

香港特別行政區政府

商務及經濟發展局
工商及旅遊科

香港添馬添美道二號
政府總部西翼二十三樓



COMMERCE, INDUSTRY AND TOURISM BRANCH
**COMMERCE AND ECONOMIC
DEVELOPMENT BUREAU**

GOVERNMENT OF THE HONG KONG
SPECIAL ADMINISTRATIVE REGION

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18 April 2019

Mr Desmond LAM
Clerk to Bills Committee
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Mr LAM,

Trade Marks (Amendment) Bill 2019

Committee Stage Amendment proposed by the Government

In response to the question raised by the Assistant Legal Adviser on the proposed new section 96F in her letter dated 4 April 2019, we indicated in our written response dated 15 April 2019 and at the Bills Committee meeting on the same day that the Government was considering the wording of the proposed new section 96F(2)(a) and would get back to the Bills Committee.

The Government has considered the above matter and would like to move a Committee Stage Amendment (“CSA”) to add “wilfully” before the expression “obstructs the enforcement officer in the exercise of the officer’s powers or in the performance of the officer’s duties under this Part” in the proposed new section 96F(2)(a) under clause 15 of the Trade Marks (Amendment)

Bill 2019, so as to clarify the intent of the provision. The proposed CSA is attached at the Annex for consideration by the Bills Committee.

Yours sincerely,



(Miss Alice CHOI)

for Secretary for Commerce and Economic Development

- c.c. Assistant Legal Adviser 2, Legislative Council
Department of Justice (Attn: Miss Cindy CHEUK and Mr Vincent FUNG)
Director of Intellectual Property (Attn: Ms Elsie TSE)
Commissioner of Customs and Excise (Attn: Mr Ellis LAI)

Trade Marks (Amendment) Bill 2019

Committee Stage

Amendment to be moved by the Secretary for Commerce and Economic Development

Clause

Amendment Proposed

15 In the proposed section 96F(2)(a), by adding “wilfully” before “obstructs”.