

**IN THE HIGH COURT OF SOUTH AFRICA**  
**(WESTERN CAPE DIVISION, CAPE TOWN)**

*Handwritten signature*  
2023-07-28  
Case no.: 10278/2023

On this 28<sup>th</sup> day of July 2023

BEFORE HIS LORDSHIP MR JUSTICE DOLAMO

In the application between:

**TERTIARY EDUCATION AND RESEARCH NETWORK  
OF SOUTH AFRICA (RF) NPC**

Applicant

and

**TENET TECHNOLOGY (PTY) LTD**

First Respondent

**NATIONAL STUDENT FINANCIAL AID SCHEME**

Second Respondent

**COMMISSIONER OF THE COMPANIES AND  
INTELLECTUAL PROPERTY COMMISSION**

Third Respondent

**.ZA REGISTRY CONSORTIUM (PTY) LTD**

Fourth Respondent

**UKHESHE TECHNOLOGIES (PTY) LTD**

Fifth Respondent

**CORALITE (PTY) LTD**

Sixth Respondent

**DRAFT ORDER**

Having heard counsel for the Applicant and the First and Sixth Respondents (collectively referred to below as "the Respondents"), without prejudice to the parties' rights and by agreement between the Applicant and the Respondents, an order is granted in the following terms:

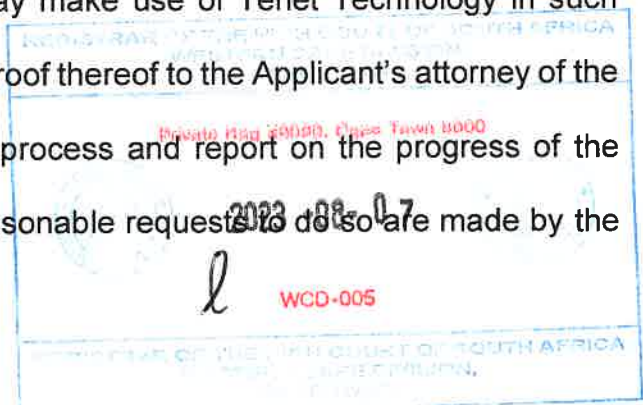
1. The matter is postponed for the hearing of the main application to the semi-urgent roll of Tuesday, 13 February 2024.

2. Pending the outcome and finalisation of the semi-urgent matter:

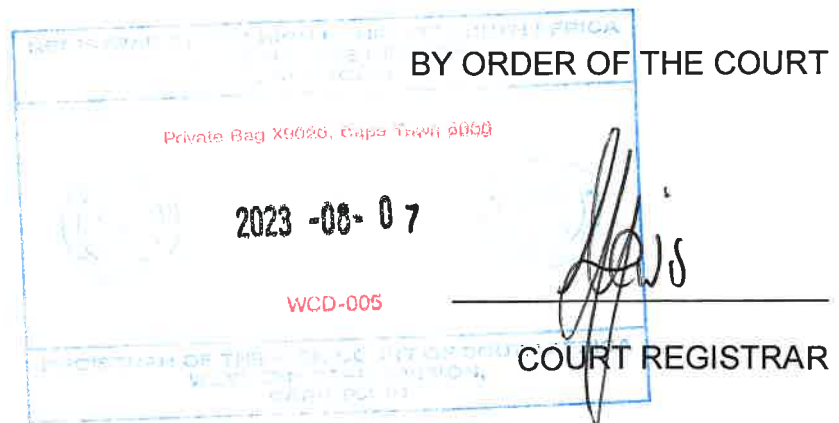
2.1. The Respondents are required, within 10 business days, to change all online/internet references from Tenet to Tenet Technology wherever they appear, including on all websites and social media accounts (but specifically excluding the domain names tenetech.co.za and tenetnsfas.co.za).

2.2. The Respondents shall, within 10 business days of the date of this order, publish an update to the mobile and web applications (“the apps”) so as to remove therefrom any reference to the mark Tenet on the mobile and web app landing and content pages other than as provided for in 2.1 above.

2.3. The Respondents shall, within 10 business days of the date of this order, commence the process (including obtaining any consent from the Second Respondent that may be necessary) of renaming the apps in the various app stores so as to remove therefrom any reference to the mark Tenet other than as provided for in 2.1 above (and provided that the Respondents may make use of Tenet Technology in such name) and shall furnish proof thereof to the Applicant’s attorney of the commencement of such process and report on the progress of the process as and when reasonable requests to do so are made by the Applicant or its attorney.



- 2.4. Within 10 business days the Respondents will cease all use of NSFAS when used together with Tenet and/or Tenet Technology (unless it is clear that they are independent entities from the manner in which they are used), as part of the Respondents' branding.
- 2.5. The Respondents undertake from a date no later than 10 business days after the date of this Order not to distribute any printed matter bearing the TENET trade mark not yet distributed; provided that the Respondents may make use of Tenet Technology in such material.
3. The Respondents are required as soon as possible but by no later than close of business on Monday, 15 August 2023 to display and maintain until 13 February 2024 a statement on the First Respondent's website, confirming that Respondents are in no way connected or associated with the Applicant and requesting students to refrain from contacting the Applicant's offices in relation to the First Respondent's products.
4. The costs of the urgent application are reserved for determination by the Court hearing the semi-urgent matter.



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