, Riverside House, 2a Southwark Bridge Road, 7th Floor, London, SE1 9HA, United Kingdom, Tel: +44 (0) 207 921 2200, Fax: +44 (0) 207 921 2201, Registered No: 3131161, registered in England and Wales.
-



国家工商行政管理总局商标局

(2012) 商标异字第 49923 号

“ALPINBREEZE 及图” 商标异议裁定书

北京三思知识产权代理有限公司：

湖南正奇专利商标事务所有限公司：

北京三思知识产权代理有限公司代理阿尔比斯微风有限公司（以下称为异议人）对湖南正奇专利商标事务所有限公司代理艾维特科技有限公司（以下称为被异议人）经我局初步审定并刊登在第 1245 期《商标公告》第 7848082 号“ALPINBREEZE 及图”商标提出异议，我局依据《中华人民共和国商标法》第二十条规定予以受理。被异议人已在规定期限内作出答辩。

经审理，我认为：异议人于“非个人用除臭装置”等商品上未在先申请注册“ALPINBREEZE 及图”商标，亦未提供充分证据证明其在中国已在先使用“ALPINBREEZE 及图”商标并使之具有一定影响。异议人称被异

议人为其代理人抢注、复制、抄袭其引证商标以及侵犯其著作权证据不足。

依据《中华人民共和国商标法》第三十三条规定，我局裁定：异议人所提异议理由不成立，第 7848082 号“ALPINBREEZE 及图”商标予以核准注册。

根据《中华人民共和国商标法》第三十三条规定，当事人如对本裁定不服，可在收到本裁定之日起十五天内向商标评审委员会申请复审。



LIMITED LIABILITY COMPANY (LLC)**Concept**

The Limited Liability Company (LLC) is a hybrid with similarities and differences with the other business forms:

- It is a separate legal entity like a corporation
- It does not have shareholders, but rather it has members.
- Its members are protected with Limited Liability. Their personal liability is limited to the amount invested in the LLC
- For USA incorporation the members can be physical persons or entities, including corporations, partnerships, trusts etc.
- Non-residents can be a member of the LLC. ("Offshore LLC's")
- It is taxed like a partnership which has the benefit of flow-through taxation.
- Can be formed with any amount of members.
- An LLC does not pay taxes; its resident members are tax liable as personal income similar to a partnership. Non-resident members are liable for taxes on income derived from the US.
- Foreign members are not liable to tax and don't have to file tax forms if the income derived is not from the United States.
- The only document required to register your company, (company formation), with the local Secretary-of-State is the Articles of Organization.
- An LLC has a limited life span.

A US organized Limited Liability Company is a good vehicle for persons who conduct international business and wish to minimize their tax liability which is why they may be referred to as offshore LLCs.

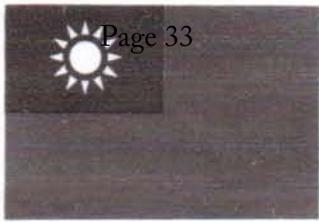
The US Limited Liability Company allows Non-US resident full ownership and these members are not required to file any tax returns once the income of their LLC is not derived from the United States and it is not effectively connected with trade or business within the United States nor do they employ US residents or rely on a dedicated place of business within the United States. This does not apply to an office which is infrequently used.

A US LLC can be used in the same way an offshore business company registered in a Tax Haven may be used if you do not plan to trade with the United States.

We offer USA company incorporation of LLC's on both the east coast and west coast of the United States. We recommend Oregon on the west and Delaware on the east.

<http://www.us-llc-for-non-residents-of-the-usa-incorporate-llc-in-us.offshore-companies.co.uk/>





中華民國專利證書

新型第 M 396714 號

新型名稱：液體霧化器

專利權人：艾維特科技有限公司

創作人：林佑奕

專利權期間：自2011年1月21日至2020年9月6日止

上開新型業依專利法規定通過形式審查取得專利權
行使專利權依法應提示新型專利技術報告進行警告

經濟部智慧財產局

局長 王美花

注意：專利權人未依法繳納年費者，其專利權自應繳費期限屆滿之次日起消滅。

中華民國

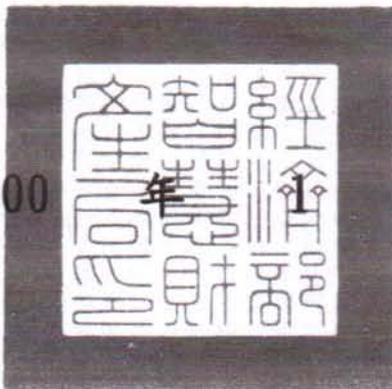
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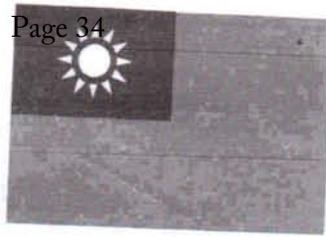
年

月

21

日





中華民國專利證書

新式樣第 D 142094 號

新式樣名稱：水氧機

專利權人：艾維特科技有限公司

創作人：林佑奕

專利權期間：自2011年8月11日至2022年9月6日止

上開新式樣業經專利權人依專利法之規定取得專利權

經濟部智慧財產局

局長 王美花



中華民國

100

年 8

月

11

日

注意：專利權人未依法繳納年費者，其專利權自原繳費期限屆滿之次日起消滅。

Evertec IT

寄件者: "Amazon.com" <auto-communication@amazon.com>
收件者: "Alpinbreeze Ultrasonic Aroma Diffuser" <customer_service@evertec.asia>
傳送日期: 2011年5月4日 上午 11:53
主旨: Your e-mail to Renita Zies

Here is a copy of the e-mail that you sent to Renita Zies.

Order ID 103-6174118-1919412:

1 of Alpinbreeze Ultrasonic Aromatherapy Diffuser/humidifier [ASIN: B004US5GRA]

----- Begin message -----

Dear Renita,

We are pleased to inform you that your order #103-6174118-1919412 has shipped. Please see the details of the shipment below.

Label/Receipt Number: 9505 9000 1286 1123 0004 04

Expected Delivery Date: May 6, 2011

Class: Priority Mail®

Service(s): Delivery Confirmation™

Insured

Thank you for placing an order with us,
Alpinbreeze

----- End message -----

For Your Information: To help arbitrate disputes and preserve trust and safety, we retain all messages buyers and sellers send through Amazon.com for two years. This includes your response to the message above. Amazon.com uses filtering technology to protect buyers and sellers from possible fraud. Messages that fail this filtering will not be transmitted.

We want you to buy with confidence anytime you purchase products on Amazon.com. Learn more about Safe Online Shopping (<http://www.amazon.com/gp/help/customer/display.html?nodeId=10412241>) and our safe buying guarantee (<http://www.amazon.com/gp/help/customer/display.html?nodeId=537868>).

