



PROTECTING THE BRICS LOGO

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- **The Trade Marks Act, 1993 (Act 194 of 1993):** DIRCO is not obliged to register the 10th BRICS Summit logo/ brand as a trade mark. No unauthorised person can register the 10th BRICS Summit logo/brand as a trade mark.
- **The Merchandise Marks Act, 1941 (Act 17 of 1941):** This legislation prohibits the use of certain marks. Section 14 provides that any person who, without the authority of the Minister of Trade and Industry, uses the 10th BRICS Summit logo/brand in connection with their business or goods is guilty of an offence. Again, no registration of the 10th BRICS Summit logo is required before these prohibitions apply. The effect of this is that no unauthorised person can use the 10th BRICS Summit logo/brand in a commercial manner.
- **The Heraldry Act, 1962 (Act 18 of 1962):** Section 22A protects the 10th BRICS Summit logo/brand from any indecent treatment. Any person who commits any act which displays contempt for the 10th BRICS Summit logo/brand or which is likely to hold it up to ridicule, shall be guilty of an offence and liable on conviction to a fine not exceeding R10 000 or, in default of payment, to imprisonment for a period not exceeding five years or both. Section 20 (1) of the Heraldry Act, 1962 protects the 10th BRICS Summit logo/brand as heraldic representation from being ridiculed or compromised as part of artistic expression in the public arena. The 10th BRICS Summit logo/ brand has been registered in the name of the Government. Section 5 (a) provides that the logo/ brand will be registered automatically by the Bureau of Heraldry without any formal application by the Government being required. Sections 21 and 22 therefore apply to the 10th BRICS Summit logo/brand.
- **The Copyright Act, 1978 (Act 98 of 1978):** The Act protects a wide range of work, including artistic work, from being copied. The 10th BRICS Summit logo/brand qualifies as an artistic work. The State will enjoy copyright in any work made under the direction or control of the State. Thus, the State, as represented by the Government Printer, has copyright protection until the year 2050.
- The 10th BRICS Summit logo/brand will enjoy legal protection in most countries. South Africa is a party to the Paris Convention for the Protection of Industrial Property, a treaty which has been signed by most countries. Article 6 provides that all member countries must agree to refuse registration of, and to prohibit use of, armorial bearings and other State emblems of member countries without authorisation.

BRICS LOGO MEANING

- A SUN:** The sun symbolises a roof that houses the five emerging countries. The colours of the sun rays symbolise the bright future of BRICS as they will be meeting under the African sun.
- B FIVE SUN RAYS:** The rays of the sun represent the five BRICS countries as they are in their developmental stages and “emerging” economies.

FIVE COLOURS: The colours on the symbols represent the five member states. The unique attributes of the colours reflect the differences between the countries.
- C SYMBOLS:** The symbols in the Ndebele culture are an expression portraying communication and emotion. You will find these symbols painted in traditional Ndebele houses, clothes and beads. This identical use of the symbols is indicative of the equal partnership of the BRICS countries.

The Ndebele is a tribe derived from the Nguni people in southern Africa.
- D DESCRIPTOR:** BRICS (Brazil, Russia, India, China, South Africa).
- E YEAR, LOCATION:** Specification of the host city, country and year where the 10th BRICS Summit will be taking place.
- F NELSON MANDELA CENTENARY:** This year, South Africa and the world celebrate the centenary of the birth of former President Nelson Mandela. Born on 18 July 1918, Madiba was the first President of a democratic South Africa and a global icon who was revered worldwide as a champion of human rights, non-racism and non-sexism. He played a critical role in unifying South Africans and inspiring democratic unity across Africa and the globe. As Chair of BRICS, South Africa is guided by the values Nelson Mandela stood for.