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F I L E D	FEDERAL COURT	D É P O S É
	COUR FÉDÉRALE	
	September 24, 2025	
	24 septembre 2025	
Diane Lopez		
TOR		1

Court File No.:

FEDERAL COURT

B E T W E E N:

**BEIJING YING TIAN KE DI INTELLECTUAL PROPERTY RIGHTS AGENCY CO.,
LTD. and**

YINGKE LAW PROFESSIONAL CORPORATION

Plaintiffs

– and –

HAN LI,

YK LAW PROFESSIONAL CORPORATION and

YINGKE TORONTO CONSULTING CORPORATION

Defendants

STATEMENT OF CLAIM

TO THE DEFENDANT:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Plaintiff. The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or a solicitor acting for you are required to prepare a statement of defence in Form 171B prescribed by the *Federal Courts Rules*, serve it on the plaintiff's solicitor or, if the plaintiff does not have a solicitor, serve it on the plaintiff, and file it, with proof of service, at a local office of this Court

WITHIN 30 DAYS after the day on which this statement of claim is served on you, if you are served in Canada or the United States; or

WITHIN 60 DAYS after the day on which this statement of claim is served on you, if you are served outside Canada and the United States.

TEN ADDITIONAL DAYS are provided for the filing and service of the statement of defence if you or a solicitor acting for you serves and files a notice of intention to respond in Form 204.1 prescribed by the *Federal Courts Rules*.

Copies of the *Federal Courts Rules*, information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO DEFEND THIS PROCEEDING, judgment may be given against you in your absence and without further notice to you.

Issued by:

(Registry Officer)

Address of local office:

180 Queen Street West
Suite 200
Toronto, Ontario
M5V 3L6

TO:

Han Li

7100 Woodbine Avenue, Suite 214,
Markham, Ontario

Yingke Toronto Consulting Corporation

7100 Woodbine Avenue, Suite 214,
Markham, Ontario

Yk Law Professional Corporation

120 East Beaver Creek Road, Suite 200
Richmond Hill, Ontario L4B 4V1

CLAIM

1. The plaintiffs, Beijing Ying Tian Ke Di Intellectual Property Rights Agency Co., Ltd. (“**Ying Tian**”), and Yingke Law Professional Corporation (“**Yingke Law**”) claim against the Defendants, Han Li (“**Han**”), Yingke Toronto Consulting Corporation (“**YTCC**”), and Yk Law Professional Corporation (“**YK Law**”), jointly and severally, as follows:
 - a. An order restraining the Defendants, their officers, directors, employees, agents, successors, assigns, and all those acting in concert with them, from using, displaying, or otherwise dealing in any manner with the trademarks registered in Canada under Registration Nos. TMA844630, TMA1256971, and TMA1253079 (“**Yingke Trademarks**”), or any trademark, trade name, business name, domain name, or logo that is identical with, or confusingly similar to, the Yingke Trademarks;
 - b. A declaration that the Defendants have infringed the Plaintiffs’ rights in the Yingke Trademarks contrary to ss. 19, 20 and 22 of the Trademarks Act.
 - c. A declaration that the Defendants have engaged in passing off and unfair competition contrary to s. 7(b) of the Trademarks Act and at common law.
 - d. An order that the Defendants deliver up to the Plaintiffs, or alternatively destroy under Court supervision, all materials in their possession, power, or control, including but not limited to signage, promotional materials, advertising, websites, social media accounts, business cards, and other documents or articles, that bear or reference the Yingke Trademarks, or any confusingly similar mark, name, or logo;
 - e. An order that the Defendants render a full accounting to the Plaintiffs of all revenues, profits, and other benefits derived from their unauthorized use of the Yingke Trademarks;
 - f. An order requiring the Defendants to publish corrective notices, in a form approved by the Court, in all media and platforms where the infringing use occurred, including but not limited to WeChat, websites, and other promotional outlets, in order to correct public confusion caused by the Defendants’ conduct;
 - g. Damages against the Defendants in the amount of not less than \$500,000.00 CAD for trademark infringement, passing off, unfair competition and misrepresentation;

