



TSHAYA MASHABELA ATTORNEYS

Where Integrity Meets Expertise



COMPANY PROFILE

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Patents
Designs
Copyright
Trade Marks
Commercial
Corporate
Entertainment
Environmental
Labour
Litigation
Governance
Secretarial



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ABOUT THE COMPANY

Tshaya Mashabela Attorneys Inc. (“the FIRM”) is a South African based boutique law firm rendering specialised services to private companies, state owned entities and small businesses, located both locally and internationally. With our offices located in Pretoria, Gauteng, we provide legal services in Intellectual Property (IP) Law, Commercial and Corporate Law, Labour Law, Environmental Law, Entertainment Law, and Civil and Commercial Litigation. We ensure that creations of human intellect are legally protected and commercialised effectively.

The establishment of the FIRM was motivated by a desire to be an agent for change, transfer skills and build a successful and proudly black owned and managed corporate, commercial and IP law firm.

The FIRM was established on 15 November 2015 and registered with the LPC, however on the 1st April 2016, it was incorporate at the CIPC as a company with limited liability (Inc). Tumelo Mashabela, who owns and manages the FIRM, has more than 19 years’ experience in the fields of Intellectual Property law, corporate law and commercial law. Tumelo Mashabela has experience in the protection of IP, compliance and enforcement of IP as well as management of IP. She has also obtained extensive experience in the field of Commercial and Corporate Law. Tumelo Mashabela has proven to be the key contact in the development, preparation and review of legal agreements in accordance with clients’ commercial strategies, and has maintained a positive client relationship that has always been professional and cordial. She has advised public sector including public research institutions and private companies on restructuring commercial contracts. Tumelo Mashabela also has extensive experience in conveying and decision-making aptitudes with the core capacity of identifying, assessing and resolving contract disputes. Furthermore, she has been a Partner at Adams and Adams Attorneys and qualified as a Patent Attorney at Spoor & Fisher Attorneys.



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VISION & MISSION

Vision

To be a bespoke African Intellectual Property Law Firm, linking Innovation and Commerce through cutting edge solutions.

Mission

To deliver exceptional legal services anchored in integrity; foster meaningful community impact and cultivating an empowering environment where our employees and clients grow together.



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OUR VALUES

Tshaya Mashabela Attorneys is driven by a passionate commitment to deliver highly-professional and personalised services. In striving to achieve our goal, Tshaya Mashabela Attorneys will be governed by the following values:

Excellence

We uphold the highest standards of legal expertise and client service in everything we do.

Integrity and Accountability

We act with honesty, take responsibility for our actions, and maintain trust in every client interaction and amongst each other.

Client-Centric

We prioritise our clients' needs, tailoring our approach to achieve their goals efficiently and effectively.

Collaboration

We work seamlessly across teams to deliver unified, strategic legal solutions.

Diversity

We value diverse perspectives and backgrounds, fostering an inclusive environment that strengthens our practice.



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OUR SERVICES

The FIRM has the legal knowledge to provide law services to four groups of clients, which include entrepreneurs, small businesses, government departments and/or agents and blue-chip companies. The FIRM's practice areas and services include the following:

Patents

At Tshaya Mashabela Attorneys, we have highly experienced experts who will guide you through the entire process of obtaining protection for your invention. We offer services which include drafting, filing, prosecuting and maintenance of patent applications, anywhere in the world. We also conduct patent searches and draft opinions which indicate whether or not your invention is new. We restore lapsed patents and assist with the enforcement and litigation of patent rights. We are able to assist you with the protection of inventions in various technical fields, including but not limited to: electronic and electrical engineering, mechanical engineering, biotechnology, chemical engineering, chemistry and pharmaceuticals, plastics and polymer technology, computer technology and materials engineering.

Designs

We offer services which include filing and prosecuting design applications, anywhere in the world. Tshaya Mashabela Attorneys can also conduct novelty, validity, infringement and equivalent searches, and draft opinions. We also restore lapsed designs do renewals of registered designs.



