

INTELLECTUAL PROPERTY



ABOUT KING STUBB AND KASIVA AND IPR

King Stubb & Kasiva is a full-service law firm and is supported by a team of able lawyers who have an in-depth understanding of various facets of Intellectual Property Rights in India. The firm is amongst a few of India's best Intellectual Property (IP) firms with a proven track record. broad technical expertise and services covering every aspect of the IP lifecycle stage. For nearly two decades, we've helped our clients protect, commercialize and manage their intangible assets in India and throughout the world.

Our practice groups are organized around our technical expertise in patents, trademarks, copyrights, designs and litigation services. Within these groups we have sector expertise in a range of industries including Biotechnology, Information Technology, Life Sciences, Mechanical and Electrical Engineering, Food and Beverages, Medical Technology, and Fast Moving Consumer Goods.



INTELLECTUAL PROPERTY PRACTICE

This practice group of the firm caters to the requirements of Indian and multinational clients and has assisted them in the management of intellectual property portfolios; preparation of strategies for holistic protection of intellectual property rights; prosecution of applications for trademark, copyright, patent, industrial designs and geographical indications: prosecution of trademark applications through the Madrid protocol: handling oppositions and cancellation actions: conducting intellectual enforcement property actions due diligence; handling against third-party infringers; commissioning investigations to ascertain information about counterfeit products as well as infringing goods/services; assisting with the assignment and licensing of intellectual property, prosecuting domain name disputes and others.

PATENTS

The firm acts in multi-jurisdictional and national patent disputes across a range of sectors, particularly specializing in life sciences, medical devices and technology. In addition to registration and filing of patents, we represent clients in the many different courts and tribunals, leveraging the full range of dispute resolution methods to deliver commercial outcomes for clients.

SERVICES OFFERED

We regularly assist our clients with the following services:

- Pre-registration searches and advisory
- Drafting of specifications and preparation of technical and patent drawings
- Preparation, filing and prosecution of Indian and foreign applications
- Oppositions to the grant of patents and revocation proceedings
- Preparation and advisory on and recordal of assignments and licences
- Renewals and restorations
- Enforcement of patent rights including court proceedings
- Advice on exploitation, protection and use of rights
- Infringement avoidance and defence advisory
- Advice on related common Law, statutory rights, trade secrets and confidentiality agreements



COPYRIGHT

Our team understands copyright and its application in the modern digital environment and traditional sectors such as literature, film, television, and product design. We help those in the creative industries and protect and monetize their original work. This includes protection in relation to software code, music, literature, film, graphics, art and design.

SERVICES

We regularly assist our clients with the following services:

- Pursuing or defending a copyright infringement claim
- IP licensing and can negotiate a license or royalty that protects IP
- Assist with identifying, securing or transferring ownership of copyright across multiple jurisdictions
- To protect copyright from being unlawfully copied and imported/exported, we can arrange customs notices to detain and remove any goods in question.



DESIGN REGISTRATION, RIGHTS AND PROTECTION

At KSK, we understand the importance of protecting your unique designs and innovations. Our team of experienced intellectual property attorneys specializes in design registration services. We assist clients in securing legal protection for their designs, ensuring that they have exclusive rights over their creative works. From preparing and filing design applications to handling the registration process, our experts guide you through the intricacies of design protection laws to safeguard your valuable intellectual property.

SERVICES

We regularly assist our clients with the following services

- Pre-registration searches and advice
- Preparation of design drawings
- Preparation, filing and prosecution of Indian and foreign applications
- Preparation, advice on and recordal of assignments and licenses
- Enforcement and use of design rights and related copyright including court proceedings
- Advice on infringement and validity

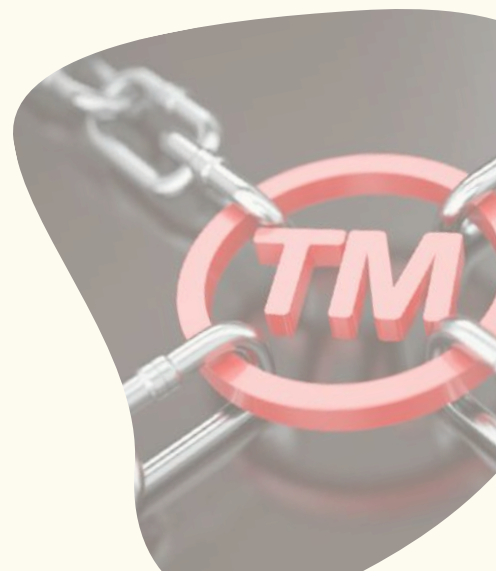
TRADE MARK

The Firm's trade mark and design specialists support brand owners in developing, protecting and exploiting their brands at every level: from initial clearance and selection to filing managing complex international portfolios, and dealing with any enforcements or disputes that arise.

