**Counter-notice of a Complaint about imoo Application Market Infringement**

**Fields with \* are required fields**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Respondent** | Name/Title\* |  | Legal representative |  |
| Valid certificate\*  (The photocopy is attached hereto) |  | Type of certificate\* |  |
| Certificate No.\* |  |
| Address\* |  | Zip code\* |  |
| Contact\* |  | Tel.\* |  |
| E-mail**\*** |  | Fax |  |
| **Agent** | Name/Title |  | Legal representative |  |
| Valid certificate  (The photocopy is attached hereto) |  | Certificate No. |  |
| Address |  | Zip code |  |
| Contact |  | Tel. |  |
| E-mail |  | Fax |  |
| Proof of authorization |  | | |
| **Information on the application involved in the complaint\***  (Note: including name, package name and content address) | |  | | |
| **Complaint\*** | |  | | |
| **Reasons for not accepting the complaint\*** | |  | | |
| **List of supporting materials\***  (Note: the list should set out the names and purposes of the evidence by serial number and correspond to the supporting materials attached to the notice email on an item-by-item basis.) | |  | | |
| **Requirements of the counter-notice\*** | |  | | |
| **Warranties and declarations\*** | | The respondent and its agent (collectively: the Declarant) sincerely make the following warranties and declarations:  The statements and the relevant materials provided by the Declarant herein are authentic, valid and legal. If the content hereof is not completely authentic, the Declarant will bear all the legal liability arising thereform. The Declarant undertakes to indemnify the Genius application market against any losses caused to the market due to the resumption or maintenance of the application involved in the complaint in the Genius application market or the relevant content, pursuant to the Declarant's notice, including but not limited to, any losses caused to the Genius application market due to the compensation to the complainant or users and the damage to the reputation and goodwill of the Genius application market. | | |
| **Respondent (or its agent)**  **Signature (seal)\*** | | 2019/9/19  Date  - | | |
| **Remark** | |  | | |
| **Instructions:**   1. The "respondent" refers to a third party who provides the relevant services in the Genius application market and who is alleged by the right owner or its agent to have infringed the legitimate rights and interests of the right owner such as the copyright, trademark rights and patent rights. If the respondent is a natural person, the "legal representative" is not required to be filled out; if the respondent is a legal person, it shall be filled out. The "effective certificate" includes the ID card or passport of a natural person, or the business license of a legal person, or the corresponding license of any other organization. A photocopy of the certificate shall be provided as an attachment hereto.   II. The "information on the agent" is not required to be filled out in the absence of an agent, or is required to be filled out if there is an agent; otherwise, no application will be accepted in case of any discrepancy between the signature or seal and the information filled out.  III. The "information on the application involved in the complaint" shall include the name, package name and content address.  IV. The "complaint" shall include but be not limited to the specific right owner in the complaint, the specific rights allegedly infringed and the services provided by the respondent.  V. The "reasons for not accepting the complaint" shall include but be not limited to the rights claimed by the respondent or its agent, the rights of the complainant or its agent, and the problems existing in and legal basis of the supporting materials.  VI. The "list of supporting materials" shall include at least the following three categories: 1. proof of subject: such as the business license, organizational code certificate, ID card and the legal representative's identity certificate. 2. Proof of ownership: such as the copyright certificate issued by the relevant authority, the supporting documents of the initial publishing or issue date, creative drawings, the time stamp of the creation of the works issued by the authority and the certificate of works for the record; the trademark certificate and supporting materials of the use of the trademark; and patent certificate, etc. 3. Proof of infringement: such as related comparative screenshots (a note shall be indicated in the case of screenshots), application promotional materials, etc.  VII. The "requirements of the counter-notice" refer to the requirements of the respondent or its agent made to the Genius application market about what measures to be taken against the services provided by the respondent.  VIII. The "signature (seal) of the respondent or its agent" refers to the legal and valid signature or seal of the respondent (the signature in the case of a natural person; the official seal in the case of a non-natural person).  IX. Generally, the materials that the respondent or its agent shall provide shall be original; if originals cannot be provided, the signature or seal (the signature in the case of a natural person; the official seal in the case of a non-natural person) shall be affixed to the corresponding photocopies. If foreign-related materials are involved, they shall be delivered through notarization in accordance with the law, and the corresponding notarization materials for delivery shall be provided at the same time. (The end) | | | | |