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OUR SERVICES

Trade Marks

Our experts work hand-in-hand with you to conduct searches to ensure that your mark can be registered. We will assist you with filing, prosecution, and the enforcement of trade mark applications locally and internationally. We also assist with renewals of trade marks.

Copyright

Our legal experts work collaboratively with you to extract value from your creative works. We provide all services related to ownership and acquisition and licensing; opinions on enforcement and infringement and resolving copyright disputes. We will assist you to defend your copyright and prevent third parties from infringing your rights. We also assist with registration of copyright relating to cinematograph films.

Domain Names and ADR

Our team of litigation experts are proficient in resolving complex corporate and commercial related matters, including domain name disputes and matters pertaining to the company laws of South Africa. We provide domain name availability searches and registration; lodge, prosecute or defend domain name disputes.

In an effort to ensure that we provide our clients with the utmost services and meet our client's expectations, we commence any assignment by holding an initial consultation with the relevant client's representatives to ascertain the merits or demerits of the matter and establish a legal strategy. This phase will assist in establishing pertinent issues such as prescription, jurisdiction or like issues which could assist in formulating milestones. Following the consultation, and if required, we will send out a letter of demand on our client's behalf. The letter of demand will set out the breach, put the debtor on terms and also put the debtor in mora. However, before we refer the matter to the appropriate forum, we will refer the respective matter for alternative dispute resolution (ADR) which refers to the different ways legal persons can resolve disputes without a trial. This service involves helping clients resolve their legal disputes through various methods, such as negotiation, mediation, arbitration, or litigation. This process is cost-efficient, time-saving, and gives the parties more control over the process and the results.



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OUR SERVICES

Plant Breeders' Rights

Tshaya Mashabela Attorneys can assist with preparing and filing plant breeders' rights applications in relation to new plant varieties. We also assist with opinions, agreements, and advise on the commercialisation of a plant varieties.

Corporate Law

We have extensive experience in dealing with various corporate and commercial transactions, including complex contractual disputes, general commercial advisory, furnishing opinions and commercial legal drafting. Our experts can assist with:

- The selection of the most appropriate entity for a specific business;
- All transactional arrangements relating to incorporated entities and its members or directors;
- Company registrations (non-profit company, private company, trusts, etc.);
- Amending and updating corporate details of all incorporated entities at the CIPC records;
- Material transfer, joint ventures, licensing, IP management shareholders, distribution, and marketing agreements;
- IP portfolio review and management;
- The development of IP strategies and implementation thereof;
- Providing various opinions whilst taking various legislations into considerations, regulatory compliance drafting, and reviewing relevant documentation and policies to ensure compliance with applicable legislation; and
- Providing company secretariat services and governance.

Corporate Governance

Our legal experts provide assistance with risk and governance advise and ensure that proper processes are followed during council meetings and sub-committee meetings. Our corporate governance services include preparation of board meetings, reviewing and distributing agendas, maintaining records of board meeting resolutions and governance documents, and assisting in developing agendas and resolutions. The team also provides training on understanding the privileges of good corporate governance, board responsibilities and duties, compliance with relevant laws and explaining King IV Principles.



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OUR SERVICES

Commercial Law

Our services include negotiating, drafting, and reviewing commercial agreements, inter alia, sale agreements, lease agreements, shareholders' agreements, collaboration agreements, bespoke agreements, commercialisation agreements, purchase and sale agreements, non-disclosure and non-circumvention agreements, settlement agreements, licensing, and IP management agreements. We conduct IP audits, due diligence investigations, and valuations. We offer specialised IP valuation services to help clients assess the monetary worth of their intellectual property assets, ensuring informed decision-making for commercialisation, litigation, or strategic planning. The firm conducts thorough audits of clients' IP portfolios (patents, trademarks, copyrights, etc.) to identify and categorise assets. This includes evaluating legal status, market relevance, and potential risks (e.g., infringement, lapsed registrations).