^ ^ ^ ^ ^
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^ ^ ^ ^ ^
^ ^ ^ ^ ^

搜尋你的廣告

EXHIBIT 12



過去 7 天 全部 (已刪除者除外) 勾選要編輯的廣告 完整報告 1 個搜尋結果

行銷覆蓋率: 0 頻率: 0.0 社交覆蓋: 0 廣告數: 0 點擊: 0 CTR: 0.000% 費用: \$0.00

Name	狀態	Reach	Freq.	社交覆蓋	Actions	Clicks	CTR	Bid	Price
aroma diffuser	✓	0	0.0	0	0	0	0.000%	\$1.49 CPC	\$0.00 CPC

廣告預覽

aroma diffuser

alpinbreeze.com.tw



alpinbreeze - image and fun for life™ aroma diffuser

從網站查看的樣子 · 建立類似的廣告

編輯

鎖定廣告對象

這則廣告瞄准了 1,700 名用戶：

- 住在美國
- 18 歲以上
- 喜歡 aromatherapy
- 戀愛性向為女性

建議出價：\$1.62 - 3.80 USD

編輯

成效

CTR



關閉

facebook

Eric Lin 尋找朋友 首頁

行銷活動 & 廣告

- 全部廣告
- 粉絲專頁
- 報告
- 設定
- 帳單
- Power Editor
- 使用說明
- 瞭解更多

搜尋你的廣告

	7-19	\$0.00 USD		7-18	\$0.00 USD
	7-17	\$0.00 USD		7-16	\$0.00 USD

廣告進行期間數據
全部 (已刪除者除外)
勾選要編輯的廣告
完整報告

3個搜尋結果

☐	Campaign	廣告狀態	開始日期	結束日期	預算	結餘	費用
☐	New ultrasonic aroma diffuser	✔	2011-1-18 <small>10:28</small>	2011-2-28 <small>10:28</small>	\$5.00 <small>每日</small>	\$5.00 <small>0元</small>	\$127.10
☐	US-DM	✔	2010-12-5 <small>4:00</small>	2011-1-23 <small>4:00</small>	\$50.00 <small>廣告總預算</small>	\$0.00 <small>廣告總剩餘</small>	\$50.00
☐	US-DM2	✔	2010-12-5 <small>20:00</small>	2011-1-23 <small>20:00</small>	\$50.00 <small>廣告總預算</small>	\$46.82 <small>廣告總剩餘</small>	\$3.18

3個搜尋結果

EXHIBIT 12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
THE TRADEMARK TRIAL AND APPEAL BOARD

AlpinBreeze, LLC.

Opposer,

vs.

Evertec Information Technology Co., LTD.

Applicant,

Opposition No. 91198063

Serial No.: 77922346

Mark: ALPINBREEZE and design

Published: September 7, 2010

**CROSS EXAMINATION QUESTIONS FOR THE
DEPOSITION UPON WRITTEN QUESTIONS OF FRANS LIN**

COMES NOW Opposer, AlpinBreeze, LLC, (hereinafter "Opposer"), by and through counsel, The Trademark Company, PLLC, in accordance with 37 C.F.R. § 2.124 and § 703.02(a) of the TBMP as well as other relevant codes and provisions provides the following Cross Examination Questions for the Deposition Upon Written Questions of Frans Lin as currently noted for June 18, 2013.

OBJECTION AND MOTION TO STRIKE EXHIBITS AND/OR TESTIMONY

Preliminarily Opposer hereby objects to the introduction of evidence and/or testimony based upon evidence not provided during the discovery of this matter. Subject to the following objection, Opposer provides the following questions to be answered by witness Frans Lin during his deposition upon written questions.

I, You-Yi Lin, swear with raising my right hand that the testimony, given in following deposition, with written questions and answers shall be the truth, the whole truth and nothing but the truth.

QUESTIONS

1. Please identify Exhibit A to these questions.

Answer: Ok.

2. Do you agree that this a copy of the trademark application that was filed to register the trademark ALPINBREEZE and design, U.S. Serial No. 77922346?

Answer: I didn't have a chance to read the complete information like that of Exhibit A before as I applied the trademark through a local law firm, Famost International Intellectual Property Office, but I think it supposes to be the copy from US.

3. Do you agree that the date this application was filed with the U.S. Patent & Trademark Office was January 28, 2010?

Answer: I signed an appointed contract with above mentioned law firm on January 19, 2010. The US filing date supposes to be latter like on January 28, 2010.

4. Do you agree that this application was filed as an intent-to-use application under section I(b)?

Answer: I don't understand the question completely. I knew Ms. Samanta Ng by a friend, Mike Chen, who mentioned her, a Swiss local sales manager of ViewSonic Corp and could help me to sell PC peripheral products in Switzerland, so I started to contact with her via MSN, SKYPE, and e-mail via his introduction around September of 2008.

Ms. Samanta Ng was very weak in the area of international trade business because she never had any related experiences but local sales experiences. She asked me to teach her international trade business and I accepted as I thought we could have chances to cooperate between Switzerland and Taiwan. I am some years elder than Ms. Samanta Ng and had many experiences of international trade, product manager, or even high level assistant of general manager in public companies in Taiwan. However, I still had a big head as Ms. Samanta Ng didn't know even the basic international trade terms, international shipping matters, factory matters, and so on. I treated her as one of my best disciples so I didn't feel disappointed or tired of spending lots of time to teach her. Even one thing to teach her for several times or to use sleeping and

weekend times didn't let me give up trying my best to teach her. Except for teaching matters, I had cooperated with Ms. Samanta Ng for some business projects such as selling PC peripherals, LCD Display, Puzhen aroma diffusers, Textile and Hotel Supplies products, etc. in Switzerland. However, all of them were discontinued due to reasons such as market, economic factor, and so on at the same time.

Ms. Samanta Ng and I generated a business model that I sourced products vendors in Taiwan or Asian countries and Ms. Samanta Ng sold them in Switzerland or Europe. Ms. Samanta Ng suggested a way that she played the role of CEO in Europe (Black/Bad guy) and I, You-Yi Lin played the role of Asian representative (White/Good guy) to contact those vendors to make the projects going more smoothly. I used to work for bigger public companies in Taiwan and never thought about this smart way. I thought Ms. Samanta Ng was clever at this and accepted her suggestion.

The last project was related to an aroma diffuser product with its name of AROMA GENIE, founded in a department store in Taiwan in 2008, mentioned in discovery. I introduced this product to Ms. Samanta Ng in 2008 and began to cooperate together for business based on the Bad guy/Good guy way.

Ms. Samanta Ng raised a budget plan on February 20, 2009 to start aroma diffuser business in Switzerland, that was the last and working business project. The company opening fee was US\$1500. Ms. Samanta Ng and I, You-Yi Lin had discussed the capital to set up the company together based on 50%/50% shares each, and the capital would be paid by Ms. Samanta firstly and I, You-Yi Lin paid by what I spent personally in Taiwan for surveying and contacting factories via international phone calls, and traffic fees including High Speed Railway, logo designing fees, and so forth in Taiwan/Hong Kong/Mainland China. If I, You-Yi Lin didn't have enough money before opening the company, I, You-Yi Lin could pay the rest based on company profits from sales revenue. Besides, there was another reason to adopt this way. Because Ms. Samanta Ng had played the CEO role, the transfer payment for future orders couldn't be paid by some from Ms. Samanta Ng and some from me, You-Yi Lin to the factory as mentioned.

