

MAD K IP CONSULTING (PTY) LTD

Registration Number: 2018/471304/07

Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000, as amended ("PAIA")

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1. List of Acronyms and Abbreviations

- 1.1 "Companies Act"** means the Companies Act 71 of 2008.
- 1.2 "Information Officer" or "IO"** means the information officer of the Company for purposes of PAIA and POPIA.
- 1.3 "Information Regulator" or "Regulator"** means the Information Regulator established in terms of POPIA.
- 1.4 "PAIA"** means the Promotion of Access to Information Act 2 of 2000, as amended.
- 1.5 "POPIA"** means the Protection of Personal Information Act 4 of 2013.
- 1.6 "Republic"** means the Republic of South Africa.
- 1.7 "the Company"** means Mad K IP Consulting (Pty) Ltd, registration number 2018/471304/07.

2. Purpose of this Manual

This Manual is prepared in accordance with section 51 of PAIA. Its purpose is to assist a requester to:

- identify the categories of records held by the Company that may be available without a formal PAIA request;
- understand how to submit a request for access to a record held by the Company;
- identify records that may be available under other legislation;
- obtain the contact details of the Company's Information Officer and access-to-information contact;
- obtain or access the Information Regulator's guide on how to use PAIA;
- understand the categories of personal information processed by the Company, the purposes for which it is processed, the categories of data subjects concerned and the recipients or categories of recipients to whom it may be supplied;
- understand planned transborder flows of personal information; and
- understand, at a general level, the safeguards used by the Company to protect personal information.

This Manual does not itself grant access to any record. Access will be considered in accordance with PAIA, including the procedural requirements and applicable grounds for refusal.

3. Company and Contact Details

3.1 Company Details

Item	Details
Registered name	Mad K IP Consulting (Pty) Ltd
Registration number	2018/471304/07
Enterprise type	Private company
Enterprise status	In business
Financial year-end	February
Registered office / street address	c/o Naude and Partners, The West Peak, 13 Lourensford Road, Somerset West, Western Cape, 7130
Postal address	PO Box 602, Somerset Mall, Western Cape, 7137
Website	www.mad-ip.com

3.2 Information Officer

For purposes of PAIA and POPIA, the Company has designated the following Information Officer:

Item	Details
Name	Martha van der Merwe
Title	CEO / Information Officer
Telephone	+27 79 723 8782
Email	info@mad-ip.com

3.3 Deputy Information Officer

The Company has not designated a Deputy Information Officer as at the date of this Manual. If one is designated, the Company will update this Manual accordingly.

3.4 General Access-to-Information Contact Details

Item	Details
Email for PAIA requests	info@mad-ip.com
Telephone	+27 79 723 8782
Website	www.mad-ip.com

4. Guide on How to Use PAIA

The Information Regulator has compiled a guide on how to use PAIA (the "Guide") to assist persons who wish to exercise rights under PAIA or POPIA. The Guide includes information about the objects of PAIA and POPIA, contact details of information officers, the manner and form of requests, fees, remedies and complaints.

The Guide, PAIA forms and related guidance are available from the Information Regulator at www.inforegulator.org.za. A copy of the Guide may also be requested from the Company's Information Officer.

The Guide is available in the official languages and in accessible formats to the extent made available by the Information Regulator.

5. How to Request Access to a Record

5.1 Right of access

A requester may request access to a record of the Company in accordance with section 50 of PAIA where the record is required for the exercise or protection of a right, the procedural requirements of PAIA are met, and access is not refused under an applicable ground of refusal.

5.2 Form and submission of a request

A request should be made on the prescribed Form 2 (Request for Access to Record) or in a substantially compliant form and submitted to the Information Officer at info@mad-ip.com. The request should:

- identify the record requested with sufficient particularity to enable the Company to locate it;
- identify the right the requester seeks to exercise or protect and explain why the requested record is required for that purpose;
- specify the preferred form of access and the requester's contact details;
- if the request is made on behalf of another person, include satisfactory proof of authority; and
- include sufficient proof of identity where reasonably required to verify the requester or the person on whose behalf the request is made.

