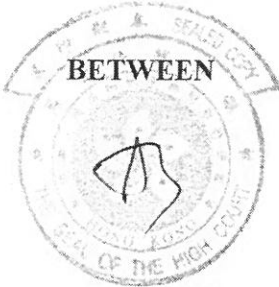


IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
MISCELLANEOUS PROCEEDINGS NO. 2801 OF 2015



- 2 NOV 2015

THE UNIVERSITY OF HONG KONG

Plaintiff

and

(1) HONG KONG COMMERCIAL
BROADCASTING CO. LTD.

1st Defendant

(2) THE PERSON OR PERSONS UNKNOWN
who has or have appropriated, obtained and/or
offered or intend to offer for sale and/or
publication the confidential information in respect
of the meetings of the Council of the Plaintiff

Defendants whose
names are not
known

INJUNCTION ORDER

PENAL NOTICE

IF YOU, THE NAMED DEFENDANT, DISOBEY THIS ORDER, YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS MAY BE SEIZED.

THIS IS A LEGAL DOCUMENT. THE CONSEQUENCES OF IGNORING ARE SERIOUS. IF IN DOUBT, YOU SHOULD ENQUIRE AS SOON AS POSSIBLE AT THE REGISTRY OF THE COURT ISSUING THE DOCUMENT, NAMELY LG1, HIGH COURT BUILDING, 38 QUEENSWAY, HONG KONG. YOU SHOULD ALSO CONSIDER TAKING THE ADVICE OF A SOLICITOR OR APPLYING FOR LEGAL AID.

因這是法律文件忽視它可帶來嚴重的後果。如有疑問，請儘早向發出文件的法庭登記處(地址：香港金鐘道 38 號高等法院大樓低層 1 樓)查詢。你亦應考慮聽取律師的意見或是申請法律援助。

IMPORTANT

NOTICE TO THE DEFENDANTS

1. The Order is subject to the exceptions which are set out in the Order. You should read the whole of this document carefully. You are advised to consult a solicitor as soon as possible. You have the right to ask the court to vary or discharge this Order.
2. If you disobey this Order you may be found guilty of contempt of court and you and any of your directors may be sent to prison or fined or your assets may be seized.

BEFORE DEPUTY HIGH COURT JUDGE SEAGROATT IN CHAMBERS (NOT OPEN TO PUBLIC)

An ex parte application was made on 30 October 2015 by the solicitors for the Plaintiff, to the Judge who read the draft Originating Summons and the Affirmation listed in Schedule 1 and accepted the undertakings in Schedule 2 at the end of this Order. After hearing the application the Judge made the following Order.

IT IS ORDERED that:

INJUNCTION

1. Each Defendant must not:
 - (a) use, publish or communicate or disclose to any other person (other than (i) by way of disclosure to legal advisers instructed in relation to these proceedings (the **Defendants' legal advisers**) for the purpose of obtaining legal advice in relation to these proceedings or (ii) for the purpose of carrying this Order into effect) all or any part of the information referred to in Schedule 3 to this Order (the **Information**);
 - (b) publish any information which is liable to or might identify any member of the Plaintiff (including staff, students, advisors and members of the Council) as the subject of the Information or which otherwise contains material which is liable to, or might lead to, the identification of any member of the Plaintiff in any such respect, provided that nothing in this Order shall prevent the publication, disclosure or communication of any information which is contained in this Order or in the public judgments of the Court.

PROTECTION OF HEARING PAPERS

2. The Defendants must not publish or communicate or disclose or copy or cause to be published or communicated or disclosed or copied any Affirmation and any exhibits thereto and information contained therein that are made, or may subsequently be made, in support of the

Application or the Plaintiff's solicitors' notes of the hearing of the Application (the **Hearing Papers**), provided that the Defendants shall be permitted to copy, disclose and deliver the Hearing Papers to the Defendants' legal advisers for the purpose of these proceedings .

3. The Hearing Papers must be preserved in a secure place by the Defendants' legal advisers on the Defendants' behalf.
4. The Defendants shall be permitted to use the Hearing Papers for the purpose of these proceedings provided that the Defendants' legal advisers shall first inform anyone, to whom the said documents are disclosed, of the terms of this Order and, so far as is practicable, obtain their written confirmation that they understand and accept that they are bound by the same.

