

Smash burger dispute: Rocomamas to meet with food truck owner

RocoMamas will meet with Cape Town-based Rack n Grill food truck owner Muammer Kasu on 20 April, after the burger franchise was called out for "corporate bullying tactics" when it demanded that the small takeaway business refrains from using the term 'Smash Burger' on its menu.



Credit: Rack n Grill

According to a [Cape Times report](#), Kasu received a letter dated 14 April from RocoMamas franchise chief executive, Anton Geldenhuys, stating that RocoMamas was the registered proprietor of the "Smashburger" in South Africa.

RocoMamas, therefore, considers Rack n Grill's Smash Burger menu item as an infringement, and gave Kasu 48 hours to change the name.

The letter from RocoMamas read, "Your company, trading under the name and style 'Rack n Grill' has been using and continues to use on its trading name, menu, and by way of advertising a product, a mark consisting of the words 'Smash Burger'... We hereby demand that you immediately remove the offending mark from your menu, marketing, advertising materials...within 48 hours."

Kasu told the *Cape Times*, "They now want me to change the name 'Smash Burger' which is two words, while they have trademarked 'Smashburger' which is one word ... I can understand that it is similar, but also according to their certificate

they cannot use the two words separately. Now they want to bully me into changing it."

| BURGERS | |
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| CLASSIC RING BURGER Beef Patti, grilled mushrooms, caramelised onions, cheese & fries | 75 |
| CHILLI CHEESE BURGER Beef Patti, Chilli Relish, caramelised onions, cheese & fries | 75 |
| MUSHROOM SAUCE BURGER Beef Patti, creamy mushroom sauce, caramelised onions, cheese & fries | 75 |
| SRIRACHA BURGER Crumb chicken fillet, cheese, red onion & Sriracha mayo & fries | 75 |
| JALAPENO CRUNCH Crumb chicken fillet, cheese, creamy jalapeno, feta, red onion & fries | 85 |
| RUDE BOY Double Patti, Double cheese, Fried egg, Macon, Mushrooms & Fries | 110 |
| SMASH BURGER Beef Patti, creamy mushroom sauce, chilli relish, grilled mushrooms, caramelised onions, cheese & fries | 99 |
| HUNGER BUSTER Double Beef Patti, triple cheese, sautéed mushrooms, caramelised onions & fries | 110 |
| SOLO BURGER Beef patti, beef ribs off the bone, mushroom sauce, cheese, caramelised onion & fries | 150 |

Screenshot of Rack n Grill's menu

Initially, Kasu requested an extension of 14 days to respond to Geldenhuys's email and to seek legal advice, and the franchise agreed. However, RocoMamas says it has since reached out to Kasu and a meeting between the two parties has been set for today, 20 April.

"Rocomamas Management have reached out to the owner of Rack and Grill to set up a meeting and find an amicable solution. We look forward to meeting Mr Kasu," Rocomamas said in a statement shared with *Bizcommunity*.



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The RocoMamas food chain, started by Brian Altriche and now owned by the Spur Corporation, has drawn the ire of social media communities and small business owners following the publishing of the *Cape Times* report last week. The dispute has been likened to a [David versus Goliath battle](#), and some consumers are calling for a boycott of RocoMamas as well as other brands in the Spur stable.

It's also been pointed out that the term 'smash burger' is not unique to South Africa or RocoMamas. The name simply refers to a cooking technique where the burger patty is smashed into the hot griddle. Smashburger is also the name of a fast-casual burger chain in the US, founded in 2007.

“ [@rocomamas](#) SA you've just lost a customer you corporate bullies. Picking on a food truck owner! Sickening! Enjoy the publicity, [@RacknGrill](#). Going to get my ribs and burgers from you guys rather! [pic.twitter.com/Rhg6VGKLE9](#)— Gasant Abarder (@GasantAbarder) [April 16, 2021](#) ”

“ Yo [@rocomamas](#) , why you being junk with small businesses?
You're a giant company. You're fighting a coloured bra in food truck.
You want to sue him over a name of a burger that you yourself are not the original namer.
You forcing [@RacknGrill](#) to spend unnecessary lawyer money— Yaaseen Barnes (@Ya_a_seen_Him) [April 16, 2021](#) ”

“ I'm about to SMASH THIS DAY!

Rocomamas: pic.twitter.com/gPrp1qQjUb— ShortyPam (@PintSizePam) [April 16, 2021](#) ”

“ . [@rocomamas](#) claiming the name SmashBurger and wanting to sue a little food truck owner if he doesn't change the name of his SmashBurger, when smash or smashed burgers originated in the States. Pathetic. [#notsofingerlicker](#)— Garth Breytenbach (@poormanscaviar) [April 16, 2021](#) ”

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