



Jidesh Kumar

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Areas of Practice:

IPR
Corporate & Commercial
Regulatory
Litigation & Arbitration

Education:

BA,LL.B, University Law
College, Bangalore
MBL, National Law School,
Bangalore

Affiliations:

Karnataka High Court Bar
Association, International
Bar Association (IBA),
Indian Venture Capital
Association, CII, FICCI,
ASSOCHAM

Jidesh initially focused on intellectual property laws with emphasis on the law relating to trademarks and copyrights. Subsequently, he moved on to focus on general corporate and commercial work including assisting and advising multinational companies on various legal issues affecting their operations in India such as regulatory work, due diligence, transfer of technology. He also dabbles with litigation strategy and arbitration and has represented some of the largest corporations before courts and arbitrations both domestic and international.

Representative Clients :

Some of the clients that Jidesh advises include Tyco – Johnson Controls, Bosch, Phone Pe, Essilor, Quest Global, Lenovo, Siemens, Herbalife, Peepul Capital, Aditya Birla, Renault.

Intellectual Property:

- Advised several multinational companies on documentation/contracts regarding intellectual property such as trade mark license agreements, software-licensing contracts, transfer of technology agreements, confidentiality agreements.
- Litigation relating to Trade Marks, Copyrights, Data flow, advice on availability and registration of trade marks in India, domain name registration and undertakes procedural work relating to the filing of domain name, trade mark, patent and copyright applications.
- Major global re-branding projects for two world leaders in the consulting field, as well as a German multinational energy concern and subsequent global trademark filing work.
- Co-ordination of global and Asian trademark portfolios for various clients, including US-based global market leaders in the computer industry, a Japanese

- Successful prosecution of ICANN domain name dispute proceedings before the World Intellectual Property Organization, including for an Indian facilities management multinational.
- All aspects of registration of trade marks, oppositions, renewals, assignments, etc., drafted and vetted trade mark licensing agreements, intellectual property issues in technology transfer contracts, designs and patent registrations, copyright registrations and other related prosecution procedures and formalities.

Recent Experience:

- Advised clients on establishing a presence in India, especially on issues relating to obtaining regulatory approvals from the Secretariat for Industrial Assistance, the Reserve Bank of India, the Ministry of Home Affairs and other Government authorities, including preparing applications for various regulatory approvals.
- Advised a multinational pharmaceutical company with regard to the establishment of a wholly-owned subsidiary for manufacturing and distributing pharmaceutical products in India.
- Advised a multinational Electronics Company with regard to establishing its manufacturing and distribution set up in India under the tax savings scheme.
- Advised on issues relating to the Companies Act and drafting and review of Memorandum and Articles of Association of companies.
- Advised a multinational company regarding the procedure for importing and setting up of a gasification and piping facility in India. Advised multinational pharmaceutical company with regard to the establishment of a wholly-owned subsidiary for manufacturing and distributing pharmaceutical products in India.

Litigation Matters:

- Represented Nissan Motors in a landmark litigation before the Supreme Court;
- Representing Essilor France in a dispute involving its joint venture partner being arbitrated in Bangalore;
- Represented HPCL before the Supreme Court in a INR 450 million dispute;
- Successful representation of Caterpillar India before the Chennai High Court involving a INR 350 million arbitration dispute;

- Successful representation of Axles Inc. a US corporation before an arbitration tribunal at Chennai involving INR 75 million. The dispute involved appearing before various higher and lower courts in Chennai;
- Successful representation of Chennai Container Terminal before the high court in Chennai.
- Successful representation of Greaves Ltd. Before the Chennai High Court involving an arbitration dispute.
- Represented a host of life insurance companies on landmark matters including Metlife, Aviva, Max life etc.
- Represented Osterreichische Kabelmerke Gesellschaft mbh (a Siemens company) in an arbitration matter in Singapore under the aegis of the SIAC;
- Provided legal support to clients such as Acuson Corporation, Air Liquide International, Barclays Bank Plc, Dun & Bradstreet Corporation, Esso Singapore Pte. Ltd. and Toshiba Corporation in disputes pending in Indian Courts/Fora and also International Chamber of Commerce for Arbitration in Geneva.
- Represented multinational companies and non-profit organizations, including the International Federation of Red Cross and Red Crescent Societies in construction projects in India, drafted and negotiated MoUs, Project Consultancy Agreements and agreements with sub-contractors and provided advice on Indian laws relating to contracts, damages, arbitration, etc.
- Represented a large multinational Japanese company in the International Chamber of Commerce (ICC) arbitration proceedings in London for claim of damages arising out of a joint venture agreement with a well-known Indian industrial house.

Academic Projects:

- Conducted a workshop on “The law relating to the transfer of technology” under the auspices of the Federation of Indian Chambers of Commerce and Industry (FICCI). The workshop was conducted for senior-level corporate management and bureaucracy with a view to keeping them up-to-date on the latest developments and modalities in the field of Intellectual Property law.
- Responsible for composing a comprehensive report on behalf of one of our clients which dealt with the steps taken by the Government of India to bring Indian Intellectual Property Law in conformity with the Seven Parts of the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS).

- Was a member of a team which composed a manual of counter measures comprising the steps to be taken against various forms of intellectual property infringement in India.
- Conducted a workshop under the auspices of the Annual General Meeting of the Belgian Business Association, New Delhi, and provided an overview of the various species of Indian Intellectual Property Law.
- Conducted a workshop on “Devising an Intellectual Property Strategy and Intellectual Property Policy for IP Management” under the auspices of the Institute of Intellectual Property Development (IIPD), Federation of Indian Chambers of Commerce and Industry (FICCI). The workshop was conducted for scientists and representatives of industry, and discussions revolved around the theme of how best to protect and preserve one’s intellectual property.
- Was a member of a panel discussion of intellectual property lawyers in Barcelona, Spain, which examined a case study and discussed the treatment of intellectual property rights in various jurisdictions.;