However, Samanta Ng insisted on more than 50% shares of the company while the product was almost done to sell. I, You-Yi Lin had no choice to

discuss with Ms. Samanta Ng again for company shares occupied and profit split for this business. I, You-Yi Lin made a concession to get 40% shares of future company and less profit split as Ms. Samanta Ng told me she could only get unemployment dole from Swiss government for 400 days then.

On the other hand, I had a plan to create a special logo before the last project to cooperate with Ms. Samanta Ng and had transferred the commission of NT\$2,000, around US\$67 to a logo designer, Karen Lin on August 7, 2008. During the design period of time, I, You-Yi Lin started to cooperate with Ms. Samanta Ng for the last project. I had ever discussed the logo matter with Ms. Samanta Ng and my wife, Shu-Chen Huang. Therefore, we generated the logo name of "swissbreeze" and the designer designed some logo designs based on the name for reference.

After a period of time, Ms. Samanta Ng found a Swiss rule that a product could not be put on the trademark of "swiss" plus something like "breeze" to sell in Switzerland unless the product was made in Switzerland. The aroma diffuser product was made in Taiwan, so we decided not to use it. Accordingly, I discussed with Ms. Samanta Ng and my wife, Shu-Chen Huang to generate some logo names to replace "swissbreeze". My wife, Shu-Chen Huang generated some logo names like h2obreeze, alpinbreeze, alpinebreeze, and so on to replace "swissbreeze".

My wife, Shu-Chen Huang and I both considered the logo name of "alpinbreeze" was the best one since the mountain of "Alpine" has a very good imagination in Taiwan. I mentioned this to Ms. Samanta Ng, as a business partner, and she also agreed to use the logo name of "alpinbreeze". I signed an agreement with the designer, Karen Lin for the final logo design on December 1, 2008, and then I transferred NT\$3,000, about US\$100 commission to her on January 5, 2009 after her finish end of December.

I have no memory that Ms. Samanta Ng mentioned to me that she transferred certain commission amount to any designers. Ms. Samanta Ng might try to ask other designers to modify the colors or font size based on logo design of Karen Lin afterwards. I don't remember.

Lastly, I am not willing to say but have to mention that Ms. Samanta Ng knew to register the trademark of Puzhen in Switzerland on October 21, 2008 firstly

in order to sell Puzhen's products in Europe afterwards. Why did she not apply for the trademark for US between March 10, 2009 or earlier date and January 8, 2010, the date I applied?

5. Do you agree that at the time of the filing of this trademark application you had yet to sell products in the U.S. bearing the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346?

Answer: I don't agree.

6. Do you agree that you have not produced any evidence of use of the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346 in the U.S. in this case?

Answer: I don't agree.

7. If not, prior to this deposition what evidence has been produced in response to the preceding question?

Answer: Please refer to my answers for question 4.

8. Do you agree that you have not produced any evidence of use of the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346 in the U.S. in 2009 in this case?

Answer: I don't agree.

9. If not, prior to this deposition what evidence has been produced in response to the preceding question?

Answer: Please refer to my answers for question 4.

10. Do you agree that you have not produced any evidence of use of the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346 in the U.S. in 2010 in this case?

Answer: I don't agree.

11. If not, prior to this deposition what evidence has been produced in response to the preceding question?

Answer: Please refer to my answers for question 4. Moreover, In addition to the aroma diffuser product of the last project with Ms. Samanta Ng, another aroma diffuser, getting two patents on the basis technical solutions of improvement from Taiwan government under the trademark of alpinbreeze,

developed by me, You-Yi Lin had been started to sell to US.

I have an US customer, Ms. Martha Chen, with address of 319 Vista Marazul, Oceanside, CA 92057, USA sells this new aroma diffuser in connection with alpinbreeze logo through the on-line channel of "amazon.com" in US. I sent her diffuser to US on December 7, 2010 after its development for about one and half to two years.

12. Do you agree that you have not produced any evidence of the sale of goods in the U.S. in connection with the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346 in the U.S. in this case?

Answer: I don't agree.

13. If not, prior to this deposition what evidence has been produced in response to the preceding question?

Answer: Please refer to my answers for question 11.

14. Do you agree that you have not produced any evidence of the sale of goods in the U.S. in connection with the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346 in the U.S. in 2009 in this case?

Answer: I don't agree. I don't understand why Opposer repeats the same questions for so many times.

15. If not, prior to this deposition what evidence has been produced in response to the preceding question?

Answer: Please refer to my answers for question 11 and the exhibits for this deposition and documents of response of the previous discovery.

16. Do you agree that you have not produced any evidence of the sale of goods in the U.S. in connection with the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346 in the U.S. in 2010 in this case?

Answer: I don't agree. I don't understand why Opposer repeats the same questions for so many times.

17. If not, prior to this deposition what evidence has been produced in response to the preceding question?

Answer: Please refer to my answers for question 11 and the exhibits for this deposition and documents of response of the previous discovery.

18. Can you identify Exhibit B?

Answer: I think it relates to website registration.

19. Are you the registrant of Alpinbreeze.com?

Answer: I am not.

20. According to Exhibit B, when was Alpinbreeze.com registered?

Answer: Its shows the domain name was created on January 9, 2009. However, please note that the name of alpinbreeze comes from my suggestion and Ms. Samanta Ng still cooperated with me for the last project then.

21. According to Exhibit B, who registered Alpinbreeze.com?

Answer: Its shows Ms. Samanta Ng did, but as mentioned, please note that the name of alpinbreeze comes from my suggestion and Ms. Samanta Ng still cooperated with me for the last project then.

22. Can you identify Exhibit C?

Answer: Not completely. It seems a calendar of a website or of a company. As mentioned, please note that the name of alpinbreeze comes from my suggestion and Ms. Samanta Ng still cooperated with me for the last project then.

23. Can you identify Exhibit D?

Answer: It seems to be website information in or after year 2012. I saw one diffuser, called Casa, on the top right hand site, been launched in year 2012 by the Taiwan company, Day & Day Trading Corp as well as the old diffuser of the last project that Ms. Samanta Ng cooperated with me.

24. Do you admit that Opposer launched a website in 2009 for the purpose of selling goods under the Alpinbreeze and design trademark at Alpinbreeze.com?

Answer: No. I don't agree. As mentioned above, it is not 2009. On the other hand, a website registrant doesn't mean it owns the trademark as what the website registrant of www.puzhen.ch doesn't mean it owns the trademark of Puzhen. The website of www.evertec.asia was created on October 13, 2008 by me. Its related information can be found in www.whois.asia. The aroma diffuser, found by my wife in 2008, was showed under the logo of alpinbreeze on the

website right after the logo designer finished the design end of December 2008. The product with alpinbreeze logo was also visible in US or all the world.

Furthermore, I also spent some money about US\$180 for alpinbreeze advertisement from December 5, 2010 to February 28, 2011 via facebook (www.facebook.com) in US that it targeted around 1,700 US female residents, above 18 years old and fond of aromatherapy.

25. Do you admit that you had nothing to do with this web site?

Answer: I don't understand what the opposer means but it may refer to my answers for above two questions, question 24 and 25.

26. Can you identify Exhibit E?

Answer: It seems to be the information related to a paper company in Delaware of US.

27. Do you admit that the Opposer formed an LLC in Delaware, United States on 01' about March 10, 2009?

Answer: I had a plan to set up a paper company in Delaware of US with Samanta Ng for the mentioned last project before. Its name was REDSNOOT LLC, discussed by Samanta Ng and me.

