



Peppadew International (Pty) Ltd

The PEPPADEW® Group is a global food manufacturing organisation which specialises in the production of peppers, sauces and related food products. We are the owners of the PEPPADEW® trademark (which is registered throughout the world), together with a number of other marks in the PEPPADEW® family of trademarks, as well as all associated intellectual property rights.

While the PEPPADEW® brand is associated with a variety of food products produced by Peppadew International, such as Jalapeño peppers, pepper purées, as well as hot and mild sauces, it is best known for its sweet Piquanté Pepper, a cultivar of Capsicum Baccatum grown in the Limpopo province of South Africa. Peppadew International was founded in 1995 after its founder discovered the Piquanté Pepper variety, thus making Peppadew International the original supplier of Piquanté Peppers to the world. Since then, with the aid of global growth and high quality standards, the PEPPADEW® brand name has become somewhat synonymous with Piquanté Peppers. Although we are proud of the reputation we have built, this association can sometimes lead to confusion. As such, Peppadew International takes great measures to ensure the protection of its brands and intellectual property rights.

Peppadew International is a member of the eBay® VeRO Program and seeks to enforce its intellectual property rights against any form of infringement on eBay®. The PEPPADEW® trademark must only be used in reference to products produced by Peppadew International and not in relation to any Piquanté Peppers, Pepper seeds, or any other products not produced, or authorised, by Peppadew International. Any use of the PEPPADEW® trademark in relation to products not produced or authorised by Peppadew International will constitute an infringement of our trademark rights and will be reported as such. Products unrelated to the PEPPADEW® brand should be classified by the correct product descriptor/s such as “Piquanté Pepper”, “Cherry Pepper” etc.

In light of the above, any of the following forms of use will not be tolerated and will be dealt with in the appropriate manners in order to maintain protection of the PEPPADEW® brand:

- Use of the PEPPADEW® trademark to identify generic Piquanté Peppers, or other products, that are not produced by Peppadew International;
- Use of the PEPPADEW® trademark in any manner that seeks to manipulate search results in order to sell generic Piquanté Pepper products;
- Any use of the PEPPADEW® trademark in a manner that seeks to characterize generic Piquanté Peppers or other Pepper products as being “like Peppadew” or “Peppadew style” to influence search results.

Please note that the aforementioned examples are not to be considered as exhaustive. It is your responsibility to ensure that your actions do not violate the intellectual property rights

of others and it is not a valid defence to trademark infringement to claim ignorance of the law.

In addition to the above, we have provided the following trademark use guidelines as the suggested form of best practice if and when making use of the PEPPADEW® trademark in relation to genuine PEPPADEW® branded products originating from Peppadew International. While non-compliance with the below may not result in any infringement complaints being reported, compliance with the below should be strived for in order to assist Peppadew International in maintaining protection of its intellectual property rights.

- As the PEPPADEW® and PEPPADEW Block Device marks are registered trademarks in the United States (and in many other countries around the world), use of the marks should be accompanied by the appropriate trademark designation (i.e. ® or ™) to notify consumers that the name is a trademark, and not any form of product descriptor. Should there be uncertainty as to whether or not the PEPPADEW® trademark/s are registered in your country, use the ™ notice instead of ®.
- The PEPPADEW® trademark should be distinguished from the surrounding or descriptive text by capitalizing the entire mark.
- The PEPPADEW® trademark should be followed by the appropriate product descriptor, such as “PEPPADEW® Sweet Piquanté Peppers”, “PEPPADEW® Jalapeños”, etc.
- The PEPPADEW® trademark should not be used in plural form as “Peppadews”;
- The PEPPADEW® trademark should not be used as a descriptor alone, such as “Peppadew sauce”, “Peppadew seeds”, “Peppadew pizza”, “Peppadew filled with cream cheese”, etc. Rather, appropriate use would be “Sauce made with PEPPADEW® Piquanté Peppers” or “Pizza containing PEPPADEW® Piquanté Peppers”.
- Each document or material in which a PEPPADEW® trademark appears should contain the appropriate trademark attribution identifying the relevant trademark as a trademark of the PEPPADEW® intellectual property holding company, being Piquante Brands International (Pty) Ltd. Such attribution may read “PEPPADEW® and the PEPPADEW® Block Device are trademarks of Piquante Brands International (Pty) Ltd.”
- As provided above, the PEPPADEW® trademark must only be used in relation to products that are produced, or authorised, by Peppadew International.

Peppadew International will not assist in the reinstatement of any auctions or eBay® accounts that have been terminated by eBay® as a result of a valid complaint submitted by Peppadew International or any of its agents.

For any questions related to the PEPPADEW® trademarks, or the use guidelines set out above, you may contact the legal counsel for Peppadew International by phone at +2711 516 4200 or by email at ashley.skinner@peppadew.com