

Supreme Court of Appeal of South Africa

**MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL**

From: The Registrar, Supreme Court of Appeal

Date: 16 March 2007

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*

---

**A LUBBE NO AND OTHERS v MILLENNIUM STYLE (PTY) LTD**

The SCA dismissed this appeal with costs. The case concerned the validity of trade mark registrations and their infringement. The trade marks were supposed to be devices to be applied to shoe sales but were found to be an attempt to register shapes. The SCA also found that the trade marks were inherently not capable of distinguishing.

The court expressed its displeasure about the ease with which “trade marks” are registered and the use of the register for ulterior purposes.

--ends--