Form 2 is available from the Information Regulator at www.inforegulator.org.za/paia-forms/.

5.3 Fees

The fees prescribed under PAIA and the PAIA Regulations apply. As at the date of this revision, the prescribed request fee for a private body is R140.00, subject to any exemption and to future amendments to the prescribed tariff. Reproduction, search, preparation, postage and other access fees may also be payable where applicable. The Company will advise the requester of any fee or deposit that must be paid before processing or providing access.

5.4 Decision and time periods

The Company will decide a request and give notice of its decision within the period prescribed by PAIA, ordinarily 30 days after receipt of a valid request, subject to any lawful extension. If an extension is required, the requester will be informed of the reasons and the extended due date. The prescribed Form 3 may be used to communicate the outcome and any fees payable.

5.5 Refusal, complaint and court remedies

There is no internal appeal against a decision of a private body under PAIA. If a requester is dissatisfied with a decision, a deemed refusal or another matter contemplated by PAIA, the requester may lodge a complaint with the Information Regulator using the prescribed Form 5, subject to the requirements and time limits in PAIA, or may pursue an appropriate court remedy. Information about complaints and Form 5 is available at www.inforegulator.org.za/paia-forms/.

6. Records Available Without a PAIA Request

The following records may, where available, be obtained without a formal PAIA request. Availability does not mean that a record will necessarily be provided free of charge or that confidential, personal, privileged or otherwise legally protected information will be disclosed.

Category of record	Types of record	Website	On request
Corporate information	This PAIA Manual; basic company profile; public contact details	Yes	Yes
Public marketing information	Published brochures, service descriptions, newsletters and other public promotional material	Yes, where published	Yes, if available
Legal and policy information	Privacy Policy/notices, terms of business and other published policies	Yes, where published	Yes, if available

A person may request access to any other record through the PAIA process described in section 5 of this Manual.

7. Records Available Under Other Legislation

The Company retains records that may be available in terms of applicable legislation, subject to the requirements, restrictions and procedures in that legislation. This includes the following categories:

Category of record	Applicable legislation
Corporate records	Companies Act 71 of 2008
Accounting, tax and VAT records	Income Tax Act 58 of 1962; Tax Administration Act 28 of 2011; Value-Added Tax Act 89 of 1991, where applicable
Employee and payroll records	Basic Conditions of Employment Act 75 of 1997; Labour Relations Act 66 of 1995; Employment Equity Act 55 of 1998, where applicable; Unemployment Insurance Act 63 of 2001; Skills Development Levies Act 9 of 1999; Compensation for Occupational Injuries and Diseases Act 130 of 1993, where applicable
Personal information and information-officer records	Protection of Personal Information Act 4 of 2013
PAIA Manual and access-to-information records	Promotion of Access to Information Act 2 of 2000
Intellectual-property and client matter records	Applicable intellectual-property legislation, including the Patents Act 57 of 1978, Trade Marks Act 194 of 1993, Designs Act 195 of 1993 and Copyright Act 98 of 1978, depending on the matter

This section does not create a right of access where the relevant legislation, PAIA, POPIA, confidentiality obligations, legal professional privilege or another legal rule restricts disclosure.

8. Subjects and Categories of Records Held

The Company may hold the following records in physical or electronic form. Inclusion of a category does not mean that every record in that category exists, is retained indefinitely or is available on request.