Non-residents can be a member of an LLC which has it referred to an Offshore LLC in Delaware. An LLC does not pay tax. Foreign members are not liable to tax and don't have to file tax forms if the income derived not from the United States. An US LLC can be used in the same way as an offshore business company registered in a Tax Haven if you do not plan to trade with the United States. I had mentioned the importance of US market to Ms. Samanta Ng. However, she mentioned we would have enough money to set up a Swiss company latter, so we can use the paper company firstly.

Please also note that Ms. Samanta Ng used my suggested trademark name of alpinbreeze instead of REDSNOOT to set up the company before discussing with me that was abnormal. I think she had planned.

I believe Ms. Samanta Ng has never filed any tax returns to US government. Maybe someone can help to check with US tax department to see whether it is licit for an Offshore LLC in Delaware to sell goods to US without paying any tax

to US government.

28. Can you identify Exhibit F?

Answer: It seems to be the information related to insurance.

29. Do you admit that Samanta Ng of the Opposer was seeking to purchase liability insurance for the products sold in the U.S. under Opposer's Alpinbreeze trademark during September 2009?

Answer: I noted that the information Ms. Samanta Ng furnished shows the company didn't have any employees of full time or part time. I don't know if subordinate equals to full-time employee, part-time employee, business partner, or colonial slavery.

30. Can you identify Exhibit G?

Answer: Yes I can.

31. What is it?

Answer: It is a developing letter for the last project that I cooperated with Samanta Ng.

32. Do you admit that you identify yourself as a sales manager of Alpinbreeze LLC in this email?

Answer: As mentioned, the business model we planned was that I sourced products vendors in Taiwan or Asian countries and Ms. Samanta Ng sold them in Switzerland or other countries. However, when the aroma diffuser product was almost ready, Ms. Samanta Ng recommended me, You-Yi Lin to help to sell products or I could not get 50% profit as well as shares of the creating company that was not the same as mutual promise in the beginning of this project. Ms. Samanta Ng indicated that she couldn't find any reasons to share profits with me if I didn't help to sell the product after the product was done. I had no choice to accept to help to sell aroma diffuser product overseas as I didn't want to get nothing after spending so much efforts, time, money, etc...

Right at the moment I have a bad feeling that human don't eat human or in rarely special situation only, but mantis eat mantis.

33. Admit that you are not a certified translator.

Answer: I don't know what the opposer mean. I speak Taiwanese, Mandarin,

some English, and a little bit Japanese

34. Admit that, to the extent you paid any monies for logo design, you were reimbursed by either Opposer or Samanta Ng.

Answer: I don't know why the opposer asked this imaginary question.

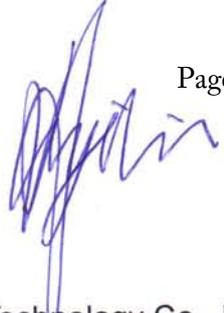
There is one thing related to Day & Day Trading Corp to be mentioned, I contacted with Mr. Sean Lin (Yungshiun Lin), director of DAY & DAY TRADING CORP. on behalf of Evertec Information Technology Co., Ltd to furnish him company information of Evertec Information Technology Co., Ltd such as company name, tax number, and so on for the future invoices on March 13, 2009. He quoted Evertec Information Technology Co., Ltd for the 24 pcs aroma diffusers on March 18, 2009 and Evertec company transferred the payment via online bank on the same date. DAY & DAY TRADING CORP also issued one invoice with GUI number, taxed by Taiwan government for the first transaction of 24pcs aroma diffuser dated March 25, 2009 to Evertec company latter. This is necessary of would be punished by Taiwan government.

Mr. Sean Lin (Yungshiun Lin), director of DAY & DAY TRADING CORP. is younger than me. I don't understand why he furnished unfaithful affidavit for Ms. Samanta Ng. Maybe the reason to let him do things against business moral is the same as what he stopped to furnish me products due to less order quantities than those of Ms. Samanta Ng. Most Taiwanese I know don't do that kind of immoral things.

On the other hand, the average salary for a manager position is about US\$2,000 to US\$3,000 per month and some welfare and bonus in Taiwan. The time between September 2,008 and January, 2010 is around 16 months that the salary for a manager supposes to be between US\$32,000 and US\$48,000.

I have never been employed by Ms. Samanta Ng. There is no employment agreement between Ms. Samanta Ng. and me, You-Yi Lin. I have never got any salary in terms of money or goods from Ms. Samanta Ng.

Not having enough money to continue to hire clever attorneys for the trademark matters in Europe and US, fortunately, I can continue to claim the right due to good and justice system of US. Thanks.



Date: JUN 25 2013

You-Yi Lin
Evertec Information Technology Co., LTD.
3F, No.77, Shengli 3rd St., Zhubei City,
Hsinchu County 302, Taiwan
Tel: 886-2-8286-2866 Fax: 886-2-2848-3458
Email: frans_lin@evertec.asia

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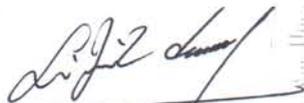
102 新北院民認宏字
102 NEW TAIPEI YUAN MIN REN HUNG ZI

案號： 00434 日期： JUN 25 2013
Case No. : 00434 Date : JUN 25 2013

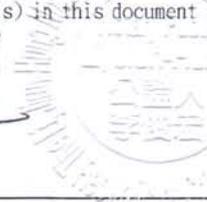
本文件之簽名或蓋章在臺灣新北地方法院所屬民間公證人李俊宏事務所認證。 公證人：李俊宏

Attested at the Li, Jiun-Hung Notary Public Office, Taiwan New Taipei District Court, R.O.C. that the signature(s)/seal(s) in this document is/are authentic.

Notary Public



Li, Jiun-Hung



事務所地址：新北市新莊區中正路17號5樓
事務所電話：(02)8994-5089
5F., No.17, Zhongzheng Rd., Xinzhuang Dist.,
New Taipei City 24243, Taiwan, R.O.C.
886-2-8994-5089

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board**

AlpinBreeze, LLC,	:	
	:	
Opposer,	:	Opposition No. 91198063
	:	
vs.	:	
	:	
Evertec Information Technology Co., LTD.,	:	Serial No.: 77922346
	:	Mark: ALPINBREEZE and design
Applicant.	:	Published: September 7, 2010

**CROSS EXAMINATION QUESTIONS FOR THE
DEPOSITION UPON WRITTEN QUESTIONS OF FRANS LIN**

COMES NOW Opposer, AlpinBreeze, LLC, (hereinafter "Opposer"), by and through counsel, The Trademark Company, PLLC, in accordance with 37 C.F.R. § 2.124 and § 703.02(a) of the TBMP as well as other relevant codes and provisions provides the following Cross Examination Questions for the Deposition Upon Written Questions of Frans Lin as currently noted for June 18, 2013.

OBJECTION AND MOTION TO STRIKE EXHIBITS AND/OR TESTIMONY

Preliminarily Opposer hereby objects to the introduction of evidence and/or testimony based upon evidence not provided during the discovery of this matter. Subject to the following objection, Opposer provides the following questions to be answered by witness Frans Lin during his deposition upon written questions.

