

## Please Call Me inventor scores a major win in Vodacom case

The Gauteng High Court has found that Vodacom needs to pay Nkosana Makate, the inventor of the Please Call Me (PCM), more than R47m (the amount Vodacom offered to pay Makate).



Nkosana Makate

Vodacom CEO Shameel Joosub was given one month by Judge Wendy Hugh to recalculate what is owed to Makate, using the guidelines issued by the court. The judge said that Vodacom needs to pay the inventor 5% of total earnings made by Vodacom with PCM.

Makate rejected the cell phone's giant offer of R47m and said the amount should be R20bn, a figure that was based on a 5% share of an estimated R205bn in revenue Vodacom made from the invention.

The 5% of the total voice revenue generated from the invention will start from March 2001 to March 2021 and not only for five years, as earlier calculated by Joosub.

The court added that Makate is entitled to 27% of the number of PCMs sent daily as being revenue generated by return calls.

The judge said that Joosub was disingenuous to project that PCM should only be allocated duration of five years and pointed out claimed that the R47m calculation to which he had arrived, was “generous” as well as his conclusion that the invention had generated money for Vodacom over five years.

“The facts demonstrate otherwise. In my view, it is, therefore, projectable that PCM as a brilliant concept would have had the longevity which it has today. Thus, the eighteen years proposed by Makate (over which time Vodacom has benefitted from PCM) is reasonable and probable,” judge Hugh said.

“The court has left it to the Vodacom CEO to determine the annual effective rate, which should blend the effective contract rate and effective prepaid rate, to help determine the compensation Makate should be awarded.

In each case, the court said the tariffs may not be less than the effective rates published with Icasa.

For the calculation, Vodacom must assume an average duration of two minutes for each call generated due to a PCM,” [MyBroadband](#) reported.

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