

Springboarding: A Cautionary Tale in Dispro Tech SA (Pty) Ltd v Soot Science (Pty) Ltd

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INTRODUCTION

The “Springboard” doctrine prevents an unfair competition advantage with individuals or business. In other words, it prevents an employee from misusing its employer’s confidential information to compete with the company¹.

In the matter of *Dispro Tech SA(Pty) Ltd v Soot Science (Pty) Ltd*², the Court had to determine whether the former employees of the Applicant (Dispro Tech SA) had “springboarded” from the company’s intellectual property to conduct business with their newly founded company – Soot Science (Pty) Ltd.

BACKGROUND

The Applicant was a company that specialised in the testing of gas emissions and was in exclusive rights of the methodology and business development model that was used to conduct its business³. Furthermore, the Applicant had utilised the services of Saxon – a German company to acquire its equipment.

The Second and Third Respondent were former employees of the Applicant, who were aware of the exclusive distribution rights of the Applicant and were subsequently trained and acquainted with the Applicant’s intellectual property and software.

The Second Respondent was formerly employed as Technician, and had signed an employment contract, where he had undertaken to refrain from disclosing the Applicant’s confidential information to any third parties. During his employ, the Second Respondent had access to the Applicant’s business model, client base and software that was utilised for business operations. The Second Respondent subsequently resigned on 27 July 2025.

The Third Respondent was employed by the Applicant as a Senior Engine and Data specialist. Whilst there was no written employment contract between the Applicant and Third Respondent, the Third Respondent also had

access to the intellectual property and software of the Applicant. Around March 2025, the Third Respondent was suspended by the Applicant, after it was discovered that the Third Respondent had used its business model to create a new budget and order equipment from Saxon to formulate a new company. The Third Respondent subsequently resigned on 27 June 2025. However, it was further discovered that on 15 May 2025, the Third Respondent emailed himself a copy of the Applicant’s software.

On 8 July 2025, the First Respondent, Soot Science (Pty) Ltd, was incorporated. The Applicant subsequently discovered that the Respondents had “springboarded” on their confidential information and methodology, when the Second and Third Respondent had presented their gas emission test at the Impala Platinum “Service and Supply Proposal”. Furthermore, the Respondents proceeded to contact the Applicant’s clients to propose gas emission testing, whilst further acquiring equipment from Saxon. Aggrieved by the Respondents conduct, the Applicant sought interdictory relief from the court to refrain the Respondents from disclosing or utilising its confidential information⁴.

COURT FINDINGS

The Court in the matter had confirmed that the Respondents had “springboarded” from the Applicant’s confidential information. The Court held that the First Respondent could have incorporated and operated swiftly without using the confidential information of the Applicant. The Respondents bought equipment from Saxon, whilst having knowledge that the Applicant had sole distribution rights of such equipment and went as far as attempting to poach the Applicant’s clients. Such conduct was deemed to be unlawful, and it was necessary for the Respondents to be interdicted as a result of unlawful competition. Accordingly, the interdict was granted and the Respondents were ordered to either return or destroy confidential information which belonged to the Applicant and were refrained from unlawfully competing with the Applicant for a period of eighteen months⁵.

CONCLUSION

The “springboard” doctrine in this case has illustrated that companies must take all reasonable steps to ensure that their confidential information is safeguarded to prevent unlawful competition practices, as well as ensure that their employees are aware of the consequences of disclosing information of the company for their own financial benefit.

¹ <https://www.lexisnexis.co.uk/legal/glossary/springboard-injunction/>

² *Dispro Tech SA (Pty) Ltd v Soot Science (Pty) Ltd* (5063/2025) [2026] ZANWHC 99 (8 April 2026)

³ See footnote 1 at paragraph 2.

⁴ See footnote 1 above paragraphs 3 - 14.

⁵ See footnote 1 above paragraphs 17 - 21.



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