We also assist with Exchange Control Regulations in respect of the export of IP. We conduct IP portfolio reviews and management, assist with the commercialisation of IP, conduct technology assessments and technology transfer. In addition, our experts also assist with the development of IP policies, IP strategies and implementation thereof.

Entertainment Law

Our legal experts assist with drafting, reviewing and negotiating artist recording agreements, artist manager agreements, artist collaboration agreements, sponsorship agreements, publishing agreements, distribution agreements, live performance agreements, merchandising agreements and film production agreements. We are able to represent creatives (e.g. book authors), record labels, publishers, film productions and broadcasters in contractual disputes. We assist clients to clear rights for usage on television, film and video games. In addition, we provide advisory services to our clients on the commercialisation of intellectual property in the entertainment sector.

Labour Law

Our legal experts assist with drafting of employment contracts, chairing of disciplinary hearings, CCMA related matters and any labour dispute investigations. This service also involves providing guidance on employment contracts, workplace policies, employee and employer rights, terminations and severance, workplace health and safety, discrimination and harassment claims, labour union matters, and other employment-related legal issues. Our services also include representation in employment litigations and dispute resolutions.



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OUR SERVICES

Civil and Commercial Litigation

Our team of litigation experts are proficient at resolving complex corporate and commercial related legal matters; including contractual disputes and matters pertaining to the company laws of South Africa. Our legal experts assist in commercial and civil litigation, public and administrative law, family law, debt collections, insurance law, medical negligence and third-party claims. Our team of experts are skilled at employing various litigation tactics to recover assets and funds for our clients. This service applies to any legal dispute where two or more parties are seeking monetary damages or a specific performance through our courts.

Environmental Law

We assist with navigating the intricate legal landscape surrounding biodiversity, with a particular focus on the Biodiversity Act, Genetically Modified Organism Act, and Biosafety Regulations.