PUBLIC DOMAIN

5. For the avoidance of doubt, nothing in this Order shall prevent the Defendants from publishing, communicating or disclosing such of the Information, or any part thereof, as was already in, or that thereafter comes into, the public domain in Hong Kong (other than as a result of breach of this Order or a breach of confidence or privacy).

COSTS

6. The costs of and occasioned by the Application are reserved.

VARIATION OR DISCHARGE OF THIS ORDER

7. The parties or anyone affected by any of the restrictions in this Order may apply to the Court at any time to vary or discharge this Order (or so much of it as affects that person), but they must first give written notice to the Plaintiff's solicitors. If any evidence is to be relied upon in support of the application, the substance of it must be communicated in writing to the Plaintiff's solicitors in advance. The Defendants may agree with the Plaintiff's solicitors and any other person who is, or may be bound by this Order, that this Order should be varied or discharged, but any agreement must be in writing.

EFFECT OF THIS ORDER

8. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
9. A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents, or in any other way.

THIRD PARTIES

- (1) *Effect of this Order.* It is a contempt of court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be imprisoned, fined, or have his assets seized.
- (2) *Effect of this Order outside Hong Kong.* The terms of this Order do not affect or concern anyone outside Hong Kong until it is declared enforceable or is enforced by a court in another jurisdiction and then they are to affect him only to the extent they have been declared enforceable or have been enforced UNLESS such person is:
 - (a) a person to whom this Order is addressed or an officer or an agent appointed by power of attorney of such a person; or
 - (b) a person who is subject to the jurisdiction of this court and (i) has been given written notice of this Order at his residence or place of business within the jurisdiction of this court and (ii) is able to prevent acts or omissions outside the jurisdiction of this court which are a breach or assist in a breach of this Order.

UNDERTAKINGS

The Plaintiff gives to the court the undertakings set out in Schedule 2 to this Order.

NAME AND ADDRESS OF PLAINTIFF'S SOLICITORS

The Plaintiff's solicitors are:

Clifford Chance of 27/F Jardine House, One Connaught Place, Hong Kong (Tel: 2825 8888)

INTERPRETATION OF THIS ORDER

- (1) In this Order "he", "him" or "his" include "she", "her", "hers" and "it" or "its".
- (2) When there are two or more Defendants then (unless otherwise stated):
 - (a) references to "the Defendant" mean both or all of them;
 - (b) an order requiring "the Defendant" to do or not to do anything requires each Defendant to do it or not to do it; and
 - (c) a requirement relating to service of this Order, or of any Defendant means on each of them.

SCHEDULE 1

Affirmation

The Judge read the following Affirmation before making this Order:

Affirmation of Henry Wai Wing Kun dated 30 October 2015.

SCHEDULE 2

Undertakings given to the court by the Plaintiff

- (1) If the court later finds that this Order has caused loss to the Defendants or any other party and decides that the Defendants or that other party should be compensated for that loss, the Plaintiff will comply with any order the court may make.
- (2) As soon as practicable the Plaintiff will serve on the Defendant the Originating Summons in the form of the draft produced to the court together with this Order.
- (3) The Plaintiff will cause the Affirmation of Henry Wai Wing Kun dated 30 October 2015 to be filed.
- (4) As soon as practicable the Plaintiff will serve on the Defendants a summons to be heard on the return date together with a copy of the Affirmation and copiable exhibits containing the evidence relied on by the Plaintiff and a copy of the skeleton argument used at the application for this Order.
- (5) Anyone notified of this Order will be given a copy of it by the Plaintiff's solicitors.
- (6) On the return date the Plaintiff will inform the Court of the identity of all third parties that have been notified of this Order. The Plaintiff will use all reasonable endeavours to keep such third parties informed of the progress of the action insofar as it may affect them, including, but not limited, advance notice of any applications, the outcome of which may affect the status of the Order
- (7) If for any reason this Order ceases to have effect, the Plaintiff will forthwith take all reasonable steps to inform, in writing anyone to whom he has given notice of this Order, or who he has reasonable grounds for supposing may act upon this Order, that it has ceased to have effect.

