

Tumelo Mashabela, managing director of Tshaya Mashabela Attorneys

 By [Emily Stander](#)

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Tumelo Mashabela, managing director of Tshaya Mashabela Attorneys, plays her role well in shaping the world of IP Law.



Image supplied: Tumelo Mashabela, managing director of Tshaya Mashabela Attorneys

She has mentored a number of young engineers through her work with The Innovation Hub, an initiative by the Gauteng government that promotes economic development and competitiveness through fostering innovation and entrepreneurship.

In addition, Mashabela provides training at Wipo Summer School, which is a two-week summer school hosted by the Department of Trade and Industry (DTI) and National Intellectual Property Management Office (Nipmo) in collaboration with the World Intellectual Property Office and Japan Patent Office.

IP law is an integral part of the creative industry. We spoke with her to find out more about who she is, how IP law falls into creativity and what she does in her spare time...

Tell us a bit more about what you do?

As a registered patent attorney, I am actively involved in promoting and raising awareness about the significance of

intellectual property (IP) for businesses, regardless of the size and the bottom line. This is because most businesses fail to realise the importance of using IP to support their business objectives.

I am also a businesswoman, owner and director of Tshaya Mashabela Attorneys – a law firm that assists businesses to identify, protect and commercialise their IP.

■ ***What's really behind your selfie?***

An ambitious, bold, and focused woman who was born and bred in the township of Mamelodi.

■ ***Growing up, what did you want to do?***

A nurse and then at some point, I also wanted to be an attorney that specialises in children's rights.

■ ***How did you end up doing what you do now?***

While working as an engineer for my bursary provider, I noticed that the company wasn't doing enough regarding the protection of its innovative solutions. This was concerning and prompted me to investigate a career path I could take to qualify as a patent attorney.

I was so excited when I realised that a degree in engineering or science in addition to a law degree is required to become a patent attorney because that meant my engineering qualification didn't go to waste.

■ ***Tell us a bit about some highlights of your career.***

IP law is mainly a male-dominated field therefore I am proud to have qualified as the first Black African female patent attorney in South Africa in 2009.

Other highlights include seeing Tshaya Mashabela Attorneys grow throughout the years and now provide specialised services to some of the big companies in South Africa and internationally.

■ ***Could you tell us more about the importance of IP law in connection with the creative industry?***

The importance of IP law in the creative industry cannot be understated as it determines the ownership of creative work, allows a creator to decide as to who can use that work and enables the creator to be able to obtain financial benefits from their creative work.

IP law enables a creator to protect his/her innovative creation through various IP rights, which allows the creator to have exclusive rights to their innovative creation. For example, an author can obtain the protection of their books through copyright and a fashion designer can protect their new patterns of garments through registered design. The brands under which these creatives differentiate their goods and/or services for other creatives can be protected by a trademark.

IP rights encourage creators to be creative by providing them with the protection of their rights which can assist them to generate income from their talents through transactions such as licensing and selling (assignment). For example, a creator can license their IP rights in exchange of a royalty. In other instances, the creator can sell their copyrighted books to a film production company where the books are subsequently reproduced in a form of a film, in exchange of a lump sum and/or royalty.

Since Covid-19, the creative economy has been in the spotlight where not only mainstream creatives but also people, in general, tapped into their creative abilities and were putting their work on public platforms to be consumed by everyone in South Africa and internationally. It is thus very important for such creatives to understand their IP rights associated with each of their work and conclude transactions that will be beneficial to them.

■ ***When you're not busy working, what do you do? How do you socialise these days?***

I enjoy spending time with my three beautiful children, and husband. We have a family bucket list and are always ticking things off it.

I also always aim to spend at least an hour every day at the gym, which I call my 'me' time.

■ ***What are you watching/reading/listening to right now?***

I'm currently reading *Lead Like A Woman* by Deborah Smith Pegues, and this book is teaching me that it is fine to lead like a woman.

To connect with my daughter, I try to listen to the music that she is listening to and currently it's a South Korean girl band called Blackpink.

■ ***Give us some of your best loadshedding survival tips?***

- Stay up to date with the schedule as it will enable you to plan your day.
- Invest in a solar power system if your budget allows.
- Always charge your phone while you are in the car driving.

ABOUT EMILY STANDER

Freelancer specialising in games and entertainment | My first loves are writing, music and video games

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