SERVICES

We regularly assist our clients with the following services:

- Preparation, filing and prosecution of Indian and foreign applications
- Oppositions to the registration of trademarks and defending oppositions by third parties
- Revocation proceedings, commencement and defence thereof
- Preparation, advice on and recordal of assignments and licenses
- Renewals and restorations
- Advice on the protection and use of trademarks
- Infringement avoidance and defence advice
- Enforcement of statutory and related Common Law rights
- Surveillance services
- Border protection
- Domain name registration



ANTI COUNTERFEITING OPERATIONS

Our firm's anti-counterfeiting operations are designed to protect intellectual property rights and ensure brand integrity. We provide comprehensive services, including trademark surveillance, customs recordation, and legal enforcement, such as securing injunctions and damages through litigation. Our specialization include:

- **Expertise Across Industries:** Our team has successfully executed anti-counterfeiting operations for clients across sectors such as pharmaceuticals, FMCG, luxury goods, automotive, electronics, and consumer products.
- **Pan-India Reach:** With offices in eight major cities (Delhi, Mumbai, Bengaluru, Chennai, Hyderabad, Kolkata, Kochi, and Pune), we ensure seamless operations across the length and breadth of India.
- **Collaborative Approach:** We work closely with clients to understand their brand-specific challenges and tailor strategies that align with their business objectives.

KEY CAPABILITIES

Market Intelligence and Investigations

- Collaborating with investigators to identify counterfeiters and suppliers.
- Conducting market surveys and gathering actionable intelligence on counterfeit networks.
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Enforcement Actions

- **Civil and Criminal Remedies:** Filing suits and complaints under trademark and copyright laws, including obtaining injunctions and damages.
- **Police Raids:** Liaising with law enforcement to conduct raids on counterfeit manufacturing units, warehouses, and retailers.
- **Customs Protection:** Filing recordals with customs authorities to intercept counterfeit goods at borders.

Litigation and Dispute Resolution

- Handling litigation involving counterfeiters, including cease-and-desist notices, settlements, and full-fledged trials.
- Representing clients in IP tribunals, high courts, and other judicial forums.

Brand Protection Programs

- Developing comprehensive anti-counterfeiting strategies, including monitoring supply chains and online marketplaces.
- Organizing training programs for law enforcement agencies to improve awareness of counterfeit issues.

Digital and E-Commerce Enforcement

- Monitoring online platforms for counterfeit listings.
- Filing takedown requests with e-commerce websites and social media platforms

CUSTOMS & BORDER PROTECTION OF IPR

Our specialized customs team provides comprehensive solutions, guiding clients through the entire customs lifecycle, from the initial e-recordation of IP rights to the culmination of actions through appellate proceedings. We are committed to intercepting, seizing, and ultimately eliminating counterfeit goods imported into India, ensuring the protection of our clients' valuable intellectual assets.

DETAILED SERVICES OFFERED

- **Filing Watch Notices:** We file watch notices with customs authorities, ensuring heightened vigilance for potential infringements.
- **Post-Interdiction Proceedings:** Our participation in post-interdiction proceedings ensures a comprehensive approach to handling intercepted goods.
- **Coordinated Confiscation Initiatives:** We collaborate closely with Customs Offices for the swift initiation of confiscation procedures concerning counterfeit or look-alike goods.
- **Inspections and Inventories:** Our team conducts thorough inspections and inventories of seized goods, facilitating efficient management and documentation.
- **Customs Officials Training:** We actively engage in training customs officials to enhance their ability to identify and tackle counterfeit goods effectively.

ONLINE ENFORCEMENT

In the rapidly evolving digital landscape, online Intellectual Property Rights (IPR) enforcement has become crucial for safeguarding brand reputation and ensuring legal compliance. At KSK, we specialize in comprehensive online IP enforcement strategies tailored to address the challenges posed by counterfeit products, unauthorized use, and infringement in the digital space.