QUESTIONS

1. Please identify Exhibit A to these questions.
2. Do you agree that this a copy of the trademark application that was filed to register the trademark ALPINBREEZE and design, U.S. Serial No. 77922346?
3. Do you agree that the date this application was filed with the U.S. Patent & Trademark Office was January 28, 2010?
4. Do you agree that this application was filed as an intent-to-use application under section 1(b)?
5. Do you agree that at the time of the filing of this trademark application you had yet to sell products in the U.S. bearing the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346?
6. Do you agree that you have not produced any evidence of use of the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346 in the U.S. in this case?
7. If not, prior to this deposition what evidence has been produced in response to the preceding question?
8. Do you agree that you have not produced any evidence of use of the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346 in the U.S. in 2009 in this case?

9. If not, prior to this deposition what evidence has been produced in response to the preceding question?
10. Do you agree that you have not produced any evidence of use of the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346 in the U.S. in 2010 in this case?
11. If not, prior to this deposition what evidence has been produced in response to the preceding question?
12. Do you agree that you have not produced any evidence of the sale of goods in the U.S. in connection with the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346 in the U.S. in this case?
13. If not, prior to this deposition what evidence has been produced in response to the preceding question?
14. Do you agree that you have not produced any evidence of the sale of goods in the U.S. in connection with the trademark ALPINBREEZE and design as set forth in U.S. Serial No. 77922346 in the U.S. in 2009 in this case?
15. If not, prior to this deposition what evidence has been produced in response to the preceding question?
16. Do you agree that you have not produced any evidence of the sale of goods in the U.S. in connection with the trademark ALPINBREEZE and

design as set forth in U.S. Serial No. 77922346 in the U.S. in 2010 in this case?

17. If not, prior to this deposition what evidence has been produced in response to the preceding question?
18. Can you identify Exhibit B?
19. Are you the registrant of Alpinbreeze.com?
20. According to Exhibit B, when was Alpinbreeze.com registered?
21. According to Exhibit B, who registered Alpinbreeze.com?
22. Can you identify Exhibit C?
23. Can you identify Exhibit D?
24. Do you admit that Opposer launched a website in 2009 for the purpose of selling goods under the Alpinbreeze and design trademark at Alpinbreeze.com?
25. Do you admit that you had nothing to do with this web site?
26. Can you identify Exhibit E?
27. Do you admit that the Opposer formed an LLC in Delaware, United States on or about March 10, 2009?
28. Can you identify Exhibit F?

29. Do you admit that Samanta Ng of the Opposer was seeking to purchase liability insurance for the products sold in the U.S. under Opposer's Alpinbreeze trademark during September 2009?
30. Can you identify Exhibit G?
31. What is it?
32. Do you admit that you identify yourself as a sales manager of Alpinbreeze LLC in this email?
33. Admit that you are not a certified translator.
34. Admit that, to the extent you paid any monies for logo design, you were reimbursed by either Opposer or Samanta Ng.

*****END OF QUESTIONS*****

**ATTACH QUESTIONS AND EXHIBITS A THROUGH G TO THE
TRANSCRIPT OF THIS MATTER.**

DATED this 17th day of June, 2013.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/
Matthew H. Swyers, Esquire
344 Maple Avenue West, Suite 151
Vienna, VA 22180
Telephone (800) 906-8626 x100
Facsimile (270) 477-4574
mswyers@TheTheTrademarkCompany.com
Attorney for Opposer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The Trademark Trial and Appeal Board

AlpinBreeze, LLC,	:	
	:	
Opposer,	:	Opposition No. 91198063
	:	
vs.	:	
	:	
Evertec Information Technology Co., LTD.,	:	Serial No.: 77922346
	:	Mark: ALPINBREEZE and design
Applicant.	:	Published: September 7, 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of the foregoing pleading with exhibits this
17th day of June, 2013, to be served, via email, per agreement, upon:

You-Yi Lin
1F NO. 229 Sihwei Street , Jhubei City
Hsinchu County, 30242
Taiwan
Frans_lin@evertec.asia

/Matthew H. Swyers/
Matthew H. Swyers

PTO Form 1478 (Rev 9/2005)
OMB No. 0551-0009 (Exp 12/31/2011)

Trademark/Service Mark Application, Principal Register

Serial Number: 77922346

Filing Date: 01/28/2010

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77922346
MARK INFORMATION	
*MARK	<u>\\TICRS\EXPORT9\IMAGEOUT9</u> <u>\\779\223\77922346\xml\I\AP P0002.JPG</u>
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	ALPINBREEZE
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the wording "alpinbreeze" in stylized font with two leaves extending from the top of letter "b", and a white cross inside the leaf on the right.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	390 x 250
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	EVERTEC INFORMATION TECHNOLOGY CO., LTD.
*STREET	IF., No. 229, Sihwei St., Jhubei City
*CITY	Hsinchu County
*COUNTRY	Taiwan
*ZIP/POSTAL CODE (Required for U.S. applicants only)	30242
LEGAL ENTITY INFORMATION	
TYPE	corporation

EXHIBIT

A

STATE/COUNTRY OF INCORPORATION	Taiwan
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	011
*IDENTIFICATION	Humidifier, deodorizer, aromatherapy machine, air purifier, air freshener
FILING BASIS	SECTION 1(b)
ATTORNEY INFORMATION	
NAME	Steven M. Rabin
ATTORNEY DOCKET NUMBER	FAM 195
FIRM NAME	RABIN & BERDO, P.C.
STREET	Suite 500, 1101 14th Street, N.W.
CITY	Washington
STATE	District of Columbia
COUNTRY	United States
ZIP/POSTAL CODE	20005
PHONE	(202) 371-8976
FAX	(202) 408-0924
EMAIL ADDRESS	firm@rabinberdo.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
DOMESTIC REPRESENTATIVE INFORMATION	
NAME	Steven M. Rabin
FIRM NAME	RABIN & BERDO, P.C.
STREET	Suite 500, 1101 14th Street, N.W.
CITY	Washington
STATE	District of Columbia
COUNTRY	United States
ZIP CODE	20005
PHONE	(202) 371-8976
FAX	(202) 408-0924
EMAIL ADDRESS	firm@rabinberdo.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes

CORRESPONDENCE INFORMATION	
NAME	Steven M. Rabin
FIRM NAME	RABIN & BERDO, P.C.
STREET	Suite 500, 1101 14th Street, N.W.
CITY	Washington
STATE	District of Columbia
COUNTRY	United States
ZIP/POSTAL CODE	20005
PHONE	(202) 371-8976
FAX	(202) 408-0924
EMAIL ADDRESS	firm@rabinberdo.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
SIGNATURE INFORMATION	
SIGNATURE	/Steven M. Rabin/
SIGNATORY'S NAME	Steven M. Rabin
SIGNATORY'S POSITION	Attorney of record, DC bar member
DATE SIGNED	01/28/2010

PTO Form 1476 (Rev 9/2006)
OMB No. 0651-0009 (Exp 12/31/2011)

Trademark/Service Mark Application, Principal Register

Serial Number: 77922346

Filing Date: 01/28/2010

To the Commissioner for Trademarks:

MARK: ALPINBREEZE (stylized and/or with design, see mark)

The literal element of the mark consists of ALPINBREEZE.