- h. An award of punitive damages in the amount of \$100,000.00 CAD against the Defendants for its deliberate and unlawful infringement of the Plaintiffs' trademark rights and proprietary interests, as well as for the unauthorized expropriation of the Plaintiffs' commercial goodwill;
- i. pre-judgment and post-judgment interest in accordance with the provisions of the *Federal Courts Act*, R. S. C. 1985 c. F-7, as amended;
- j. the costs of this action on a substantial indemnity basis, or another appropriate scale; and
- k. such further and other relief this Honourable Court may deem just and appropriate.

The Parties

2. The Plaintiff, Ying Tian, is a private company incorporated in China. It is the registered owner of the following Yingke Trademarks in Canada:

	Trademark	Registration No.	International Registration No.	Class	Expiration Date
1	 YINGKE	TMA844630	-	45	February 25, 2028
2	 YK LAW	TMA1256971	1712320	45	January 12, 2033
3	盈科	TMA1253079	1708748	45	November 9, 2032

3. The Plaintiff, Yingke Law, was incorporated on April 16, 2025 under the laws of the Province of Ontario, Canada, and carries on business under the registered business name 'Yingke Law Firm,' providing legal services in Ontario. Yingke Law is the licensee duly authorized by Ying Tian to use the Yingke Trademarks in Canada.
4. The Defendant, YTCC, was incorporated on July 11, 2024, under the laws of the Province of Ontario, Canada, and carries on consulting business.
5. The Defendant, Han, is the sole director of YTCC. Han was formerly employed by Beijing Yingke Law Firm, a leading Chinese law firm established in 2001, headquartered in Beijing, with more than 120 offices across mainland China and over 18,000 practicing lawyers. According to The American Lawyer 'Global 200', Beijing Yingke Law Firm has ranked first in the world by number of lawyers for several consecutive years.

6. The Defendant, YK Law, was incorporated on July 20, 2023 under the laws of the Province of Ontario, Canada, and carries on business under the registered business name ‘YK LAW FIRM TORONTO’, providing legal services in Ontario. Victor Kang Li (“Victor”) and Ran Kit Andy Chan are the directors of YK Law.

Background

7. The Defendants have never been formally authorized by the Plaintiff, Ying Tian, to use the Yingke Trademarks in Canada.
8. On June 10, 2023, Beijing Yingke Law Firm and the Defendant, Han, entered into a written Yingke Overseas Office Operational Responsibility Agreement, pursuant to which Han was appointed Executive Director of the Yingke Toronto office. On February 24, 2025, Beijing Yingke Law Firm served formal notice removing Han from that position. The removal terminated any authority previously conferred on Han under the Operation Agreement, including any authority to use the “Yingke” name and related trademarks.
9. Following the termination of Han’s appointment on February 24, 2025, Han was repeatedly requested and formally demanded—by Beijing Yingke Law Firm and by the Plaintiffs—to cease all use of the Yingke Trademarks and to remove all related signage and materials.
10. Notwithstanding the absence of authorization, the Defendants have been using the Yingke Trademarks in the course of trade, including but not limited to public communications on WeChat and other social media platforms, business promotions, and external displays.
11. In particular, the Defendants have been operating a website located at <https://www.yingkelaw.ca/zh/home> (“Infringing Website”) without authorization, thereby causing significant confusion among members of the public.
12. In the ‘Vision’ section of the Infringing Website, it is stated that: “Established in July 2023, Yingke (Toronto) Law Firm specializes in a diverse range of areas, including corporate affairs, civil litigation, US and Canadian taxation, wealth management, real estate, immigration and family law. As an international arm of the esteemed Yingke Law Firm, we offer a seamless, one-stop service model. We are committed to providing timely, efficient, and top-tier legal solutions to our global clientele, aiming to become a world-class legal service platform that consistently exceeds client expectations”.