Subject	Categories of records
Corporate governance and administration	Incorporation and CIPC records; Memorandum of Incorporation; board and shareholder records; statutory registers; resolutions; governance records; compliance records; insurance records; and correspondence
Finance and taxation	Accounting records; bank records; invoices; quotations; purchase orders; expense records; financial statements; budgets; tax records; VAT records, where applicable; and records relating to the Company's accountants, auditors and professional advisers
Clients and engagements	Client contact information; onboarding and due-diligence records; director/member/representative information where lawfully collected; mandates; engagement letters; instructions; correspondence; advice and work product; invoices; payment and credit-management records; and matter files
Intellectual-property services	Trade mark, patent, design, copyright, domain-name and related intellectual-property instructions; filing, prosecution, renewal, opposition, assignment, licence, portfolio-management and correspondence records; supporting documents; and records generated in connection with client mandates
Suppliers and service providers	Supplier onboarding records; service agreements; quotations; invoices; payment records; contact information; compliance information; and correspondence
Human resources	Employment agreements; personnel records; leave records; remuneration and payroll records; performance, training and disciplinary records; recruitment records; and workplace policies, where applicable

Subject	Categories of records
Information technology and security	User-access records; systems and software records; audit logs; incident records; backup records; cybersecurity records; data-processing agreements; and IT service-provider records
Legal, risk and compliance	Contracts; claims and dispute records; legal advice; insurance records; risk assessments; POPIA and PAIA compliance records; policies; registers; and regulatory correspondence
Marketing and business development	Marketing materials; website content; mailing lists; event records; prospect information; business proposals; communication preferences; opt-out/suppression records; and communications, subject to POPIA and direct-marketing rules

9. Processing of Personal Information

9.1 Purposes of Processing Personal Information

The Company may process personal information to the extent reasonably necessary to:

- provide intellectual-property consulting, advisory, administration, portfolio-management and related professional services;
- receive, assess, document and carry out client instructions, including engagement acceptance, identity verification, conflict checks, billing, credit management, collections and communication;
- manage intellectual-property matters, filings, registrations, renewals, oppositions, disputes and related matters with relevant offices, registries, agents, service providers and counterparties, where instructed or authorised;
- manage relationships with clients, prospective clients, suppliers, service providers, employees, applicants, professional advisers and other stakeholders;
- comply with legal, regulatory, tax, accounting, audit, record-retention, professional and reporting obligations;
- recruit, employ, remunerate and manage personnel;
- operate, secure, maintain and improve the Company's systems, website, services, premises and business operations;
- protect the Company's rights, property, confidential information and legitimate interests, including tracing or recovering unpaid amounts, establishing, exercising or defending legal rights, and preventing or investigating fraud, security incidents and other unlawful conduct; and
- conduct marketing or business-development activities where permitted by law and subject to applicable consent and opt-out requirements.

9.2 Categories of Data Subjects and Personal Information

Categories of data subjects	Personal information that may be processed
Clients and client representatives	Names; contact details; identity or passport details where reasonably required; job titles; employer and company details; instructions; correspondence; billing and payment information; signatures; and information contained in client matter files
Directors, members and authorised representatives of client entities	Names; contact details; identity/passport details where reasonably necessary for onboarding, identity verification, credit management, debt recovery, legal proceedings or the establishment, exercise or defence of legal rights; positions; and related correspondence
Intellectual-property rights holders, inventors, authors, applicants and related persons	Names; contact details; identity or company registration details; ownership and assignment information; biographical details; signatures; rights-related information; supporting documents; and information contained in intellectual-property filings and matter records
Prospective clients and marketing contacts	Names; contact details; job titles; employer details; communication preferences; enquiry details; and marketing interaction records
Suppliers, service providers and professional advisers	Names; contact details; company and tax details; banking details; qualifications; contracts; invoices; compliance records; and correspondence

Categories of data subjects	Personal information that may be processed
Employees, directors, applicants and contractors	Identification and contact details; employment history; qualifications; references; remuneration and banking details; tax, payroll and benefits information; leave, performance and disciplinary information; and emergency-contact details
Website users and other electronic-service users	Online identifiers; IP addresses; device and browser information; website usage information; enquiry information; cookies and similar technology data, where used; and correspondence
Other persons connected with Company business	Information necessary to manage a contractual, legal, professional, regulatory or business relationship, which may include names, contact details, identification details, correspondence and transaction information

The Company may process special personal information or the personal information of children only where necessary for a lawful purpose and where the conditions in POPIA have been met.