SCHEDULE 3

Information referred to in the Order

1. any audio recording of meetings of the Council of the Plaintiff; and
2. any agenda, supporting papers and minutes of the meetings of the Council of the Plaintiff; and
3. any papers of the Council of the Plaintiff.

Dated the 30th day of October 2015.

Registrar

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
MISCELLANEOUS PROCEEDINGS NO. 2801 OF 2015

BETWEEN

THE UNIVERSITY OF HONG KONG

Plaintiff

- and -

(1) HONG KONG COMMERCIAL
BROADCASTING CO. LTD.

1st Defendant

(2) THE PERSON OR PERSONS
UNKNOWN who has or have
appropriated, obtained and/or offered or
intend to offer for sale and/or publication
the confidential information in respect of
the meetings of the Council of the Plaintiff

Defendants whose
names are not
known

INJUNCTION ORDER

Dated the 30th day of October 2015

Filed the 2nd day of November 2015

CLIFFORD CHANCE
Solicitors for the Plaintiff

27/F, Jardine House
One Connaught Place
Central

Hong Kong

Tel: 2825 8888

Fax: 2825 8800

Ref: BWG.10-40592650.YKW

Claim nature:

A. Non-Monetary Claim

B. Declaratory relief under Order 15,
rule 16 of the Rules of the High Courts

HCMP2801/2015

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
MISCELLANEOUS PROCEEDINGS NO. OF 2015

2801

BETWEEN

THE UNIVERSITY OF HONG KONG

Plaintiff

and

(1) HONG KONG COMMERCIAL
BROADCASTING CO. LTD.

1st Defendant

(2) THE PERSON OR PERSONS UNKNOWN
who has or have appropriated, obtained and/or
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publication the confidential information in respect
of the meetings of the Council of the Plaintiff

Defendants whose
names are not
known



Originating Summons

TO THE 1st DEFENDANT HONG KONG COMMERCIAL BROADCASTING COMPANY
LIMITED of 3 Broadcast Drive Kowloon, Hong Kong

To THE DEFENDANTS WHOSE NAMES ARE NOT KNOWN THE PERSON OR
PERSONS UNKNOWN who has or have appropriated, obtained and/or offered or intend to
offer for sale and/or publication the confidential information in respect of the meetings of the
Council of the Plaintiff

LET the Defendants, within 14 days after service of this Summons on him/her, counting the
day of service, return the accompanying Acknowledgment of Service to the Registry of the
High Court.

BY this Summons, which is issued on the application of the Plaintiff, The University of Hong
Kong of Pok Fu Lam, Hong Kong, the Plaintiff seek the following relief, namely:

(1) A Declaration that the Defendants are in breach of their duty of confidence in using, publishing or communicating or disclosing without the consent or authorisation by the Plaintiff:

- (a) any audio recording of meetings of the Council of the Plaintiff; and/or
- (b) any agenda, supporting papers and minutes of the meetings of the Council of the Plaintiff; and/or
- (c) any papers of the Council of the Plaintiff.

(collectively the "**Information**").

(2) An injunction restraining the Defendants by themselves, their directors, officers, employees or agents, or in any other way, from

- (a) using, publishing or communicating or disclosing to any other person all or any part of the Information; and/or
- (b) publishing any information which is liable to or might identify any member of the Plaintiff (including staff, students, advisors and members of the Council) as the subject of the Information or which otherwise contains material which is liable to, or might lead to, the identification of any member of the Plaintiff in any such respect.

(3) Further or other relief.

(4) Costs.

If the Defendants or any of them do not acknowledge service, such judgment may be given or order made against or in relation to them or him as the Court may think just and expedient.

Dated the 30th day of October 2015

Registrar

Note: This Summons may not be served later than 12 calendar months beginning with the above date unless renewed by Order of the Court.

This Summons was taken out by Messrs. Clifford Chance of 27th Floor, Jardine House, 1 Connaught Place, Central, Hong Kong, solicitors for the Plaintiff whose addresses are as stated above.



