

**PROKUREURS NOTARISSE & TRANSPORTBESORGER
ATTORNEYS, NOTARIES & CONVEYANCERS**

Eienaar/Owner: Rossouw & Conradie Ing/Inc 1997/006441/21

BTW / VAT no: 427 0165 030

Gelisensieerde Finansiële Dienste Verskaffer / Licensed Financial Services Provider (Nr 15246)

	(051) 506 2500
	(051) 430 6079
	7595, Bloemfontein, 9300
	Docex 31
	hendre@rossouws.com

<http://www.rossouws.com>
119 President Reitz Avenue / Laan 119
Westdene
BLOEMFONTEIN

VERWYSING / REFERENCE
ons/our: SED1/0026 (JHC/AB) u/your:

12 December 2013

Ps Setsiba, Ps Mbedzi, Ps Mulopa, Ps Nemananzhe, Br. Moabelo, Br. Nqhatsetseng, Br. Khanye , Br. Lekhoane, Sis Segale, Sis Mokolometsa, Br. Moroka, Br. Mabitsela, Br. Sithole, Br. Molobye, Ps Sibanyoni, Mrs. Mogotsi, Elder Moremi, Makhavhu, Sis. Sigotsane, Elder Legodi, Mrs. Thoko Maseko, Ps Segopa, Phosha, Makuwa, Seseng, Mbatha, Seoketsa, Moabelo L.N. natlesiba@gmail.com, R. M. Nqhatsetse richard.nqhatsetseng@angloamerican.com, M. B. Khanye. khanyembos@gmail.com, Pastor, M. B. Mulopa. Molopab@gmail.com , Dr. P. P. Mbedzi. pp.mbedzi@gmail.com, Pastor. A. Setsiba. asitsiba@yahoo.com, Joe. E. Lekhoane. Joelekhwane@live.com, Amanda Segale Segale.amanda@gmail.com, Mummy Mokolometsa tmokolometsa@nwpg.gov.za or t6mokolometsa@gmail.com, Nemananzhe B.J. Bishopnemananzhe@gmail.com, Moroka M.G. mgmoroka@hotmail.com, Mabitsela N.V. victor.mabitsela@gmail.com, Jabu Sithole jabu.sithole@oracle.com, Toto Molobye tmolobye1@gmail.com, Mshumayeli S. Kubeka kubhekasolly@gmail.com

Dear Pastors, Elders, Church Clerks and others

SID / SAU / TRANS ORANGE CONFERENCE

1. We act on behalf of the Southern Africa-Indian Ocean Division and the Southern African Union of the Seventh Day Adventist Church of South Africa. Our client is the representative of the General Conference of the Seventh-day Adventists, with head office in Washington DC, USA ("the Church").
2. We attach hereto two documents which have come into our client's possession and refer you in particular to the names and logo appearing thereon.
3. As you know, the General Conference Corporation is the owner of numerous trademark registrations in South Africa for the name SEVENTH-DAY ADVENTIST and the SEVENTH-DAY ADVENTIST LOGO, and maintains common law intellectual property rights in the name SDA. This right allows the Church to prevent third parties from using any similar name or mark that is likely to confuse members, potential members or the public into believing your ministry is associated with the Seventh-day Adventist Church. Therefore because you have

BELANGRIK OM KENNIS TE NEEM / IMPORTANT TO TAKE NOTE

Geliewe daarop te let dat ons kantore gesluit sal wees vanaf Dinsdag, 24 Desember 2013 om 12:00 en weer op Donderdag, 2 Januarie 2014 om 07:30 sal heropen / Please be advised that our offices shall be closed from Tuesday, 24 December 2013 at 12:00 and shall reopen on Thursday, 2 January 2014 at 07:30

DIREKTEURE/DIRECTORS : ROELIE ROSSOUW (roelie@rossouws.com) HENDRÉ CONRADIE (hendre@rossouws.com)

MAURITZ HOLTZHAUSEN (mauritz@rossouws.com)

ASSOSIAAT/ASSOCIATE: BRIAN ASHMAN (brian@rossouws.com)

BYGESTAAN DEUR/ASSISTED BY: RETHA TERBLANCHE (retha@rossouws.com) OBA VAN TONDER (oba@rossouws.com)

ERICA SWANEPOEL (erica@rossouws.com) DEWALD COETZEE (dewald@rossouws.com)

IZANDREI PENNY (izandrei@rossouws.com)

elected to organise your ministry without any affiliation with any of the Church's conferences or approval by the SAU, SID or GC, any use of the Church's registered marks by your ministry is unauthorised.

