IN THE COMPANIES TRIBUNAL OF SOUTH AFRICA

CASE NO: CT02945ADJ2026

In the matter between:

Fox Media LLC Applicant

and

Fox (Pty) Ltd 1st Respondent
(Registration Number. 2025/298065/07)

COMPANIES AND INTELLECTUAL PROPERTIES
COMMISSION **(CIPC)** 2nd Respondent

Date of Decision: 26 October 2026

DECISION

INTRODUCTION AND BACKGROUND

[1] This is an application by FOX LLC (the Applicant) in terms of section 160(1) of the Companies Act 71 of 2008 (the Act), read with regulations 142 and

153 of the Companies Regulations 2011. Applicant requests the Companies Tribunal ("the Tribunal") to direct the First Respondent to change its name to one which does not incorporate the words FOX or is confusingly similar to the Applicant's registered FOX trade mark. The Applicant seeks a determination that the First Respondent's name does not satisfy section 11 (2)(a)(iii), 11(2)(b) and 11(2)(c)(i) of the Act.

THE PARTIES

[2] The Applicant is Fox Media LLC, a limited liability company registered under the laws of the state of Delaware, and having its registered office at 10101 West Pico Boulevard , Los Angeles, California, , 90035, USA.

[3] The First Respondent is Fox (Pty) Ltd, a duly incorporated South African company with registration number 2025/298065/07**,** and having its registered address at 161 Third Avenue, Grassy Park, Cape Town, 7941.

[4] The Second Respondent is the Companies and Intellectual Properties Commission resident at DTI Campus 77 Meintjies Street.

APPLICANT'S SUBMISSIONS

[5] On 9 September 2026 the Applicant filed its company name objection with the Companies Tribunal on Form CTR 142, accompanied by a founding affidavit deposed to by Michael Jason Kaizer. The application was

served on the First and Second Respondents electronically.

[6] Despite being informed of the application the First Respondent did not deliver an answer within the 20 business days prescribed by regulation 143(1), or at any later time before the default application was made on 9 September 2026. I am satisfied that the initiating application was served and that the procedural time period for seeking a default order is justified.

[7] The Applicant submits that it has trademarks for the name FOX. The Applicant is a subsidiary of Fox Corporation which operates in news, sports and entertainment. The Applicants news channel is well known in South Africa and globally. The Applicant has spent extensively, financially, in marketing FOX and is well known by the public.

STANDING AND GOOD CAUSE

[8] As a proprietor of the FOX trade mark, the Applicant has a direct and substantial interest in the name of the First Respondent. It accordingly has standing under section 160(1) of the Act. Moreover, the Applicant did not delay in pursuing the matter with the First Respondent, as soon as it learnt of First Respondent's existence. The continued registration of the First Respondent gives the dispute an ongoing character. I am satisfied that good cause to entertain the application has been shown.

APPLICABLE LAW

[9] Section 11 of the Companies Act provides the criteria for names of companies. Subsection (2) is most relevant, and states as follows:

"(2) the name of a company must –

(a) not be the same as, or confusingly similar to –

(i) the name of another company, registered external company, close corporation or co-operative unless the company forms part of a group of companies using similar names;

(ii) ...

(iii) a registered trademark belonging to a person other than the company, or a mark in respect of which an application has been filed in the Republic for registration as a trademark or a well-known trademark as contemplated in section 35 of the trademarks act; or

(iv) ...

(b) not falsely imply or suggest, or be such as would reasonably mislead a person to believe incorrectly, that the company –

(i) is part of, or associated with, any other person or entity;

..."

EVALUATION AND FINDINGS

[10] Section 11 (2) of the Companies Act requires me to determine whether the name of the respondent is confusingly similar to that of the Applicants name and trade mark. They both have the word "FOX" in them. The names look similar and sound similar. When members of the public see the First Respondents' name they would think of the Applicant. This may give members of the public the impression that it is First Respondent is owned by, or is a subsidiary of the Applicant with the potential to cause reputational damage and financial harm to the Applicant.

[11] The purpose of section 11 of the Companies Act is to protect names from being passed off by companies registering similar names at the expense of the original name holder of the company or trademark. I thus find in favour of the Applicant and, therefore, make the following order:-

ORDER

[12] The First Respondent is directed to change its name to one which does not incorporate and is not confusingly and or deceptively similar to the Applicant's. It should not include the words "FOX" in any form.

[13] The First Respondent is to file a notice of an amendment of its Memorandum of Incorporation, within 60 days of receipt of this order in order to change its name as per above.

[14] In the event that the First Respondent fails to comply with the order as aforementioned, within 2 months, from the date of the order, that Companies and Intellectual Property Commission CIPC be directed, in terms of Section 160(3) (b) (ii) read with section 14(2) of the Act, to change the respondent's name to its registered company number being 2025/298065/07 as the Respondent's interim company name on the Companies register.

[15] This order must be served on the First Respondent and the Registrar of Companies and Intellectual Property Commission, by the Companies Tribunal registrar.

[16] There is no order as to costs as the matter was unopposed.

Nomagcisa Cawe

MEMBER OF THE COMPANIES TRIBUNAL