

Webinar Presentation Name Reservation

E MANYELO



Companies and Intellectual
Property Commission

a member of **the dti** group

Name Reservations Considerations

- Name reservation is no longer initial mandatory process for the company registration.
- A company can still be registered even if a proposed name is rejected and the registration number then becomes and serve as Company name
- Names are no longer considered on undesirability but it must not be identical or confusingly similar to other company names or trade mark etc
- Translated as well as shortened form of names are no longer registered in terms of the new Companies Act
- However entities that already have Translated names and or Shortened form of a name will continue have the same

Transferability of the reserved names

- Symbols are deferred or yet to be allowed in names ie. %, @, +, &
- Names can be forwarded to Human Rights in case of denial to human rights in a name
- Names are allowed to be transferred from one person to the other
- Defensive name registration remains (namereservationsandregistrations@cipc.co.za)
- Defensive name can equally be utilized for new company registration or to effect company name changes prior to its 2 years expiry period
- However kindly ensure that all of your attachments are in PDF format moreover your filing e-mail subject only read **CoR 9.1** in order for your application to can effectively and efficiently be channeled or redirected to the relevant unit - name reservations
- In terms of associated names the Commission will require proof of association

Validity of the Reserved Name

- Reserved names is valid for a period of 6 month
- Reservation can be extended for 60 business days at a time
- Business names Register to be established in terms of NCC Act (However yet to be publicized within the meaning of the Government Gazette)
- Name objections are dealt with or handled by Companies Tribunal



Application forms & fees (CoR 9.3, 9.6, &12.1 processes are currently under functionality developments)

COR 9.1 Name reservations - Manual R75 / Electronic R50

COR 9.2 Extension of reserved Name - M-R50 / E-R30

COR 9.3 Notice requiring Further particulars - No fee

COR 9.4 Confirmation notice reservations - No fee

COR 9.5 Notice of refusal-Name reservations/registrations

COR 9.6 Notice of potential contested name - No fee

COR 10.1 Defensive name application - M-R250 / E R200

COR 10.2 Renewal of Defensive name - M-R50 / E-R30

COR 11.1 Transfer of reserved name - M-R100 / E 75

COR 9.7 Notice of potential offensive name - No fee

COR 11.2 Notice refusing name transfer - No fee

COR 12.1 Notice alleging Reservation system abuse - No fee

Defensive Name Guide

Defensive name can be transferred from one owner to the other

However it must be taken in cognizance the fact that transfer of a Defensive name must not be misconstrued to company name change but merely transferring of ownership

In case of transfer of the Defensive name, the same can only be filed manually (namereservationsandregistrations@cipc.co.za) moreover accompanied by proof of interest from the person or entity to whom it will be transferred.

In addition to the above a Defensive name can equally be terminated in order for the same name to be used in the registration of the new company alternatively of course to effect company name change prior to its 2 years expiry period.

For further ease of reference around the Defensive name, you are advised to log into the link hereunder,

(<http://www.cipc.co.za/index.php/register-your-business/defensive-name/>)

QUESTIONS?