4. You may not use or reference the name -
- 4.1. SEVENTH-DAY ADVENTIST, ADVENTIST, SDA or the SEVENTH-DAY ADVENTIST LOGO mark, or any variation thereof, or any confusingly similar designation, on any web site, domain name, signage, books, literature, brochures, advertisements, or with any other materials used by you or persons or organisations related to you, or ministries operated by you or persons or organisations related to you, including but not limited to the name SEVENTH-DAY ADVENTIST CHURCH or TRANS ORANGE CONFERENCE; and
- 4.2. SEVENTH-DAY ADVENTIST, ADVENTIST, SDA or the SEVENTH-DAY ADVENTIST LOGO mark, or any variation thereof, or any confusingly similar designation, to advertise or promote your ministry on radio, television, Internet or other media.
5. Our clients and the Church have expended considerable time and effort in the establishment and promotion of its trade marks and names, both internationally and in South Africa.
6. Apart from the aforesaid trademark registrations, the Church has been known as the Seventh Day Adventist Church both internationally and in South Africa for a period in excess of 100 years. As such, the Church has established a reputation and is well known throughout the world.
7. We also act on behalf of the Trans Orange Conference, being a conference established by our client. The Trans Orange Conference has been known as such for a period in excess of 50 years.
8. Our clients are accordingly also entitled to prevent the unauthorised use of a mark and name which is identical or similar to its trademarks and name in relation to any services if such use would be likely to take unfair advantage of, or be detrimental to the distinctive character or the reputation of its registered trademarks, notwithstanding the absence of confusion or deception.
9. Our clients have advised us that you were formerly a member(s) and/or employee(s) of its Trans Orange Conference. It has however recently come to the our client's attention that you have chosen to separate from the sisterhood of Seventh-day Adventist Churches to form a self-supporting Conference or church which will operate outside of the Trans Orange Conference of the SAU.
10. Our instructions are that your self-supporting conference is no longer a member of our client or any of its conferences, alternatively, you are no longer authorised to represent our clients or any of its conferences.
11. Furthermore, your use of our client's name and marks is likely to take unfair advantage of or be detrimental to the distinctive character or repute of our clients' well-known names and trademarks and that of its Conferences.
12. In addition to the above, your conduct in using the marks in relation to services and religious activities in general is also likely to mislead members of the public into believing that there is some connection or association between you and our client and/or its conferences. This is untrue. Your conduct therefore also amounts to passing off under the common law.
13. In light of the above, our client will be entitled to institute trade mark infringement and/ or passing off proceedings against you in the High Court of South Africa.
14. According of the contents of the attached documents, you are enticing members of our client to deposit the contributions and tithes into a bank account which do not belong to the Trans Orange Conference. This conduct is unlawful and constitutes a criminal offence.
15. Thus, in light of the above, our client has instructed us to demand, as we hereby do, that you immediately:-
- 15.1. cease all unauthorised use of our clients' names, trade names and marks and/ or any other marks that are similar thereto in relation to services and religious activities in general or in any

- other manner whatsoever and accordingly, remove all references of such marks from, *inter alia*, your signage and decals, stationary, etc;
- 15.2. undertake to, never in future, attempt to register, register or make any unauthorised use of a name, mark, trade mark, domain name or trading style consisting of, containing or incorporating our clients' trade names, logos and trademarks or any other confusingly and/ or deceptively similar marks in any manner whatsoever;
 - 15.3. inform all persons and/ or entities with whom you have created the impression that you are representing our clients or that you are not entitled to do so and that they should refrain from making payments into the bank account referred to in your correspondence;
 - 15.4. pay all amounts deposited into the aforesaid account to bank account of the Trans Orange Conference;
 - 15.5. furnish us with written confirmation that you have complied with our client's demands by no later than 18 December 2013.
16. Our clients view this matter in a serious light.
 17. We trust that you will comply with our client's demands and look forward to receiving your response by no later than the aforementioned date, failing which we will take our client's instructions on instituting further proceedings against you. We trust that this will not be necessary.
 18. This letter is without prejudice to the rights of the General Conference of Seventh-day Adventists and its Trans Orange Conference.
 19. We furthermore reserve our client's right to claim any damages or costs incurred in this matter in the event that its demands are not complied with or if you infringe its rights in future.