The applicant is not claiming color as a feature of the mark. The mark consists of the wording "alpinbreeze" in stylized font with two leaves extending from the top of letter "b", and a white cross inside the leaf on the right.

The applicant, EVERTEC INFORMATION TECHNOLOGY CO., LTD., a corporation of Taiwan, having an address of

1F., No. 229, Sihwei St., Jhubei City
Hsinchu County 30242
Taiwan

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 011: Humidifier, deodorizer, aromatherapy machine, air purifier, air freshener
Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

Steven M. Rabin of RABIN & BERDO, P.C.
Suite 500, 1101 14th Street, N.W.
Washington, District of Columbia 20005
United States

The attorney docket/reference number is FAM 195.

The applicant hereby appoints Steven M. Rabin of RABIN & BERDO, P.C.

Suite 500, 1101 14th Street, N.W.
Washington District of Columbia 20005
United States

as applicant's representative upon whom notice or process in the proceedings affecting the mark may be served.

The applicant's current Correspondence Information:

Steven M. Rabin

RABIN & BERDO, P.C.
Suite 500, 1101 14th Street, N.W.
Washington, District of Columbia 20005
(202) 371-8976(phone)
(202) 408-0924(fax)
firm@rabinberdo.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Steven M. Rabin/ Date Signed: 01/28/2010
Signatory's Name: Steven M. Rabin
Signatory's Position: Attorney of record, DC bar member

RAM Sale Number: 10280
RAM Accounting Date: 01/28/2010

Serial Number: 77922346
Internet Transmission Date: Thu Jan 28 13:23:16 EST 2010
TEAS Stamp: USPTO/BAS-208.73.111.86-2010012813231678
7526-77922346-4608bea40dc7416cd0cdd58a22
eca0907b-CC-10280-20100128131724145397



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Domain Names

Websites & Hosting

Web Tools

Commercial | Daily Deals

WHOIS Domain Check

WHOIS search results for:
ALPINBREEZE.COM
(Registered)

Is this your domain?
Add hosting, email and more.

Want to buy this domain?
Get it with our Domain Buy service.

NAMEBAY

Domain Name : ALPINBREEZE.COM
Created On : 2009-01-09
Expiration Date : 2018-01-09
Status : ACTIVE
Registrant Name : samanta ng
Registrant Street : 5 chemin des picottes
Registrant City : moyrin
Registrant State/Province :
Registrant Postal Code : 1217
Registrant Country : CH
Admin Name : samanta ng
Admin Street : 5 chemin des picottes
Admin City : moyrin
Admin State/Province : CH
Admin Postal Code : 1217
Admin Country : CH
Admin Phone : +41.278871817
Admin Email : webmaster@alpinbreeze.com
Tech Name : samanta ng
Tech Street : 5 chemin des picottes
Tech City : moyrin
Tech State/Province : CH
Tech Postal Code : 1217
Tech Country : CH
Tech Phone : +41.278871817
Tech Email : webmaster@alpinbreeze.com
Billing Name : samanta ng
Billing Street : 5 chemin des picottes
Billing City : moyrin
Billing State/Province : CH
Billing Postal Code : 1217
Billing Country : CH
Billing Phone : +41.278871817
Billing Email : webmaster@alpinbreeze.com
Name Server : NS358668.OVH.NET
Name Server : SDNS2.OVH.NET
Registrar Name : Namebay

Registrar: NAMEBAY
Whois Server: whois.namebay.com
Creation Date: 09-JAN-2009
Updated Date: 16-FEB-2012
Expiration Date: 09-JAN-2018

Nameserver: NS358668.OVH.NET
Nameserver: SDNS2.OVH.NET

Registry Status: ok

[See Underlying Registry Data](#)

NameMatch Recommendations

GoDaddy.com NameMatch has found similar domain names related to your search. Registering multiple domain names may help protect your online brand and enable you to capture more Web traffic, which you can then direct to your primary domain.

Domains available for new registration:

Alternate TLDs		
<input checked="" type="checkbox"/>	alpinbreeze.co	\$12.99/yr
<input type="checkbox"/>	alpinbreeze.ws	\$14.99/yr
<input type="checkbox"/>	alpinbreeze.ca	\$12.99/yr
<input checked="" type="checkbox"/>	alpinbreeze.me	\$9.99/yr
<input type="checkbox"/>	alpinbreeze.mobi	\$9.99/yr
<input type="checkbox"/>	alpinbreeze.tv	\$39.99/yr
<input type="checkbox"/>	alpinbreeze.cc	\$19.99/yr
Similar Premium Domains		
<input type="checkbox"/>	GuilBreezeForeclosures.com	\$700.00*
<input checked="" type="checkbox"/>	GuilBreezeTravel.com	\$1,499.00*
<input type="checkbox"/>	GuilBreezeHotel.com	\$900.00*
<input type="checkbox"/>	BreezeLink.com	\$2,688.00*
<input type="checkbox"/>	BreezeWeb.com	\$3,288.00*
<input type="checkbox"/>	BreezeBar.com	\$2,388.00*
Similar Domains		
<input type="checkbox"/>	alpinbreezes.com	\$12.99/yr
<input checked="" type="checkbox"/>	thealpinbreeze.com	\$12.99/yr
<input checked="" type="checkbox"/>	alpinbreezette.com	\$12.99/yr
<input type="checkbox"/>	myalpinbreeze.com	\$12.99/yr
<input type="checkbox"/>	alpinbreezeonline.com	\$12.99/yr
<input checked="" type="checkbox"/>	newalpinbreeze.com	\$12.99/yr
<input type="checkbox"/>	alpinbreezestore.com	\$12.99/yr
<input type="checkbox"/>	freealpinbreeze.com	\$12.99/yr

Domains available at Go Daddy Auctions:

<input checked="" type="checkbox"/>	newbreeze.com	Ends on: 12/26/2012 9:59:00 AM PDT	\$2,688.00*
<input type="checkbox"/>	alpinelease.com	Ends on: 12/14/2012 9:31:00 AM PDT	\$1,795.00*
<input type="checkbox"/>	alpinecommerce.com	Ends on: 12/14/2012 9:28:00 AM PDT	\$1,895.00*
<input type="checkbox"/>	alpinetours.com	Ends on: 12/14/2012 9:00:00 AM PDT	\$1,395.00*
<input checked="" type="checkbox"/>	alpinweb.com	Ends on: 12/10/2012 10:08:00 AM PDT	\$1,695.00*
<input type="checkbox"/>	alpinetours.net	Ends on: 12/7/2012 11:53:00 AM PDT	\$1,477.00*

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**CA domain names will be registered through Go Daddy Domains Canada, Inc., a CRA certified registrar.