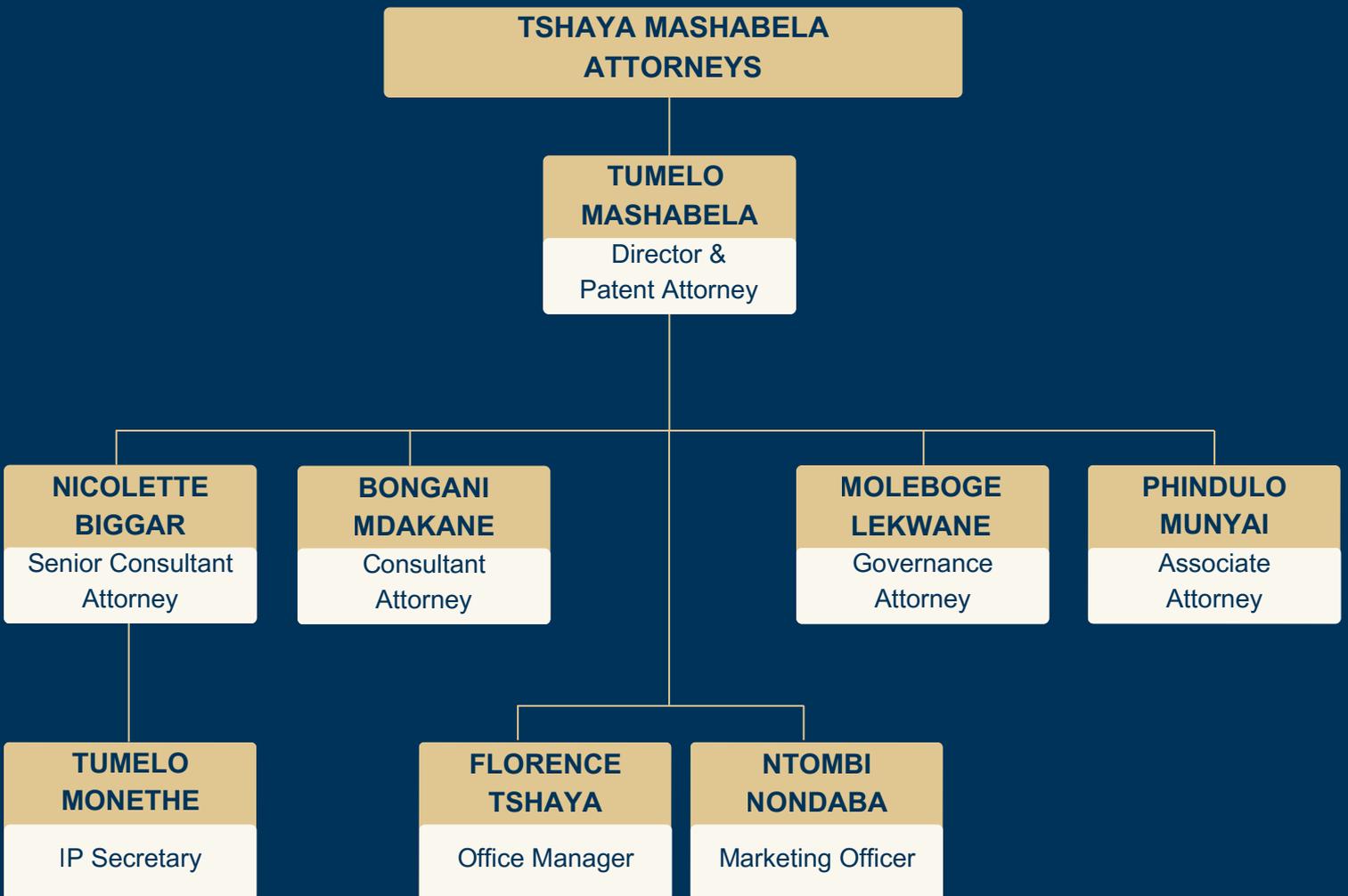
Our dedicated team is committed to ensuring that your organisation not only meets but exceeds regulatory standards in these critical areas. By providing expert guidance and support, we help you navigate the complexities of environmental law, fostering compliance and sustainable practices in line with the evolving legal framework.

Trust us to safeguard your interests and ensure that you operate seamlessly within the parameters of these crucial legislations.



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MEET THE TEAM





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TUMELO MASHABELA



**Director
Patent Attorney**

Tumelo is a dynamic patent attorney with extensive skills in various aspects of intellectual property (IP), corporate and commercial law. Tumelo holds a degree in BSc Electrical Engineering from the University of Cape Town, an LLB degree from the University of South Africa, and an LLM in Intellectual Property and Technology Law from the American University Washington College of Law.

Tumelo began her career as a software engineer at a prestigious weapons company where she gained her technical experience. Following that, Tumelo qualified as the first black female patent attorney in South Africa during 2009 having worked at some of the largest IP and commercial law firms in the country. With 19 years of experience in the legal profession, more than 14 years post admission, Tumelo has a wide range of expertise in drafting contracts, developing IP strategies and policies, conducting IP audits and due diligence investigations. With her vast knowledge and experience; Tumelo established her own IP law firm; Tshaya Mashabela Attorneys, in 2016.

Tumelo is passionate about creating IP awareness, and has done so both locally (in South Africa) and internationally. Tumelo has been actively participating as a guest lecturer, and imparting her knowledge and expertise at the WIPO Summer School, since 2012. She has also appeared on a number of media outlets, such as eNCA, Newzroom Afrika, and Power FM, as a thought leader on various topics related to IP law.

