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## Unlawful Copies of Dispensers – medmix Switzerland successfully defends its rights against counterfeiters at International Hardware Fair 2022



medmix Switzerland Ltd (medmix) is the global market leader in the design and production of manual, pneumatic and battery handheld sealant and adhesives applicators. In recent years nearly identical copies of such dispensers have been discovered on the market. These slavish imitations from other producers are not made under the strict quality control measures of medmix und therefore are not protected by its guarantee. In the interest of its customers, medmix will continue to take legal action against such unlawful copies.

MK™ dispensers originally produced and supplied by Krøger A/S since 1922 continue into the future as part of the medmix Switzerland portfolio. The renowned MK dispensers are available through medmix Switzerland Ltd. and its affiliates while medmix Switzerland Ltd has entrusted medmix UK Ltd. with the manufacture of the dispensers.

Krøger A/S was founded in 1922 and acquired by us in 2013. The product range, which includes Manual, Battery and Pneumatic driven dispensers for any application (cartridges, sachets or bulk pack), was originally manufactured at our factory in Denmark. In 2017, manufacturing of the dispensers was relocated to medmix UK Ltd of Hungerford, UK.

There is a more than 15-year history of successfully stopping unlawful copies of MK dispensers in Germany and Scandinavian countries. The District Court (Landgericht) of Cologne decided already in 2006 that copies of the renown MK H14 dispenser by Kent Bridge Enterprise Co. of Taiwan ("Kent Bridge") were unlawful and created an avoidable deception concerning the origin of these dispensers, and the court issued a preliminary injunction forbidding their further distribution by Kent Bridge. Likewise the distribution of unlawful copies of the MK H12, MK H13, and MK H14 was successfully stopped in numerous subsequent instances.

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Subsequently medmix successfully enforced its rights under unfair competition law against further nearly-identical MK H 14 variations from Kent Bridge, and the Higher Regional Court of Düsseldorf (OLG Düsseldorf) and German Federal Court (BGH) confirmed that our MK H14 trade dress is original and that Kent Bridge must cease and desist from selling their MK H14 variants in all colors with their various decisions from 2016 to 2020.

Earlier this year, medmix became aware of an international wholesaler and retailer of hardware such as fasteners and tools selling the original MK H14 in red as well as a variation thereof manufactured and distributed by Vicli Products, Inc. of Taiwan, which is a successor firm of the now defunct Kent Bridge enterprise and owned by the son of the earlier owner of Kent Bridge. Because of our strong legal position due to the earlier court decisions on such H14 variants, the international hardware firm has agreed to stop selling this H14 variant in an out-of-court settlement.

In September of this year, two exhibitors at the International Hardware Fair 2022 in Cologne, Germany (Internationale Eisenwarenmesse Köln), Mingxing Tools of Jinhua, China and Seagull Tools of Taipei, Taiwan were found to be offering copies of the MK H14 dispenser on their websites. Seagull was served with a cease & desist letter, and they did not exhibit any H14 copies at the show as a result. However Mingxin Tools, a dispenser manufacturer, refused to sign a cease & desist declaration concerning its manufacture, sales and distribution of copies of the H14 in Germany. For this reason, medmix filed and obtained a preliminary injunction (“einstweiligen Verfügung”) against Yongkang Mingxin Tools Factory (“Mingxin”), BY217 Province Way Sili Town, 321300 Jinhua, China from the Cologne Regional Court (Landgericht Köln), on 27.09.2022. This decision (31 O 191/22) forbid Mingxin from offering and distributing three nearly identical copies of the H14. As a result of this court decision, Mingxin agreed in a settlement to cease and desist under contractual penalty from offering and/or selling and/or advertising the H14 copies worldwide.

medmix therefore strongly recommend to their customers to take notice and look for the unique MK trade dress of their dispensers (shown below for a MK H14 RS dispenser) with the MK trademark fixed on the dispenser so as to be assured that you are purchasing a high quality MK dispenser manufactured according to the strict quality control measures of medmix and protected by its guarantee.



MIXPAC™ is the leading system provider in the area of mixing, dosing and applying, COX™ provides a wide range of professional, practical dispensers, and MK™ is the specialist in customized high-quality dispensing solutions.



*medmix is a global leader in high-precision delivery devices. We occupy leading positions in the healthcare, consumer and industrial end-markets. Our customers benefit from a dedication to innovation and technological advancement that has resulted in over 900 active patents. Our 12 production sites worldwide together with our highly motivated and experienced team of 1'900 employees provide our customers with uncompromising quality, proximity and agility. medmix is headquartered in Baar, Switzerland. Our shares are traded on the SIX Swiss Exchange (SIX: MEDX). [www.medmix.swiss](http://www.medmix.swiss)*

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