Clifford Chance

Solicitors for the Plaintiff

IMPORTANT

Directions for Acknowledgement of Service are given with this accompany form.

Note:

This is a legal document. The consequences of ignoring it may be serious. If in doubt, you should enquire as soon as possible at the Registry of the Court issuing the document, namely (High Court) LG 1, High Court Building, No. 38 Queensway, Hong Kong. You should also consider taking the advice of a Solicitor or applying for Legal Aid.

(注意)

因這是法律文件，忽視它可帶來嚴重的後果。如有疑問，請盡早向發出文件的法庭登記處（高等法院）香港金鐘道三十八號高等法院大樓低層一樓查詢。你亦應考慮聽取律師的意見或是申請法律援助。

表格 8
原訴傳票---普通表格
(第 7 號命令第 2 條規則)

二〇.....年案件第.....宗

香港特別行政區
高等法院
原訟法庭
高院雜項案件 20 年第 號

(有關.....事宜)

原告人

及

被告人

致被告人.....

地址.....

在本傳票送達被告人後 (14 天) 內 (送達之日計算在內), 被告人須將隨附的送達認收書交回高等法院登記處。

本傳票是應居於.....的原告人.....的申請發出。而藉本傳票, 原告人針對被告人.....提出申索 (或尋求法庭就下述問題作出裁定, 即.....或 (按具體情況填寫))。

如被告人不作認收送達, 法庭可作出其認為公正及合宜的判被告人敗訴的判決或命令, 或就被告人作出其認為公正及合宜的判決或命令。

日期:年.....月.....日

司法常務官

備註: --- 本傳票除非經由法庭命令予以續期, 否則不得在上述日期起計 12 個公曆月之後送達。

本傳票是由代表上述原告人.....的高偉紳律師行取得, 其地址為: 香港中環康樂廣場 1 號, 怡和大廈 30 樓。而該原告人的地址則如上述 (或凡原告人是親自起訴者。本傳票是由居於上述地址 (或按具體情況填寫) 的上述原告人取得, 及 (如原告人並非居於本司法管轄權範圍內) 其送達地址為.....)。

重要事項

關於送達認收書的指示載於隨附的表格。

二〇.....年案件第.....宗

香港特別行政區

高等法院

原訟法庭

高院雜項案件 20 年第 號

(有關.....事宜)

原告人

及

被告人

原訴傳票

發出日期: 年 月 日

送交存檔日期: 年 月 日

原告人代表律師
高偉紳律師行
香港中環康樂廣場一號
怡和大廈 30 樓

電話: 2825 8888

傳真: 2825 8800

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
MISCELLANEOUS PROCEEDINGS NO. 2801 OF 2015

BETWEEN

THE UNIVERSITY OF HONG KONG

Plaintiff

and

(1) HONG KONG COMMERCIAL
BROADCASTING CO. LTD.

1st Defendant

(2) THE PERSON OR PERSONS UNKNOWN
who has or have appropriated, obtained and/or
offered or intend to offer for sale and/or
publication the confidential information in respect
of the meetings of the Council of the Plaintiff

Defendants whose
names are not
known

ACKNOWLEDGMENT OF SERVICE
OF ORIGINATING SUMMONS

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

Important: Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

See Notes 1, 3, 4
and 5.

1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

yes

no

See Direction 2.

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state whether the Defendant intends to make an admission (tick appropriate box).

yes

no

If yes, the Defendant may make the admission by completing Form No. 16 or 16C (as the case may require) accompanying the Originating Summons.

Service of the Originating Summons is acknowledged accordingly.

*(Signed) [Solicitor] / [Defendant in person]

Address for service

Notes as to Address for Service

Solicitor. Where the Defendant is represented by a Solicitor, state the Solicitor's place of business in Hong Kong.