Tumelo is a fellow at the South African Institute of Intellectual Property Law and a member of Law Society of South Africa. She served as an Advisory Board Member for the National Intellectual Property Management Office, an agency of Department of Science and Innovation. She is a former non-executive Director for UJ Invnt (Pty) Ltd, a commercialisation arm of the University of Johannesburg. She was an Independent Contractor contracted to UNISA to develop content for an IP Management Post-Graduate Diploma. Tumelo was awarded a Professional Excellence in Innovation Management Award by the Department of Science and Innovation in Collaboration with SARIMA during 2018. She is currently a moderator for one of the Patent Board Exams, and an External Examiner for a post-graduate course: Intellectual Property, New Technologies and Innovation at the University of Pretoria. Tumelo is an innovative entrepreneur, businesswoman, and patent attorney who is shaping the world of IP Law.



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NICOLETTE BIGGAR

Nicolette (Nicky) is an admitted attorney (26 years), and a qualified Trade Mark Practitioner (14 years). She started her legal career at a sole practitioner firm in Durban where she was exposed to various areas of law including criminal and civil litigation, family law, labour law and administration of deceased estates.

She then relocated to Pretoria in 2000 and worked at the Road Accident Fund as a Claims Handler before moving to the Patents Department at the IP Registry then known as Companies and Intellectual Property Registration Office (CIPRO). It was then that the passion for intellectual property law was birthed.

In 2007 Nicky moved to the South African Music Rights Organisation (SAMRO) and continued her journey into IP law before moving to a specialist IP law firm in Pretoria where she honed in on her specialist area of trade mark law. While there she completed her Masters of Law, specialising in Intellectual Property Law. She was made partner in 2014 and practiced within the Trade Marks Prosecution department until her resignation in 2024. Her experience in trade mark law extends from searching, filing and further prosecution, to settlement negotiations, recordals and maintenance, not only covering South Africa, but internationally as well.

Nicky then experienced a year abroad in New Zealand and worked at a boutique IP law firm in Auckland, New Zealand as a Senior Consultant. There Nicky gained exposure to New Zealand, Australia and Pacific Island countries trade mark laws and systems, as well as to the Madrid System for the International Registration of Marks. The experience and knowledge accumulated in her time in New Zealand will no doubt contribute to her subject-matter expertise going forward.

Over and above her many years in practice, Nicky also holds lecturing experience at tertiary level where she lectured IP professionals on behalf of the Institute of Intellectual Property Law (SAIPL) and as a guest lecturer for LLM students at the University of Pretoria.



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Consultant Attorney

BONGANI MDAKANE

Bongani Mdakane is an admitted attorney with over 12 years of experience in the legal fraternity. He holds an LLB from the University of South Africa (UNISA), and a Postgraduate Diploma in Drafting and Interpretation of Contracts from the University of Johannesburg (UJ).

Bongani started his legal career at Spoor & Fisher, where he served articles and specialised in Trade Mark and Copyright Law. He would later obtain an opportunity to expand his legal experience outside of Intellectual Property Law when he joined Lexcorp, a legal insurance company offering general legal services to its policyholder clients. This is where Bongani gained exposure to Labour Law, Family Law and Criminal law. Following his time at Lexcorp, Bongani gained Commercial Law experience by serving as a Commercial Legal Advisor at Clientele Legal's Business/SMME department.

In this role at Clientele Legal, Bongani's duties involved drafting and reviewing contracts, advising companies on statutory compliance including, (without limitation) the Consumer Protection Act, and Labour Relations Act, instituting disciplinary hearings and carrying out debt collection. In addition, Bongani managed litigation matters.

An ardent music lover, it was Bongani's long-held wish to merge his legal experience with his love for music. This opportunity came in the form of the Southern African Music Rights Organisation (SAMRO) where Bongani served as a Legal Advisor. At SAMRO, Bongani obtained invaluable experience in the music industry, particularly in the context of collective management.

Notably, Bongani was part of the team which made written submissions to the Parliamentary Portfolio Committee on the Copyright Amendment Bill. Eager to continue his work in the music industry, Bongani joined one of the leading independent record labels, Ambitiouz Entertainment as a Legal and Business Affairs Manager.