9.3 Recipients or Categories of Recipients

Depending on the purpose of processing and subject to confidentiality, authority and legal requirements, the Company may provide personal information to:

Category of personal information	Recipients or categories of recipients
Client and matter information	Clients; authorised client representatives; intellectual-property offices and registries; foreign associates and agents; counsel; experts; translators; couriers; service providers; counterparties; and other persons authorised by the client or required for the relevant matter
Corporate, accounting and tax information	Accountants; auditors; banks; payment processors; tax authorities; insurers; regulators; and professional advisers
Credit-management and debt-recovery information	Authorised personnel; accountants; professional advisers; debt collectors; tracing agents; sheriffs; courts; tribunals; and other persons reasonably required to establish, exercise or defend legal rights
Employee and contractor information	Payroll providers; benefits providers; banks; tax and labour authorities; insurers; training providers; background-check providers; and professional advisers
Systems and electronic communications information	Hosting, cloud, software, communications, cybersecurity, backup, support and other IT service providers
Information required by law	Courts, tribunals, regulators, law-enforcement authorities and other persons where disclosure is required or authorised by law

9.4 Transborder Flows of Personal Information

The Company may transfer or permit access to personal information outside the Republic where this is necessary for an international intellectual-property matter, to obtain services from a supplier or cloud service provider, or for another lawful business purpose. Potential recipients may include foreign intellectual-property offices, foreign associates and agents, international clients, and cloud, communications, software, hosting, backup, cybersecurity and professional-service providers.

Before a cross-border transfer, the Company will take steps appropriate to the nature of the information and transfer to ensure compliance with section 72 of POPIA, including by ensuring an applicable statutory ground for transfer exists, such as adequate protection, appropriate binding arrangements, contractual necessity or consent where relevant.

9.5 General Description of Information Security Measures

The Company implements and maintains reasonable technical and organisational measures appropriate to the nature of the personal information and processing risks. These measures may include:

- role-based access controls and authentication measures;
- password-management requirements and, where appropriate, multi-factor authentication;
- encryption or other safeguards for data in transit and, where appropriate, data at rest;
- secure storage, backup and recovery arrangements;
- anti-malware, endpoint-security, patching and network-security measures;
- confidentiality obligations and awareness training for personnel and contractors;
- supplier due diligence and contractual data-protection controls where appropriate;
- physical-security measures for premises and hard-copy records;
- incident identification, investigation, containment and response processes; and
- periodic review and improvement of safeguards.

9.6 Data Subject Rights, Objections and Direct Marketing

Data subjects may, subject to POPIA and PAIA, request access to or correction/deletion of personal information and may object to certain processing on reasonable grounds. Privacy and data-subject requests may be submitted to the Information Officer at info@mad-ip.com. Where Mad K processes personal information for direct marketing, a data subject may object to that processing at any time and free of charge by using the opt-out mechanism in the communication, replying with an unsubscribe request, or contacting the Information Officer. The Company may retain sufficient information on a suppression list to ensure that the opt-out is respected.

Further information is set out in the Company's Privacy Policy, available at www.mad-ip.com.

10. Availability of this Manual

This Manual is available:

- on the Company's website at www.mad-ip.com;
- for public inspection, free of charge, at the Company's principal place of business during normal business hours, by prior arrangement with the Information Officer;
- from the Company's Information Officer on request; and
- to the Information Regulator on request.

A requester may request a printed copy or part of this Manual. A reasonable reproduction fee may be charged where permitted by PAIA and the applicable regulations.

11. Updating of this Manual

The Information Officer will review and update this Manual on a regular basis and when necessary to ensure that it remains accurate and reflects material changes in the Company's operations, record holdings, contact details and personal-information processing activities.

Issued by:

Martha Magdalena van der Merwe

Information Officer

Mad K IP Consulting (Pty) Ltd

Date: 23 September 2026