



THE SUPREME COURT OF APPEAL
REPUBLIC OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

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From: The Registrar, Supreme Court of Appeal

Date: 27 NOVEMBER 2009

Status: Immediate

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

TURBEK TRADING CC v A & D SPITZ LILIMITED AND ANOTHER

The Supreme Court of Appeal today upheld this appeal that dealt with the trade mark ‘KG’ in relation to footwear. The appellant, Turbek, holds a registration for this trade mark. A & D Spitz alleged that the mark belonged to it and relied on an alleged prior reputation in the KG mark. The court found that A & D Spitz had failed to prove its prior reputation and that Turbek’s registration survived the attempt to remove it from the register.

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