

SECURITIES AND EXCHANGE COMMISSION

FORM DEFA14A

Additional definitive proxy soliciting materials and Rule 14(a)(12) material

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FILER

CHINA BAK BATTERY INC

CIK: **1117171** | IRS No.: **880442833** | State of Incorpor.: **NV** | Fiscal Year End: **0930**
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SIC: **3690** Miscellaneous electrical machinery, equipment & supplies

Mailing Address

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KUICHONG TOWN,
LONGGANG DISTRICT
SHENZHEN PEOPLE F4
518119*

Business Address

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UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549
SCHEDULE 14A

Proxy Statement Pursuant to Section 14(a) of the Securities Exchange Act of 1934

Filed by the Registrant

Filed by a Party other than the Registrant

Check the appropriate box:

Preliminary Proxy Statement

Confidential, For Use of the Commission Only (As Permitted by Rule 14a-6(e)(2))

Definitive Proxy Statement

Definitive Additional Materials

Soliciting Material under Rule 14a-12

CHINA BAK BATTERY, INC.

(Name of Registrant as Specified In Its Charter)

(Name of Person(s) Filing Proxy Statement, if other than the Registrant)

Payment of Filing Fee (Check the appropriate box):

No fee required

Fee computed on table below per Exchange Act Rules 14a-6(i)(1) and 0-11.

(1) Title of each class of securities to which transaction applies:

(2) Aggregate number of securities to which transaction applies:

(3) Per unit price or other underlying value of transaction computed pursuant to Exchange Act Rule 0-11 (set forth the amount on which the filing fee is calculated and state how it was determined):

(4) Proposed maximum aggregate value of transaction:

(5) Total fee paid:

Fee paid previously with preliminary materials:

Check box if any part of the fee is offset as provided by Exchange Act Rule 0-11(a)(2) and identify the filing for which the offsetting fee was paid previously. Identify the previous filing by registration statement number, or the form or schedule and the date of its filing.

(1) Amount Previously Paid:

(2) Form, Schedule or Registration Statement No.:

(3) Filing Party:

(4) Date Filed:

PROXY NOTICE

China BAK Battery, Inc.

BAK Industrial Park, No. 1 BAK Street
Kuichong Town, Longgang District
Shenzhen, 518119
People' s Republic of China

IMPORTANT INVESTOR INFORMATION - YOUR VOTE COUNTS!

Shareholder Notice of Availability of Proxy Materials

Your name, ID Number and Control Number appear in the upper-left-hand corner of this Notice for online voting purposes.

To vote your shares, please follow the instructions listed below.

**Important Notice Regarding the Availability of Proxy Materials for the
China BAK Battery, Inc. Shareholder Meeting to Be Held on March 20, 2013**

- 1. This communication presents only an overview of the more complete proxy materials that are available to you on the Internet. We encourage you to access and review all of the important information contained in the proxy materials before voting.**
- 2. The proxy statement and annual report to security holders are available at www.shareholdervote.info.**
- 3. If you want to receive a paper or e-mail copy of these documents, you must request one. There is no charge to you for requesting a copy. Please make your request for a copy as instructed below on or before March 1, 2013 to facilitate timely delivery.**

The China BAK Battery, Inc. 2013 Annual Meeting will be held on March 20, 2013, at 9:00 a.m. local time, at BAK Industrial Park, No. 1 BAK Street, Kuichong Town, Longgang District, Shenzhen, 518119, People' s Republic of China. A description of the matters to be voted on, and the recommendations of the Board of Directors of China BAK Battery, Inc. regarding these matters, appear on the second page of this notice. Instructions for voting your shares appear below.

The proxy statement, annual report, and proxy card of China BAK Battery, Inc. are available at the website specified above.

How to vote online:

Step 1: Go to www.shareholdervote.info.

Step 2: Click the "China BAK Battery, Inc." link to access the proxy materials.

Step 3: To view or download the proxy materials, click on the link that describes the material you wish to view or download. For example, to view or download the Proxy Statement, click on the "Proxy Statement" link.

Step 4: To vote online, click on the designated link and follow the on-screen instructions.

How to receive a copy of the proxy materials by mail or e-mail for this meeting or for future shareholder meetings:

Telephone: Call the transfer agent of China BAK Battery, Inc., Securities Transfer Corporation, at 800-780-1920.

Email: Send an email with "Proxy Materials Order" in the subject line and in the body of the message, include your full name, address, and request, to: help@shareholdervote.info.

Internet: Go to www.shareholdervote.info, click on the "Email Us" link. A new email addressed to help@shareholdervote.info will appear. Use the default subject or "Proxy Materials Order" in the subject line and in the body of the message, include your full name, address, and request.

How to attend the meeting and vote in person:

China BAK Battery, Inc.'s 2013 Annual Meeting will be held at BAK Industrial Park, No. 1 BAK Street, Kuichong Town, Longgang District, Shenzhen, 518119, People's Republic of China. Please bring this notice with you if you intend to vote in person at the meeting. To receive directions to the meeting, please contact China BAK Battery, Inc.'s Investor Relations Department at China BAK Battery, Inc., BAK Industrial Park, No. 1 BAK Street, Kuichong Town, Longgang District, Shenzhen, 518119, People's Republic of China; Telephone: (86-755) 61886818 ext 6856; Fax: (86-755) 89770164 ext 8537; E-mail: IR@bak.com.cn.

Proposals to be voted on at China BAK Battery, Inc.'s 2013 Annual Meeting are listed below along with the recommendations of the Board of Directors of China BAK Battery, Inc.

The Board of Directors recommends that you vote FOR the following:

1. Elect as Directors the nominees listed below:

01	Xiangqian Li	FOR	<input type="checkbox"/>	WITHHOLD	<input type="checkbox"/>
02	Huanyu Mao	FOR	<input type="checkbox"/>	WITHHOLD	<input type="checkbox"/>
03	Charlene Spoede Budd	FOR	<input type="checkbox"/>	WITHHOLD	<input type="checkbox"/>
04	Chunzhi Zhang	FOR	<input type="checkbox"/>	WITHHOLD	<input type="checkbox"/>
05	Martha C. Agee	FOR	<input type="checkbox"/>	WITHHOLD	<input type="checkbox"/>

The Board of Directors recommends that you vote FOR the following:

2. Approve the ratification of Crowe Horwath as the Company's independent registered public accounting firm for fiscal year 2013.

FOR

AGAINST

ABSTAIN

Note: Such other business that may properly come before the meeting or any adjournment thereof.