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MOLEBOGE LEKWANE

Moleboge holds an LLB from the North West University (Mafikeng) and an M-Phil in Applied Ethics from St Augustine's College of South Africa. She started her legal career at a pharmaceutical manufacturer as in-house junior counsel before proceeding to do her articles at Bowmans. Post articles, Moleboge joined a prominent boutique black-owned law firm, as an associate before leaving practice to join Transnet SOC limited.

Besides being an attorney, Moleboge serves on public sector boards and non-profits as part of her continued civic duty which aligns with her passion for governance and ethical leadership.

Moleboge has extensive experience in commercial law, administrative law, contracts, public sector regulation, and commercial litigation across various sectors including freight logistics, mining, banking and finance, procurement, telecommunications and ICT, and property leasing in the aviation industry.

As a person living with albinism, Moleboge is passionate about marginalised groups and seeks to make sure their voices are heard and that they have proper representation.



Governance Attorney



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PHINDULO MUNYAI

Phindulo Munyai is an energetic young black woman. She holds a BSc Geology degree from the University of Pretoria and an LLB from the University of South Africa. She started her legal career at a prominent large black firm as a paralegal and progressed through to being an admitted attorney. She has experience in commercial, labour, administrative law, contracts, mining and environmental law. Phindulo has worked with various parastatals on high value and highly complex matters. She has a soft spot for disadvantaged persons, especially women, children and the elderly. Her interest is in mining and environmental law, and her wish is to contribute positively in these fields.



Associate Attorney

TUMELO MONETHE

Tumelo Monethe is an Intellectual Property Secretary, providing legal support and operational expertise in IP law. With over 15 years of experience in IP administration since 2009, he has a strong understanding of IP processes, handling case management, legal documentation, and client communication with efficiency and accuracy. With specialised training and certifications, Tumelo is skilled at navigating legal procedures and using modern digital tools to streamline workflows. His attention to detail, problem-solving mindset, and ability to work under pressure make him a valuable part of the team.



Intellectual Property Secretary



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FLORENCE TSHAYA

Florence Tshaya, is an Office Manger, she ensures all office operations run smoothly. She was an Intellectual Property Administrator and Searcher for

Tumelo Mashabela, with 7 years' experience in intellectual property searches and reporting. Florence gained valuable searching, analyses and reporting experience while employed by Spoor & Fisher Attorneys. During these years, she established highly valuable knowledge in intellectual property. Florence is also well versed in building and maintaining strong business relationships and stakeholder management.



Office Manager

NTOMBI NONDABA

Ntombi Nondaba is an experienced Marketing Specialist with a demonstrated history of working in the Metals and Engineering Industry, Healthcare Sector, Retail Industry and with NPOs and Start-Ups. She is skilled in Marketing Management, Market Research, Digital Marketing, Content Creation and Graphic Design. She is a strong strategic professional with a balance of operations and innovative creativity. An alumna of the University of Pretoria, and the University of KwaZulu-Natal.



Marketing Officer



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CLIENT PORTFOLIO



Tshwane University
of Technology
We empower people



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA



University of Venda
Creating Future Leaders



VAAL UNIVERSITY
OF TECHNOLOGY

Inspiring thought. Shaping talent.



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CLIENT PORTFOLIO



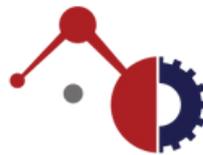
sasol



SAAB
GRINTEK DEFENCE



TRANSNET



Moses Kotane Institute
Research • Innovation • Excellence

THE SOUTH AFRICAN



sport, arts & culture

Department:
Sport, Arts and Culture
REPUBLIC OF SOUTH AFRICA



PSIRA
Private Security Industry Regulatory Authority



South African Council for Natural Scientific Professions
Integrity in science

STATE THEATRE



an agency of the
Department of Sport, Arts and Culture



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