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Go Daddy Global

Language: Country: Currency:

Account Manager	Shopping	Resources	Support	About Go Daddy	Mobile	Find Us On...
My Account	Domain Search	Webmail	Telephone Support & Sales	About Us	Go Daddy, on the GO!	
My Renewals	Product Catalog	WHOIS search	Product Support	News Releases	iPhone Application	
My Upgrades	Go Daddy Gear	ICANN Confirmation	Discussion Forums	Careers	iPad Application	
Account Settings	Go Daddy Mobile	Articles	User Groups	Marketing Opportunities	Android Application	
Customer Information	Deals of the Day	Follow & Fan Us	Submit Support Ticket	Customer Testimonials	BlackBerry Application	
Order History		Legal	Site Suggestions	Security Center	Visit GoDaddyMobile.com	
Create Account		Commercial Contests	Report Abuse	.ME Scholarship	Sign Up for Special Offers	<input type="text" value="Email Address"/>
		Site Map	Go Daddy Scoop	Round Up for Charity	<input type="text" value="Submit"/>	
				Inside Go Daddy		
				Go Daddy Tech Center		

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RESID 2012-05-27

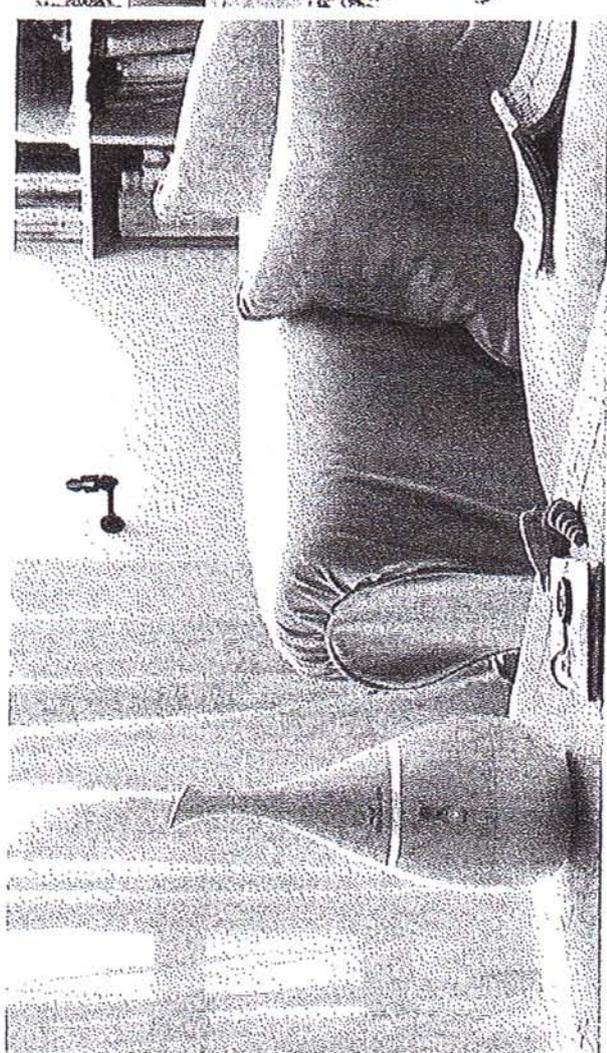
Votre langue Français

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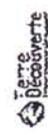
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Mon profil

Compte client

Service

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CERTIFICATE OF FORMATION

OF

Alpinbreeze LLC

FIRST. The name of the limited liability company is Alpinbreeze LLC.

SECOND. The address of its registered office in the State of Delaware is Trolley Square, Suite 20 C, in the City of Wilmington, County of New Castle. The Registered Agent in charge thereof is Inc. Plan (USA), located at the same address, as above.

THIRD. The life of the company shall be perpetual.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation this 10th day of March, A.D. 2009.

Caroline Quigley

Caroline Quigley/ Authorized Person



DELAWARE

PAGE 1

The First State

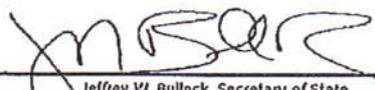
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "ALPINBREEZE LLC", FILED IN THIS OFFICE ON THE TENTH DAY OF MARCH, A.D. 2009, AT 2:15 O'CLOCK P.M.



4663844 8100

090252568

You may verify this certificate online at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 7178611

DATE: 03-10-09

From: info@alpinbreeze.com
To: "Jeff Johns"
Subject: RE: [Norton AntiSpam] RE: Business Insurance Quote Alpinbreeze.
Date: dimanche 27 septembre 2009 17:39:00
Attachments: alpinbreeze.presentation.english.pdf

Dear Jeff,

It's an ultrasonic mist maker appliance made for essential oils. The ultrasonic mist maker split the water and essential oils in million of smaller drop like fog. You can find this kind of mist maker in a lot of product actually on the market. The product is used to decolorise a room naturally (we recommend our customer to only use natural essential oils and safely as the product is not producing any heat, flame.

The power adapter transforms from 110v - 220v into 24v. Except the power adapter all the product works with low voltage. The product is already sold in Asia + Australia for the last 3yrs without any claim.

You can find on this like the user guide :
<http://www.alpinbreeze.com/PDF/PDFsample1.pdf>

I already joined pictures of the product at the end of the application form but you also can find it on our website :
<http://www.alpinbreeze.com/eng/gallery.htm>

We are only selling 1 essential oils diffuser at the moment. The second diffuser should be launched till the end of this year or beginning of 2010. You can find the picture of our next product using the same material and same technology : <http://origin-images.ttnet.net/pi/eto/10/01/24/75/10012475-7.jpg>

Attached to this e-mail you will also find our commercial presentation which will give you some more information. By the way let me confirm to you that our sales revenue for the next 12 month will be 150-200k 100% sure. For 2011 we plan to reach at least 400k and for 2012 600k- 1 mio USD.

Let me know if you need some more information.

Kind regards,

Samanta

-----Message d'origine-----
De : Jeff Johns [mailto:jeff@johnsinsurance.com]
Envoyé : dimanche, 27. septembre 2009 12:13
À : info@alpinbreeze.com
Objet : RE: [Norton AntiSpam] RE: Business Insurance Quote

You have not given me enough information to offer you a quote. Can I see the product on a web page? Are there other products you sell? I HAVE TO KNOW WHAT IT IS ANDHOW IT WORKS.

Jeff Johns
Johns Insurance Agency, Inc
626-826-4080 Fax: 888-239-2506
Jeff@johnsinsurance.com www.Johnsinsurance.com
CA. License 0589663

-----Original Message-----
From: info@alpinbreeze.com [mailto:info@alpinbreeze.com]
Sent: Saturday, September 26, 2009 6:11 PM
To: 'Jeff Johns'
Subject: [Norton AntiSpam] RE: Business Insurance Quote

-----Message d'origine-----
De : Jeff Johns [mailto:jeff@johnsinsurance.com]



Envoyé : samedi, 26. septembre 2009 19:24
À : info@alpinbreeze.com
Objet : RE: Business Insurance Quote

I have not received it.

Jeff Johns
Johns Insurance Agency, Inc
626-826-4080 Fax: 888-239-2506
Jeff@johnsinsurance.com www.Johnsinsurance.com
CA. License 0589663

-----Original Message-----
From: info@alpinbreeze.com [mailto:info@alpinbreeze.com]
Sent: Tuesday, September 22, 2009 7:10 PM
To: 'Jeff Johns'
Subject: RE: Business Insurance Quote

Dear Jeff,

2 days ago I sent back to you the requested application form, I still didn't have any news from you.

May I ask you please to confirm that you good received the application form?

Could you please already give me an idea about the cost of this insurance (price range) ?

