



比亞迪股份有限公司  
**BYD COMPANY LIMITED**

*(a joint stock company incorporated in the People's Republic of China with limited liability)*  
(Stock Code: 1211)

**ANNOUNCEMENT MADE PURSUANT TO RULE 13.09(1) OF THE LISTING RULES  
AND  
RESUMPTION OF TRADING**

This announcement is made by the Company pursuant to Rule 13.09(1) of the Listing Rules.

References are made to the announcement of Foxconn dated 11 June 2007 and the announcement of the Company dated 12 June 2007 in relation to the legal proceedings commenced by the Foxconn Related Companies against the Group. The Directors note that there are a number of Press Articles reporting the Hong Kong Action, including an alleged claim against the Company of approximately RMB5,000 million as damages to the Foxconn Related Companies.

The Directors confirm that as at the date of this announcement, the Group has not been served with the Writ by the Foxconn Related Companies in connection with the Hong Kong Action. Given the Group has not been served with the Writ in connection with the Hong Kong Action as of the date of this announcement and the Company is in the course of seeking legal advice on the matter, the Company would withhold its comments on the alleged claims referred to in the Press Articles.

The Foxconn Related Companies commenced the PRC Action in June 2006 against the Company for damages in the sum of RMB5 million as compensation for alleged misappropriation of commercial secrets.

The Company believes that the Hong Kong Action and the PRC Action are generated from the same incident. The PRC court has not yet given any decision in relation to the PRC Action.

The Directors are of the view that the operation of the Group will not be materially affected by the PRC Action and the PRC Action is considered to be of no material importance to the Group.

Should the Foxconn Related Companies proceed with the Hong Kong Action by serving the Writ, the Company intends to vigorously defend the Hong Kong Action. The Company reserves all its rights to take appropriate legal actions, including but not limited to counter claims, against the Foxconn Related Companies regarding matters arising out of the Hong Kong Action and/or the PRC Action.

At the request of the Company, trading in Shares has been suspended as from 9:49 a.m. on 13 June 2007 pending the release of this announcement. An application has been made by the Company to the Stock Exchange for the resumption of trading in the Shares as from 9:30 a.m. on 14 June 2007.

This announcement is made by BYD Company Limited (the "Company") pursuant to Rule 13.09(1) of the Rules Governing the Listing of Securities on The Stock Exchange of Hong Kong Limited (the "Listing Rules").

References are made to the announcement of Foxconn International Holdings Limited ("Foxconn") in relation to the issuance of proceedings in the High Court of the Hong Kong Special Administrative Region of the People's Republic of China ("Hong Kong Action") by Shenzhen Futaihong Precision Industry Co., Ltd. ("Futaihong") and Hong Fu Jin Precision Industry (Shen Zhen) Co., Ltd. ("HFJ") against the Company and a number of its subsidiaries (together the "Group") and the announcement of the Company dated 12 June 2007. As disclosed in the announcement of Foxconn, Futaihong is a subsidiary of Foxconn and HFJ is a subsidiary of Foxconn's parent company. Futaihong and HFJ are collectively referred to as "Foxconn Related Companies" in this announcement. The Directors note that there are a number of articles appeared on the newspapers today reporting the Hong Kong Action, including an alleged claim against the Company of approximately RMB5,000 million as damages to the Foxconn Related Companies (the "Press Articles").

The directors of the Company (the "Directors") confirm that as at the date of this announcement, the Group has not been served with the Writ by the Foxconn Related Companies in connection with the Hong Kong Action. Given the Group has not been served with the Writ in connection with the Hong Kong Action as of the date of this announcement and the Company is in the course of seeking legal advice on the matter, the Company would withhold its comments on the alleged claims referred to in the Press Articles.

The Foxconn Related Companies commenced a legal action against the Company in June 2006 in the Intermediate People's Court in Shenzhen, the People's Public of China ("PRC Action"). In the PRC Action, the Foxconn Related Companies claimed against the Company for damages in the amount of RMB5 million for alleged misappropriation of commercial secrets which constitutes unfair competition against the Foxconn Related Companies on the part of the Company.

The Company believes that the Hong Kong Action and the PRC Action are generated from the same incident. The PRC court has not yet given any decision in relation to the PRC Action and the PRC Action is still ongoing and further hearings are expected to be conducted.

Given the claim in the PRC Action is for an amount of RMB5 million only, the Directors consider that the PRC Action is immaterial to the Group in terms of potential impact on the operation of the Group. The Directors are of the view that the operation of the Group will not be materially affected by the PRC Action and the PRC Action is considered to be of no material importance to the Group.

The Group has its own established management system and design and research capability in connection with the production and provision of its products and services. The Group places a heavy emphasis on the protection of its own commercial secrets and adheres to the spirit of fair competition. The Directors believe that the Group has not infringed the commercial secrets of the Foxconn Related Companies and doubt the basis on which the alleged claims in the HK Action, including the approximately RMB5,000 million compensation allegedly claimed by the Foxconn Related Companies, were found. Should the Foxconn Related Companies proceed with the Hong Kong Action by serving the Writ, the Group intends to vigorously defend the Hong Kong Action. The Company reserves all its rights to take appropriate legal actions, including but not limited to counter claims, against the Foxconn Related Companies regarding matters arising out of the Hong Kong Action and/or the PRC Action.

Further announcements in relation to the Hong Kong Action and the PRC Action will be made by the Company as and when necessary and appropriate.

At the request of the Company, trading in shares of RMB1.00 each in the Company (the "Shares") has been suspended as from 9:49 a.m. on 13 June 2007 pending the release of this announcement. An application has been made by the Company to the Stock Exchange for the resumption of trading in the Shares as from 9:30 a.m. on 14 June 2007.

By order of the board of  
**BYD Company Limited**  
Wang Chuan-fu  
Chairman

Hong Kong, 13 June 2007

As at the date of this announcement, the Board consists of Messrs Wang Chuan-fu, Xia Zuo-quan being the executive Directors, Mr. Lu Xiang-yang being non-executive Director and Messrs Li Guo-xun, Kang Dian and Lin You-ren being the independent non-executive Directors.