13. The Infringing Website features and makes use of the Yingke Trademarks, including the logo below:



14. The Infringing Website displays photographs of the Defendant Han together with the directors of YK Law. The Infringing Website further lists the following contact information:

Email: info@yingkelaw.ca

Telephone: (905) 415-0005

Fax: (905) 415-3999

15. In addition, the Defendants, Han and YTCC, have used the trademark below, Yingke Toronto (in Chinese, “盈科多伦多”) in connection with numerous events to promote their business services.



16. These unauthorized uses of Yingke Trademark by Han and YTCC include, but are not limited to, public seminars, client workshops, and promotional activities, such as:
- a. On or about 15 May 2024, organizing an event entitled “租赁纠纷不用愁” (Tenant – Landlord Disputes Sharing Session), conducted under the name “盈科多伦多 / Yingke Toronto” ;
 - b. On or about 22 May 2024, jointly holding an event with “Rivetbo” entitled “怎么写爆款视频脚本” (How to Write Viral Video Scripts), under the name “盈科多伦多 / Yingke Toronto” ;
 - c. On or about 29 May 2024, hosting a legal knowledge session with Hao Han under the title “房东买房驱赶租客别掉进这些坑” (Pitfalls for Landlords in Evictions), promoted under the name “盈科多伦多 / Yingke Toronto” ;

- d. On or about 5 June 2024, co-hosting an event with Benestone entitled “大多市定制房屋的趋势和如何价值最大化” (Trends in Custom Homes in the GTA), promoted under the name “盈科多伦多 / Yingke Toronto” ;
 - e. On or about 13 June 2024, publishing a joint announcement with the Bank of China regarding “跨境物流企业座谈会” (Cross-Border Logistics Enterprise Symposium), using the name “盈科多伦多 / Yingke Toronto” ;
 - f. On or about 3 July 2024, co-hosting an investment seminar with Greybrook entitled “老牌开发商如何进行大社区开发 (How traditional real estate developers develop large-scale communities)” , promoted under the name “盈科多伦多 / Yingke Toronto” ;
 - g. On or about 13 July 2024, co-hosting a session with “C-Labs” entitled “加密货币的监管框架” (Regulatory Framework for Cryptocurrencies), under the name “盈科多伦多 / Yingke Toronto” ;
 - h. On or about 24 July 2024, co-hosting an investment seminar with RBC advisor Nan Wu entitled “洞悉风险前瞻布局” (Understanding Risks and Market Outlook), using the name “盈科多伦多 / Yingke Toronto” ;
 - i. On or about 7 August 2024, hosting a legal knowledge seminar with Michael Ding under the title “如何应对政府职能部门的税务检查” (How to Respond to Government Tax Audits), promoted under the name “盈科多伦多 / Yingke Toronto” ;
 - j. On or about 14 August 2024, co-hosting an immigration session with Tianna Feng under the title “父母团聚移民 DIY 申请攻略” (DIY Strategies for Parent/Grandparent Immigration Applications), promoted under the name “盈科多伦多 / Yingke Toronto” ;
 - k. On or about 21 August 2024, co-hosting a business development lecture with Daniel Zhou entitled “中小企业发展战略规划” (SME Strategic Development Planning), promoted under the name “盈科多伦多 / Yingke Toronto” ;
17. The repeated and systematic use of the Yingke Trademarks and the name “盈科多伦多 / Yingke Toronto” in connection with such events has created and continues to create significant confusion in the public, falsely suggesting that the Defendants are affiliated with, authorized by, or in connection with the Plaintiffs.