Thanks,

Kind regards,

Samanta NG

-----Message d'origine-----
De : info@alpinbreeze.com [mailto:info@alpinbreeze.com]
Envoyé : lundi, 21. septembre 2009 12:48
À : 'Jeff Johns'
Objet : RE: Business Insurance Quote

Dear Jeff,

Attached to this e-mail you will find the application form.

Thanks to provide me 2 free quotations

1. product liability only
2. general liability

Kind regards,

Samanta NG

-----Message d'origine-----
De : Jeff Johns [mailto:jeff@johnsinsurance.com]
Envoyé : dimanche, 20. septembre 2009 19:57
À : info@alpinbreeze.com
Objet : RE: Business Insurance Quote

Hi Ng

Yes, we can help you. In order for me to get a better understanding of how your business works, please complete the attached application and return it to me. I will then get right back to you with some figures.

Jeff Johns
Johns Insurance Agency, Inc
626-826-4080 Fax: 888-239-2506
Jeff@johnsinsurance.com www.Johnsinsurance.com
CA. License 0589663

-----Original Message-----
From: info@johnsinsurance.com [mailto:info@johnsinsurance.com]
Sent: Saturday, September 19, 2009 9:57 PM
To: info@johnsinsurance.com
Subject: Business Insurance Quote

Please accept my submission for a free Business Insurance Quote based upon the information I have provided below.

Thank You!

General Information

Name of Business: Alpinbreeze llc
Contact Name: ng samanta
Address: 702 west street suite 101
City: Wilmington
State: de
Zip: 19801
Business Phone: 3024828729
Fax:
Best Time To Call: 3 p.m.
Contact Email Address: info@alpinbreeze.com
Company/Product Website: http://www.alpinbreeze.com

Current Insurance Information

Company Name (not agency):
Policy Expiration Date:
Premium Amount: \$
What type of coverages do you currently have:

Other: none

About Your Business

of full-time employees: 0
of part-time employees: 0
How long in business: 0.5 years
How many locations: 1
Annual Sales: \$5000
Please give a brief description of your business and clientel (below):

My company Alpinbreeze LLC was created in April 2009. My business is to import and sell essential oils diffusers. I actually resell the diffuser mainly to distributors and only to some retailers, end-users all around the world. The company is specialized in HIGH -END electrical essential oils diffusers and we are going to launch some other equivalent products in the future. The sales split is actually planned as following 70% Europe - 29% USA - 1% other countries so I am interested for a worldwide coverage. The manufacturer of our product is located in Taiwan and they already are selling the product on the Asian + Australian market for more than 3 years without any claims. Our companies are not related excepted that we putted both Alpinbreeze + manufacturer logo on the product. The manufacturer applied for product liability insurance in Taiwan covering the entire world.

Our manufacturer is producing high-end products for more than 30yrs. There

are absolutely no possible comparisons with OEM Chinese company producing low -cost products. We passed successfully CE - FCC - ROHS - CUL and UL certificate. Like all electrical products the diffuser is related with 110v or 220 v by the power adapter but the diffuser is only working with low voltage and doesn't represent any increased injury risks than any other electrical appliance. The expected sales revenue for next year is best case USD200K = 2500 units of the products. The company don't have employee but i expect to get employed from my company till end of 2010.

Coverage Information

Please select the type of coverages you want:

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Additional Comments

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From: Jeff Johns
To: info@alpinbreeze.com
Subject: RE: Business Insurance Quote
Date: dimanche 20 septembre 2009 19:56:56
Attachments: [Products - Johns new fax.doc](#)

Hi Ng

Yes, we can help you. In order for me to get a better understanding of how your business works, please complete the attached application and return it to me. I will then get right back to you with some figures.

Jeff Johns
Johns Insurance Agency, Inc
626-826-4080 Fax: 888-239-2506
Jeff@JohnsInsurance.com www.JohnsInsurance.com
CA. License 0589663

-----Original Message-----

From: info@johnsinsurance.com [<mailto:info@johnsinsurance.com>]
Sent: Saturday, September 19, 2009 9:57 PM
To: info@johnsinsurance.com
Subject: Business Insurance Quote

Please accept my submission for a free Business Insurance Quote based upon the information I have provided below.

Thank You!

General Information

Name of Business: Alpinbreeze llc
Contact Name: ng samanta
Address: 702 west street suite 101
City: Wilmington
State: de
Zip: 19801
Business Phone: 3024828729
Fax:
Best Time To Call: 3 p.m.
Contact Email Address: info@alpinbreeze.com
Company/Product Website: <http://www.alpinbreeze.com>

Current Insurance Information

Company Name (not agency):
Policy Expiration Date:
Premium Amount: \$
What type of coverages do you currently have:

Other: none

About Your Business

of full-time employees: 0
of part-time employees: 0
How long in business: 0.5 years
How many locations: 1
Annual Sales: \$5000

Please give a brief description of your business and clientel (below):

My company Alpinbreeze LLC was created in April 2009. My business is to import and sell essential oils diffusers. I actually resell the diffuser mainly to distributors and only to some retailers, end-users all around the world. The company is specialized in HIGH-END electrical essential oils diffusers and we are going to launch some other equivalent products in the future. The sales split is actually planned as following 70% Europe - 29% USA - 1% other countries so I am interested for a worldwide coverage. The manufacturer of our product is located in Taiwan and they already are selling the product on the Asian + Australian market for more than 3 years without any claims. Our companies are not related excepted that we putted both Alpinbreeze + manufacturer logo on the product. The manufacturer applied for product liability insurance in Taiwan covering the entire world.

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Coverage Information

Please select the type of coverages you want:

0

Additional Comments

Ng Samanta

De: Frans Lin [frans_lin@alpinbreeze.com]
 Envoyé: mardi, 14. avril 2009 04:13
 À: sales@aromatherapywholesale.com
 Cc: Samanta -Alpinbreeze
 Objet: Alpinbreeze essential oils diffuser-US

Dear Sir,

My name is Frans Lin, sales manager of Alpinbreeze LLC, a brand specialized into high-end essential oils diffuser. We are looking for a partner to distribute our diffuser in your market. Considering you clearly focus on the quality of your products as that we focus on the quality of our diffuser, we think you could be the right partner.

Since the first day, our objective was to offer our customers the best diffuser. Driven by our passion for aromatherapy, this objective became our life motive. As the first concerned users, we were and still are not ready to accept any compromise between: Design, quality, easy of use, performances and silence.

Made by and for Aromatherapy most exigent users, Alpinbreeze diffuser is the result of research and development for years, particularly the design and quality. Please refer to attached pictures of our product and advantages below.

- The Air Alpinbreeze helps you to improve your air quality
- The Feel Alpinbreeze helps to regulate the humidity level.
- The Smell Alpinbreeze helps to reduce stress

Welcome to visit our website www.alpinbreeze.com for more information.

Look forward to your business opportunity.



Frans Lin
 Sales Manager
 email:frans_lin@alpinbreeze.com
www.alpinbreeze.com

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 ALPINBREEZE LLC
 World trade center,
 702 West Street, Suite 101,
 Wilmington DE 19801 USA
 Phone: +1 302 4828729

European Representation Office
 Alpinbreeze ng
 5 chemin des picottes
 CH-1217 Meyrin
 Switzerland

22.09.2010