Defendant in person. Where the Defendant is acting in person, he must give his residence OR, if he does not reside in Hong Kong, he must give an address in Hong Kong where communications for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

* Where words appear between square brackets, delete if inapplicable

香港特別行政區
 高等法院
 原訟法庭
 高院雜項案件 20 年第 號
 (有關.....事宜)

原告人

及

被告人

原訴傳票送達認收書

如你擬指示律師代為行事，請立即將本表格交給他。

重要事項：填寫本表格前請小心閱讀隨附的指示及填寫指引。如錯誤提供任何所需資料或該等資料有所遺漏，則本表格可能須予退回。

見指引 1、3、4 及 5。	1.	述明對原訴傳票作認收送達或由他人代為對原訴傳票作認收送達的被告人的全名。
	2.	述明被告人是否擬就法律程序提出爭議（在適用的方格內加上“✓”號） <input type="checkbox"/> 是 <input type="checkbox"/> 否
見指示 2。	3.	如原告人尋求的唯一補救，是支付經算定款項或支付未經算定款項，述明被告人是否擬作出承認（在適用的方格內加上“✓”號） <input type="checkbox"/> 是 <input type="checkbox"/> 否 如擬作出承認，被告人可藉填寫隨附於原訴傳票的表格 16 或 16C（視乎情況所需）而作出承認。

* 方括號內字句
 如不適用，請予
 刪去。
 本人據此對原訴傳票作送達認收。

*（簽署）[律師] _____
 [無律師代表的被告人]
 送達地址

關於送達地址的備註：

律師：凡被告人是由律師代表，述明該律師在香港的營業地點。

無律師代表的被告人：凡被告人是親自行事，被告人必須填上其居所，或如被告人並非居於香港，則必須填上一個給予他的通訊所應送交的香港地址。如屬有限公司，“居所” (residence) 指其註冊或主要辦事處。

CLIFFORD CHANCE
 Solicitors for the Plaintiff
 30th Floor,
 Jardine House,
 1 Connaught Place,
 Hong Kong.
 Tel no. 2825 8888 Fax no. 2825 8800

高偉紳律師行
 香港怡和大廈 30 樓

REF: BWG.10-40592650.YKW
 檔案號碼：

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See Notes 1, 3, 4
and 5.

1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

yes

no

See Direction 2.

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state whether the Defendant intends to make an admission (tick appropriate box).

yes

no

If yes, the Defendant may make the admission by completing Form No. 16 or 16C (as the case may require) accompanying the Originating Summons.

Service of the Originating Summons is acknowledged accordingly.

*(Signed) [Solicitor] / [Defendant in person]

Address for service

Notes as to Address for Service

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Defendant in person. Where the Defendant is acting in person, he must give his residence OR, if he does not reside in Hong Kong, he must give an address in Hong Kong where communications for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

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香港特別行政區
高等法院
原訟法庭

高院雜項案件 20 年第 號
(有關.....事宜)

原告人

及

被告人

原訴傳票送達認收書

如你擬指示律師代為行事，請立即將本表格交給他。

重要事項：填寫本表格前請小心閱讀隨附的指示及填寫指引。如錯誤提供任何所需資料或該等資料有所遺漏，則本表格可能須予退回。

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如不適用，請予
刪去。

本人據此對原訴傳票作送達認收。

*（簽署）[律師] _____
[無律師代表的被告人]
送達地址

關於送達地址的備註：

律師：凡被告人是由律師代表，述明該律師在香港的營業地點。

無律師代表的被告人：凡被告人是親自行事，被告人必須填上其居所，或如被告人並非居於香港，則必須填上一個給予他的通訊所應送交的香港地址。如屬有限公司，“居所” (residence) 指其註冊或主要辦事處。

CLIFFORD CHANCE
Solicitors for the Plaintiff
30th Floor,
Jardine House,
1 Connaught Place,
Hong Kong.
Tel no. 2825 8888 Fax no. 2825 8800

高偉紳律師行
香港怡和大廈 30 樓

REF: BWG.10-40592650.YKW
檔案號碼：

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See Notes 1, 3, 4
and 5.

1. State the full name of the Defendant by whom or on whose behalf the service of the Originating Summons is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

yes

no

See Direction 2.

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state whether the Defendant intends to make an admission (tick appropriate box).

yes

no

If yes, the Defendant may make the admission by completing Form No. 16 or 16C (as the case may require) accompanying the Originating Summons.

Service of the Originating Summons is acknowledged accordingly.

*(Signed) [Solicitor] / [Defendant in person]

Address for service

Notes as to Address for Service

Solicitor. Where the Defendant is represented by a Solicitor, state the Solicitor's place of business in Hong Kong.

