

**IN THE COMPANIES TRIBUNAL OF THE REPUBLIC OF SOUTH AFRICA**

**("THE TRIBUNAL")**

**CASE NUMBER: CT009NOV2014**

**In re: The Ex Parte Application of:**

**ATTORNEYS ZUMPT**

**APPLICANT**

**Related to the name reservation of:**

**CONCIERGE HEALTHCARE**

**Coram: PJ Veldhuizen**

**Order delivered 17 April 2015**

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**ORDER**

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**1. THE PARTIES**

The Applicant is **Attorneys Zumpt** ("the Applicant"), a firm of attorneys represented by Marco Zumpt, having its principal place of business at No 6 Glynnville Terrace, Gardens, Western Cape, Republic of South Africa.

**2. THE APPLICATION**

2.1. This is an application brought in terms of Section 160 (1) of the Companies Act No. 71 of 2008 ("the Act") for a determination that the name **CONCIERGE HEALTHCARE** satisfies the requirements of

Section 11 the Act and for the setting aside the decision of the Companies and Intellectual Property Commission (“CIPC”) refusal to reserve the name, **CONCIERGE HEALTHCARE**.

2.2. The Applicant confirmed on affidavit that the Applicant had previously applied successfully for the reservation of the said name, but that same had expired. Upon the submission of a re-application, the CIPC rejected the application on the basis that it conflicted with names already reflected on the CIPC database. Previously, in the original application, the very same conflicts were highlighted but the name reserved, in any event.

### 3. FINDINGS

In the light of the previous reservation permitted by the CIPC, it is the finding of this Tribunal that the name **CONCIERGE HEALTHCARE** satisfies the requirements of section 11 of the Act and is not in conflict with the comparative names nor could it confuse or deceive members of the public into thinking that these names were connected to **CONCIERGE HEALTHCARE**.

### 4. ORDER

4.1. The decision of the CIPC to refuse the reservation of the name **CONCIERGE HEALTHCARE** is set aside.

4.2. The CIPC is directed to reserve the name **CONCIERGE HEALTHCARE** for the Applicant should no further comparative names have been subsequently reserves since the date of the Applicant’s initial successful application.



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**PJ VELDHUIZEN**  
**MEMBER OF THE COMPANIES TRIBUNAL**  
**CAPE TOWN**