Yours faithfully

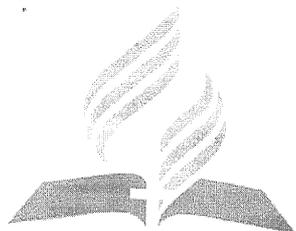


ROSSOUWS ATTORNEYS

PER: J H CONRADIE

@ : hendre@rossouws.com

☎ : 051 506 2551



SEVENTH-DAY
ADVENTIST CHURCH
Trans-Orange Conference

1st Floor, Bracken Villa Centre
Cnr. Vermooten & Atmore St
Alberton 2192

TO ALL THE CHURCH ELDERS AND CHURCH CLARKS IN THE
CONFERENCE.

In our last Executive committee in November 2013 the Following acting appointments were made, Dr. P.P. Mbedzi was appointed acting Executive Secretary and Pastor M. S. Kubheka was appointed acting Youth Director. Pastor Nemananzhe has been appointed to take care of our finance as Stewardship Director on an acting base.

We are writing to let you know those three appointments so that when you receive the letters from them, you should be in the Know. The other two administrators could not work from the Alberton office and so work must continue in their absence.

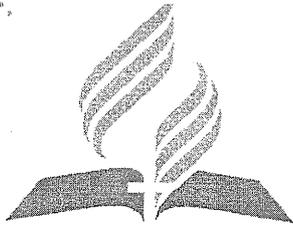
The Account number that you requested us to open is as follows: TRANSFER ORANGE CONFERENCE OF SEA, CURRENT ACCOUNT, ACCOUNT NO.370132025, BRUNCH: EASTGATE MALL, JOHANNESBURG.

We would like to thank all the churches and individuals who have already made deposits and our appreciation goes out to them and May the Lord greatly bless you all. Your support is highly appreciated.

Your co-operation in this regard will be highly appreciated.

Yours in the service of the Lord.

Dr. P. P. Mbedzi.
Acting Executive Secretary.
Trans - Orange Conference.
Alberton Office.
South of Joburg.
0826715025.



SEVENTH-DAY
ADVENTIST CHURCH
Trans-Orange Conference

1st Floor, Bracken Villa Centre
Cnr. Vermooten & Atmore St
Alberton 2192

Dear Elders and Church Clerks in the TRANS- ORANGE CONFERENCE.

We are having a high Sabbath where all the Churches in Trans – Orange Conference are invited to gather In Mafikeng the Capital of the North West Province in the MMABATHO CONVENTION CENTRE ON THE Sabbath of the 7th December 2013.

We will be together from the 6th through 8th of December 2013, but to cut the Cost, Friday the Sabbath Opening will be hosted by Montshiwa Church as well as the Sunday the 8th. We will only use the Convention Centre only on Sabbath the whole day. Capacity of the Convention Center is Over 6 thousand People.

Those who have never been to Mmabatho or Mafikeng and have never been to the Convention Centre, you have never seen a place so beautiful inside and if you have passed by and never been inside, I will not be able to explain the beauty inside except that I would say be there to see for yourself because eye has not seen.

There Program of the day will be as high as the Sabbath and the Convention itself, come one come all because this is the Sabbath never to be missed. Attached is the Promotion for the high Sabbath brocher in colour.

Please come let us praise the Lord together there in the Mmabatho Convention Centre Mahala. We want to close the year in 2013 in style never to be repeated till Jesus comes again to take us home.

Yours in God's Service.

Dr. P. P. Mbedzi.
Acting Executive Secretary.
Trans – Orange Conference
Alberton Office
South of Joburg.
0826715025.
pp.mbedzi@gmail.com