18. On August 20, 2025, the Plaintiffs Yingke Law, acting on behalf of Ying Tian, delivered formal Cease and Desist letters (“C&D Letter”) to each of the Defendants Han, YTCC, and YK Law, demanding that they cease and desist from any use of the Yingke Trademarks in any form, remove infringing materials, and disable or correct the Infringing Website.
19. On August 29, 2025, counsel for Han and YTCC responded in writing (the “August 29 Letter”) to the C&D Letter, stating among other things that:
 - (a) Victor is the administrator of the email address associated with the domain for the Infringing Website; and
 - (b) YTCC indicated it would change its corporate name to remove the term ‘Yingke’ and that Han would cease using Han’s YTCC-associated email address, but only on the condition that Beijing Yingke Law Firm first execute a written agreement resolving purported ‘outstanding issues’ between them, such as compensation allegedly owed to Han, social insurance matters in China, tax issues.
20. The conditions demanded by Han and YTCC in the August 29 Letter concern an unrelated dispute between those Defendants and a third party (Beijing Yingke Law Firm) and do not involve the Plaintiffs. The Defendants’ refusal to cease infringement unless those third-party conditions were met was unreasonable and in bad faith.
21. On August 22, 2025, YK Law replied to the C&D Letter, asserting that it is not affiliated with and has no control over the Infringing Website, which it says is operated by former employees who were “previously granted a license to use YK-related trademarks.” YK Law claimed it has no knowledge of the current status of any such license, does not accept responsibility for those operators, and lacks authority to compel them to cease use. YK Law stated it shares concern about public confusion and is willing to cooperate, including by issuing a joint cease-and-desist letter to the website operators to remove its business name and any unauthorized use of the Yingke Trademarks.
22. YK Law further disputed that the Plaintiffs’ trademark rights preclude its use of the name “YK Law” in Ontario, characterizing “YK Law” as generic and asserting first use in this jurisdiction. It stated it does not use the graphical/logo mark TMA1256971 and contended that registration does not confer exclusive rights over the business name. YK Law proposed to sell the corporate name “YK Law Professional Corporation” to the Plaintiff Yingke Law for a one-time fee of \$3,390 (HST included).

23. Despite notice and repeated demands, the Defendants continue to evade responsibility for the Infringing Website — Han and YTCC blaming Victor/YK Law as the administrator, while YK Law asserts that former employees control the site. None of the Defendants has taken any effective steps to disable, correct, or remove the infringing content.
24. In these circumstances, and given the Defendants’ refusal or failure to remedy the issue within a reasonable time, the Plaintiffs have been left with no alternative but to commence this action against the Defendants.

Trademark Infringement

25. The Plaintiffs are the owner and licensee of the Yingke Trademarks in Canada.
26. The Defendants, without the authorization or consent of the Plaintiffs, have used, and continue to use, the Yingke Trademarks and confusingly similar marks in association with the promotion and provision of legal and related services in Canada, including through the Infringing Website and in the course of multiple seminars, promotional events, and public communications, as particularized above.
27. The Defendants’ unauthorized use of the Yingke Trademarks has in fact caused, confusion among members of the public in Canada, contrary to section 20 of the Trademarks Act, R.S.C. 1985, c. T-13.
28. Further, the Defendants’ unauthorized use of the Yingke Trademarks infringes the Plaintiff Ying Tian’s exclusive rights to the Yingke Trademarks under section 19 of the Trademarks Act.
29. The Defendants’ conduct also constitutes a depreciation of the goodwill attaching to the Yingke Trademarks, contrary to section 22 of the Trademarks Act.
30. By reason of the foregoing, the Defendants are liable to the Plaintiffs for trademark infringement under the Trademarks Act.

Passing Off and Unfair Competition

31. The Plaintiffs and its global affiliates have built up extensive goodwill and reputation in the Yingke name and the Yingke Trademarks in Canada and worldwide. That goodwill is

associated in the minds of the public with the provision of professional, high-quality legal services under the Yingke brand.

32. The Defendants, by using the Yingke Trademarks and the designation “Yingke Toronto / 盈科多伦多” in promoting legal services to the same Chinese communities in which the Plaintiff Yingke Law operates, particularly in the Greater Toronto Area, have made misrepresentations calculated to deceive and which have in fact deceived members of the public into believing that their services are authorized by, affiliated with, or connected to the Plaintiffs.
33. The Plaintiffs have suffered, and continue to suffer, actual and potential damage, including loss of control over its goodwill, dilution of its reputation, and diversion of business opportunities.
34. The Defendants’ conduct constitutes the common law tort of passing off. In addition, the Defendants’ conduct amounts to unfair competition contrary to section 7(b) of the Trademarks Act, R.S.C. 1985, c. T-13.