Our Expertise in Online IPR Enforcement

- *Take-Down Notices:* Drafting and issuing notices to remove infringing content from various platforms or sources.
- *Brand Monitoring and Detection*
 - Continuous tracking across e-commerce platforms, social media channels, and websites to detect counterfeit or unauthorized listings.
 - Utilization of advanced AI tools and manual search techniques to identify potential violations.
- *Takedown Management*
 - Filing takedown requests with e-commerce platforms, website hosts, and social media networks.
 - Collaboration with online marketplaces to ensure swift action against infringers.
 - Efficient resolution through compliance with platform-specific policies and laws like the DMCA.

- *Counterfeit and Piracy Prevention*

- Identifying and removing fake listings, unauthorized use of logos, and pirated digital content.
- Collaboration with cybersecurity teams to trace and block rogue websites selling counterfeit goods.

- *Domain Name Dispute Resolution*

- Monitoring domain registrations to prevent cybersquatting and domain abuse.
- Initiating UDRP (Uniform Domain-Name Dispute-Resolution Policy) complaints and domain recovery processes.
- Working with NIXI to resolve domain name disputes through the INDRP (Indian Domain Name Dispute Resolution Policy).
- Filing complaints and representing clients in INDRP proceedings to recover infringing domain names.
- CANN Disputes for Illegal Domains: Handling disputes related to illegal domains through the Internet Corporation for Assigned Names and Numbers (ICANN) procedures.

- *Social Media Enforcement*

- Reporting infringing content and unauthorized accounts impersonating brands.
- Building mechanisms to flag and prevent brand misuse on platforms like Instagram, Facebook, and Twitter.

- *Data-Driven Insights and Reporting*

- Providing clients with detailed reports on detected infringements, actions taken, and the impact of enforcement.
- Using analytics to identify patterns and enhance future enforcement strategies.

IP LITIGATION AND DISPUTE RESOLUTION SERVICES

Our specialist litigation and dispute resolution teams work across India and are skilled in handling disputes on all kinds of IP, including patents, trademarks, copyright, registered designs and plant variety rights. He regularly appear before the Patent and Trade Mark Office in opposition, objection and revocation proceedings.

- KSK offers comprehensive IP litigation services to protect and defend your intellectual property assets.
- Whether you are dealing with infringement claims, passing off actions or seeking to assert your rights against unauthorized use, our skilled attorneys are equipped to handle a wide range of intellectual property disputes before various courts/ forums throughout India.
- We meticulously analyze your case, develop robust legal strategies, and represent your interests in negotiations, mediation, arbitration, or litigation proceedings before various courts/ forums throughout India.

INTERNATIONAL IP PROTECTION

Our attorneys are registered in India and we routinely file and prosecute patents, trademarks and designs directly with India and all the other countries, Through international arrangements such as PCT and the Madrid Protocol, we initiate an international filing plan. When faced with national objections, we turn to our extensive network of international law firms spread across ninety-seven countries.



GEOGRAPHIC INDICATIONS (GI)

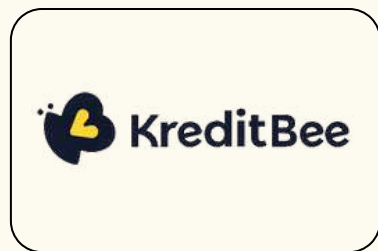
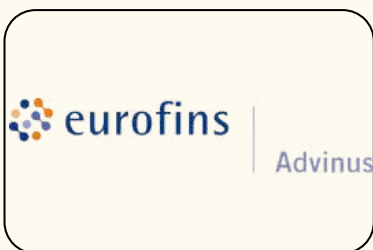
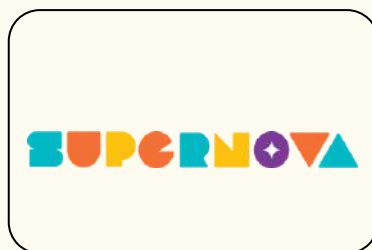
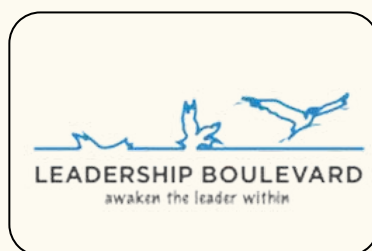
KSK provides its members with information concerning the laws and procedures to register GIs in foreign jurisdictions as well as its advocacy support with national, regional and international authorities in case an infringement of rights deriving from a given GI is detected.

TRADE SECRETS AND NON DISCLOSURE

We assist clients to protect their valuable business secrets, via appropriately worded legal contracts, policies and procedures and (where necessary) court proceedings. Our litigators are experienced in ensuring that misuse is prevented and successful outcomes are achieved for our clients.



OUR CLIENTS



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