Defendant in person. Where the Defendant is acting in person, he must give his residence OR, if he does not reside in Hong Kong, he must give an address in Hong Kong where communications for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

* Where words appear between square brackets, delete if inapplicable

香港特別行政區
 高等法院
 原訟法庭
 高院雜項案件 20 年第 號
 (有關.....事宜)

原告人

及

被告人

原訴傳票送達認收書

如你擬指示律師代為行事，請立即將本表格交給他。

重要事項：填寫本表格前請小心閱讀隨附的指示及填寫指引。如錯誤提供任何所需資料或該等資料有所遺漏，則本表格可能須予退回。

見指引 1、3、4 及 5。	1.	述明對原訴傳票作認收送達或由他人代為對原訴傳票作認收送達的被告人的全名。
	2.	述明被告人是否擬就法律程序提出爭議（在適用的方格內加上“✓”號） <input type="checkbox"/> 是 <input type="checkbox"/> 否
見指示 2。	3.	如原告人尋求的唯一補救，是支付經算定款項或支付未經算定款項，述明被告人是否擬作出承認（在適用的方格內加上“✓”號） <input type="checkbox"/> 是 <input type="checkbox"/> 否 如擬作出承認，被告人可藉填寫隨附於原訴傳票的表格 16 或 16C（視乎情況所需）而作出承認。

* 方括號內字句
 如不適用，請予
 刪去。
 本人據此對原訴傳票作送達認收。

*(簽署) [律師] _____
 [無律師代表的被告人]
 送達地址

關於送達地址的備註：

律師：凡被告人是由律師代表，述明該律師在香港的營業地點。

無律師代表的被告人：凡被告人是親自行事，被告人必須填上其居所，或如被告人並非居於香港，則必須填上一個給予他的通訊所應送交的香港地址。如屬有限公司，“居所”(residence) 指其註冊或主要辦事處。

CLIFFORD CHANCE
 Solicitors for the Plaintiff
 30th Floor,
 Jardine House,
 1 Connaught Place,
 Hong Kong.
 Tel no. 2825 8888 Fax no. 2825 8800

高偉紳律師行
 香港怡和大廈 30 樓

REF: BWG.10-40592650.YKW
 檔案號碼：

Acknowledgment of Service of Originating Summons - for all cases other than costs-only proceedings under section 52B of the High Court Ordinance
(O.10 r.5; O.12 r.3(1))

Directions for Acknowledgment of Service

1. The accompanying form of ACKNOWLEDGMENT OF SERVICE should be detached and completed by a Solicitor acting on behalf of the Defendant or by the Defendant if acting in person. After completion it must be delivered or sent by post to the Registry of the High Court of the following address:- LG 1, High Court Building, 38 Queensway, Hong Kong.

2. If the only remedy that the Plaintiff is seeking is payment of a liquidated amount of money or the payment of an unliquidated amount of money, you may admit the Plaintiff's claim in whole or in part by completing Form No. 16 or 16C (as the case may require) accompanying the Originating Summons.

A completed Form No. 16 or 16C must be filed with the Registry of the High Court and served on the Plaintiff (or the Plaintiff's Solicitors) within the period for filing of the Defendant's affidavit evidence.

3. A Defendant who wishes to dispute the jurisdiction of the Court of First Instance in the proceedings or to argue that the Court of First Instance should not exercise its jurisdiction in the proceedings, and wishes to apply to the Court of First Instance for an order staying the proceedings, must give notice of intention to defend the proceedings and make the application within the time limited for service of a defence.

