

SOUTH AFRICA / JUDGMENT

Quill Associates (Pty) Ltd v Randfontein Local Municipality and Another (36264/2013; 36265/2013) [2015] ZAGPPHC 639 (15 September 2015) [2015] ZAGPPHC 639

COURT

North Gauteng High Court, Pretoria

BEFORE

S. Potterill

CASE / FILE NUMBER

36264/2013; 36265/2013

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IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

Case Number: 36264/2013 and 36265/2013

DATE: 15/9/2015

In the matter between:

QUILL ASSOCIATES (PTY) LTD

Applicant

and

RANDFONTEIN LOCAL MUNICIPALITY

First Respondent

WESTONARIA LOCAL MUNICIPALITY

Second Respondent

JUDGMENT:

APPLICATION IN TERMS OF RULE 6(11)

POTTERILL J

- [1] The applicant brought an application on notice in terms of Rule 6(11) of the Uniform Rules of Court.
- [2] This application is unopposed.
- [3] The applicant is applying that the judgment or order of the court be clarified as to whether the amounts awarded as a reasonable rate (being a global amount R750 000 per respondent) relates only to the period before summons or also relates to the period after summons.
- [4] The plaintiff claimed for the period before summons (February 2013 - June 2013) as well as the period from June 2013 until the date that each of the respondents actually ceased to infringe on the plaintiff's copyright i.e. the period after summons.
- [5] The judgment as it stands is regrettably not suitably clarified, but was the intention to convey that the amount of R750 000 relates to the period before summons, as well as the period after summons.
- [6] I accordingly make the following order:

6.1 Paragraphs 52.5 and 52.6 are amended or varied to read as follows:

"52.5 That the first defendant be ordered to pay to the plaintiff the amount of R4 750 000.00 as royalty as well as a monthly licence fee for the period prior to summons and the period after summons.

52.6 That the second defendant be ordered to pay the plaintiff the amount of R4 750 000.00 as royalty as well as a monthly licence fee for the period prior to summons and the period after summons."

6.2 No order as to costs.

S. POTTERILL

JUDGE OF THE HIGH COURT

CASE NO: 36264/2013 and 36265/2013

HEARD ON: 11 September 2015

FOR THE APPLICANT: ADV. S.D. WAGENER SC

INSTRUCTED BY: A.L. Maree Incorporated

FOR THE 1st and 2nd RESPONDENTS: ADV. C. GEORGIADES

INSTRUCTED BY: Matseke Attorneys

DATE OF JUDGMENT: 15 September 2015

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CASE PAGE <https://chat.esheria.ai/case-law/south-africa/unknown-plaintiff-v-unknown-defendant-copyright-infringement-agpphc-2015-1>

Prepared on 9 October 2026 · Esheria