

IT whizz takes on big guns

Businessman claims that Standard Bank and MTN infringed the patent on his firm's transaction authorisation system

Lloyd Gedye

Standard Bank, the MTN Group and subsidiary MTN Mobile Money are being sued for damages that could amount to more than half a billion rands, it emerged this week.

The claim has been lodged by 3MFuture Africa, which alleges that all three entities have conspired to infringe a patent it holds for a transaction authorisation system named PSOCA.

3MFuture's papers were filed late this week at the Court of the Commissioner of Patents.

In a forensic audit, which the *Mail & Guardian* has in its possession, 3MFuture Africa's director, Wolfram Reiners, alleges that the three companies conspired to infringe the patent following meetings he held with Standard Bank between July 2001 and June 2002, where he made presentations on the PSOCA system.

The forensic audit was prepared by Heath Executive Consultants and was aimed at assessing the proposed course of action for 3MFuture Africa.



Director Wolfram Reiners alleges that the three companies conspired to infringe the patent after meetings he had with Standard Bank.

Photo: David Harrison

Reiners is an information and communication technology professional who was awarded the 2007 European Union ICT Prize.

"At the conclusion of the discussions between Reiners and Standard Bank, Standard Bank would have had a clear insight [into] not only

the intellectual property of PSOCA, but would in fact have had full or, alternatively, part knowledge of the actual operational capabilities of the product," states the forensic audit.

In 2006 MTN Mobile Money was launched as joint venture between Standard Bank and MTN, and 3MFr-

ture Africa is arguing that the transaction authorisation system is, in essence, the same as PSOCA, which was patented in South Africa in 2001. The forensic audit argues that legal action should be taken by 3MFuture Africa against Standard Bank and MTN for the benefits that the companies have gained from the infringement of the patent.

It also points out that most of the Standard Bank staff members that Reiners presented to in 2001 and 2002 are now involved with MTN Mobile Money.

"The extent of the interaction between Reiners and Standard Bank and the subsequent launch of MTN Banking could hardly be construed as coincidental," says the forensic audit. "Standard Bank will have great difficulty in convincing a court of law that their joint venture with MTN is unrelated to PSOCA."

The *M&G* understands that advocate Cedric Puckrin SC will be representing 3MFuture Africa.

Standard Bank confirmed that a summons had been served on it on Wednesday and stated that the summons needed to be considered before it was able to provide any further comment.

Attempts to get comment from MTN proved unsuccessful at the time of going to print.