See over for Notes for Guidance

表格 15

**原訴傳票送達認收書——所有案件（根據《高等法院條例》
第 52B 條展開的只涉訟費的法律程序除外）**
(第 10 號命令第 5 條規則；第 12 號命令第 3(1)條規則)

關於送達認收書的指示

1. 隨附的送達認收書表格應由代表被告人行事的律師撕下及填寫，或如被告人是親自行事，則應由被告人士撕下及填寫。表格填妥後必須交付或以郵遞方式送交高等法院登記處，登記處的地址是：香港金鐘道三十八號高等法院大樓低層一樓

2. 如原告人尋求的唯一補救，是支付經算定款項或支付未經算定款項，你可藉填寫隨附於原訴傳票的表格 16 或 16C（視乎情況所需），承認原告人的整項申索或其部分。

填妥的表格 16 或 16C 必須在送交被告人的誓章證據存檔的限期內，送交高等法院登記處存檔，並送達原告人[或原告人的律師]。

3. 被告人如意欲對原訟法庭在法律程序中的司法管轄權提出爭議，或意欲辯稱原訟法庭不應在有關法律程序中行使其司法管轄權，並意欲向原訟法庭提出申請，要求作出擱置法律程序的命令，必須就法律程序發出擬抗辯通知書，並必須在送達抗辯書的時限內提出申請。

填寫指引請見後頁

NOTES FOR GUIDANCE

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Registry of the High Court.

(2. For the purpose of calculating the period of 14 days for acknowledging service, a Originating Summons served on the Defendant personally is treated as having been served on the day it was delivered to him and a Originating Summons served by post or by insertion through the Defendant's letter box is treated as having been served on the seventh day after the date of posting or insertion.)

(Note: Not applicable if the defendant is a company served at its registered office.)

3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Originating Summons)".

4. Where the Defendant is a FIRM and a Solicitor is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "partner in the firm of (.....)" after his name.

5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.

6. Where the Defendant is a LIMITED COMPANY the form must be completed by a Solicitor or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without a Solicitor acting on its behalf.

7. Where the Defendant is a MINOR or a MENTAL Patient, the form must be completed by a Solicitor acting for a guardian ad litem.

8. A Defendant acting in person may obtain help in completing the form at the Registry of the High Court.

9. These notes deal only with the more usual cases. In case of difficulty a Defendant in person should refer to paragraph 8 above.

填寫指引

1. 每一名被告人（如被告人多於一名）均須填寫一份送達認收書，並將之交回高等法院登記處。

[2. 為計算作認收送達的 14 天期限，面交送達被告人的原訴傳票視作已在其交付被告人之日送達，而以郵遞或投入被告人信箱的方式送達的原訴傳票，則視作已在投寄或投入被告人信箱之日後第七天送達。]

（備註：如被告人是一間公司而原訴傳票是在該公司的註冊辦事處送達，則此條並不適用。）

3. 凡被告人是以有別於其本身姓名或名稱的姓名或名稱被起訴，表格必須由他填寫，並須在第 1 段中加上“以（原訴傳票所述明的姓名或名稱）之名被起訴”等字。

4. 凡被告人是一間商號，且並沒有指示律師代為行事，表格必須由一名合夥人以其姓名或名稱填寫，並須在第 1 段中在其姓名或名稱之後加上“（.....）商號的合夥人”的描述。

5. 凡被告人是以個人身分以其本身姓名以外的名稱營業而被起訴，表格必須由他填寫，並須在第 1 段中在其姓名之後加上“以（.....）之名營業”的描述。

6. 凡被告人是一間有限公司，表格必須由律師或獲授權代該公司行事的人填寫，但該公司如無律師代表行事，則不得在法律程序中採取進一步的步驟。

7. 凡被告人是未成年人或精神病人，表格必須由辯護監護人的代表律師填寫。

8. 親自行事的被告人可在高等法院登記處獲取協助填寫表格。

9. 本填寫指引只適用於比較普通的案件，親自行事的被告人如有困難應參閱上文第 8 段。

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
MISCELLANEOUS PROCEEDINGS NO. 2801 OF 2015

BETWEEN

THE UNIVERSITY OF HONG KONG

Plaintiff

- and -

(1) HONG KONG COMMERCIAL
BROADCASTING CO. LTD.

1st Defendant

(2) THE PERSON OR PERSONS
UNKNOWN who has or have
appropriated, obtained and/or offered or
intend to offer for sale and/or
publication the confidential information
in respect of the meetings of the Council
of the Plaintiff

Defendants whose
names are not
known

Originating Summons

Dated the 30th day of October 2015

Filed the 2nd day of November 2015

CLIFFORD CHANCE
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