



THE SUPREME COURT OF APPEAL
REPUBLIC OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal
Date: 25 May 2009
Status: Immediate

**CLIPSAL AUSTRALIA (PTY) LTD & OTHERS v GAP
DISTRIBUTORS (PTY) LTD**

Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal.

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The Supreme Court of Appeal today upheld an appeal against an order in the High Court, Johannesburg in terms of which the high court stayed an application for an order holding the respondents guilty of contempt of court in that by importing and disposing of certain electrical sockets they disobeyed an order of court. In terms of the order the first respondent was interdicted from infringing registered design A96/0687.

The high court stayed the contempt application pending an application for the review of the registration of the design. The SCA held that the outcome of the review application was of no relevance to the contempt application as court orders had to be obeyed until set aside.