

intellectual property



Intellectual Property (IP) includes designs, trade marks, copyright and patents which are collectively referred to as Intellectual Property. These come about as a result of the creativity of authors, inventors and proprietors. Rights relating hereto, which the State grants to proprietors, inventors or authors, are, by their very nature, monopolies which are allowed to be exploited. These rights are often the most prominent and valuable assets on the balance sheets of many of the world's largest and best known companies.

At Edward Nathan Sonnenbergs (ENS), we ensure that your valuable intangible assets are optimally protected by the IP laws of our country, or of any other country in which your products are sold or in which your services are rendered. Through optimal merchandising, licensing and/or commercialisation, we will assist you to maximise your returns on the investment of time and resources in these rights. Not only will we comprehensively protect your intellectual property rights, we will also enforce your rights to prevent any unauthorised use or exploitation by third parties. We understand our clients' businesses and commercial needs and make every effort to ensure that they enjoy a competitive advantage through proactive and effective strategic management of their IP portfolios.





why choose us

- Our depth and breadth of expertise enables us to offer attention to detail, a personal approach and excellent turnaround times, achieved by a team of professionals specialising in IP and related legal matters.
- Our dedicated team is augmented by our full-service offering of expertise in other areas of law enabling us to provide a comprehensive and streamlined solution to our clients.
- Our approach is to acquire an in-depth knowledge and understanding of our clients' business and commercial requirements.
- Our passionate team is dedicated to value-added services and to providing comprehensive, proactive and timely protection and enforcement solutions both locally and around the world.
- We have considerable expertise in, and knowledge of, IP matters throughout Africa with our established network of agents who are led and guided by our team members.
- Our team has various levels of experience enabling us to offer the most efficient and cost-effective solution to our clients.
- We use world class international IP management software to meet our clients' needs.
- We offer a wide spectrum of services and advice from our Johannesburg, Cape Town, Durban and Stellenbosch offices.

what we offer

Our experienced, passionate and highly skilled IP team offers a wide spectrum of services, both locally and internationally, including:

commercial intellectual property

- due diligence investigations and reports
- reviewing, drafting and advising on IP aspects of commercial agreements
- commercialisation and exploitation of IP
- IP valuations
- related tax issues
- applications for exchange control approval for the transfer of IP offshore
- licensing and franchising (agreements and advice)
- privacy, use of image for commercial gain, merchandising and sponsorship
- music and performers' rights (including needle time rights)
- protection, enforcement and transfer of confidential information and trade secrets
- strategic portfolio management and optimisation

trade marks

- brands and branding
- searches
- registrability / availability searches and advice
- filing applications
- prosecution
- renewals
- recordals
- assignments
- portfolio audits, management and optimisation
- enforcement/litigation

copyright

- advice on subsistence and proprietorship
- enforcement / litigation
- assignment
- registration in cinematographic films
- agreements (drafting and advice)



litigation

- trade mark infringement
- passing-off and unlawful competition
- trade mark oppositions
- trade mark expungements
- copyright disputes
- company, close corporation and business name objections
- Advertising Standards Authority (ASA) disputes
- domain name dispute resolution
- franchising and licensing
- anti-counterfeiting

domain names

- local and international
- registrations
- renewals
- alternative dispute resolution and litigation

registered designs

- filing applications
- prior art searches and advice
- registrability opinions and advice
- validity opinions and advice
- infringement opinions and advice
- renewals
- valuations
- enforcement / litigation
- portfolio audits
- licensing (agreements and advice)
- assignments
- due diligence investigations and reports

plant breeders' rights

- advice and opinions on rights, commercial exploitation and infringement
- drafting licence and related agreements
- assignments





e-commerce, technology and IT law

- software development
- software licensing
- escrow including escrow agent services
- support and maintenance agreements
- service level agreements
- technology acquisition
- shrink-wrap agreements
- click-wrap agreements
- internal policies, including e-mail policies, website usage policies and privacy policies
- IT due diligence
- interpretation and application of legislation affecting the IT industry

watch service

- gratuitous service relating to newly filed trade mark applications, to trade mark applications advertised for opposition purposes, to company and close corporation names and to domain names

intellectual property management software

- international Patricia management system developed in Sweden and the industry standard in South Africa for optimisation of portfolio management and reduction of associated costs

africa / international

- full spectrum of IP offered seamlessly throughout Africa and the rest of the world
- extensive network of agents in Africa
- team members guide and lead the process in Africa

corporate commercial

litigation

tax

360 degree integration

africa

banking and finance

competition

edward nathan
sonnenbergs

ens problem solved

our team



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