Bad Faith

35. The Defendants’ conduct has been wilful, deliberate, and in bad faith, undertaken with full knowledge of the Plaintiffs’ rights and with the intent to trade on and appropriate the Plaintiffs’ goodwill.
36. Particulars of the Defendants’ bad faith include, without limitation:
 - (a) continuing to operate the Infringing Website and to display the Yingke Trademarks after a written demand to cease and rebrand by August 25, 2025;
 - (b) publishing on the Infringing Website representations that the Defendants are an “international arm” of the Yingke network and offering a “one-stop service model,” thereby falsely holding out an affiliation with the Plaintiffs;
 - (c) using the designation “Yingke Toronto / 盈科多伦多” across multiple seminars, promotions, and public events to target the same Chinese communities served by the Plaintiff Yingke Law, magnifying confusion and diverting business;
 - (d) refusing to deactivate the Infringing Website unless unrelated conditions were met, thereby entrenching the deception and prolonging harm to the Plaintiffs.

37. The Defendants' conduct was neither accidental nor innocent, but carried out deliberately with the intent to mislead members of the public—particularly within the Chinese communities of the Greater Toronto Area—into believing that their services originated from, or were affiliated with, the Plaintiffs, for the purpose of securing business profits.
38. The Defendants' bad-faith conduct has caused, and continues to cause, irreparable harm to the Plaintiffs' goodwill and brand integrity, depreciation of the value of the Yingke Trademarks, and diversion of clients and opportunities.
39. The Defendants' conduct was high-handed, oppressive, and contumelious, warrants the Court's condemnation, and justifies an award of aggravated and punitive damages in addition to injunctive and compensatory relief.

Damages

37. Both the Plaintiffs and the Defendants are engaged in the provision of legal services or related services within the Chinese communities in Ontario, Canada. The overlap in services and target clientele increases the likelihood that members of the public will be confused into believing that the Defendants' services are authorized by, affiliated with, or connected to the Plaintiffs.
38. On August 22, 2025, Edward Zhou, a counsel at Cambridge LLP emailed (the "Cambridge Email") expressing perplexity that there are two "Ying Ke Law Firm" websites with contradictory information, asking whether the Defendants' office is affiliated with the site previously referenced, and noting that ordinary users—including legal professionals—do not type URLs but search the firm name. The counsel reported that a search for "Ying Ke Law" does not display the Plaintiff Yingke Law's correct website on the first page of results, observed that professionals reasonably expect an official webpage to be easily accessible via common search engines, and invited the use of the email as evidence should a passing off claim be commenced against the owner of the other page.
39. The Cambridge Email is illustrative of the public confusion caused by the Defendants' conduct. It provides independent, third-party corroboration of actual marketplace confusion attributable to the Infringing Website and supports an inference of damage to the Plaintiffs, including:

- (a) diversion of online traffic and client inquiries away from the Plaintiffs;
- (b) loss of professional goodwill and reputational harm arising from contradictory public information;
- (c) mitigation costs to correct and counteract the confusion (communications, SEO/IT work, and client outreach); and
- (d) lost business opportunities attributable to the Plaintiffs' diminished visibility in search results due to the Infringing Website.

40. The Plaintiffs submit that the relief claimed in paragraph 1 is just and appropriate in the circumstances and should be granted against the Defendants.

41. The Plaintiffs propose that this action be tried in Toronto, Ontario.

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Lawyer for the Plaintiffs

Beijing Ying Tian Ke Di Intellectual Property Rights
Agency Co., Ltd. et al
Plaintiffs

VS

Han Li et al
Defendants

Court file no.:

FEDERAL COURT

PROCEEDING COMMENCED AT TORONTO

Statement of Claim

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