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# WITNESS

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# Law Firm Management to IPR Criticalness -

Excerpts from Lex Witness' conversation with Sudeep Chatterjee, Partner, Singh & Singh Law Firm LLP

## Lex Witness Bureau

### What according to you remain the most important aspects of a successful law firm?

A law firm becomes successful due to a culmination of various traits. Some of the important aspects of a successful law firm are:-

i. Being client friendly- The well-known business maxim "the client always comes first" applies to law firms as well. All decisions and efforts must be focused on what is in the best long-term interest of clients. Client communication, service, and needs are of paramount importance in firms with this attribute. Most successful law firms ensure that the services they provide to their clients are consistent and with good turnaround time. Perspective and requirements of the Client must always be given utmost priority and all steps must be taken in accordance with the same.

ii. Management of human resources- Human resources constitute the most valuable asset of a service-oriented firm and law firm is not an exception to that. Organizations that invest in the development and growth of their human resources yield better results as their employees/ retainers are more productive and motivated.

iii. Team of highly trained professionals, para-legal and support staff

iv. Investment in technology- Availability of latest technology benefits the staff as it makes the work process more expeditious, keeps them updated of the latest developments and increases efficiency



Sudeep Chatterjee,  
Partner, Singh & Singh  
Law Firm LLP

levels. It also helps with client development.

v. Creating a niche- Modern era is the era of "specialization". All successful law firms are capable of create a unique selling point - USP with respect to the services they offer, their practice area so that their services are capable of being distinguished from that of others in the market space.

vi. However, the most important aspect is to give an honest opinion to the clients particularly relating to the strengths and weaknesses of their case.

### What do you think are the success secrets to being a prominent counsel?

The fundamental requirement of being a

prominent counsel is to inculcate the habit of reading. He/ she should be through with the brief. It is imperative for a counsel to be aware of the latest legal developments both national and international. Secondly, it is important for becoming a prominent counsel to be able to be patient and to entertain views different from their own in order to formulate a well-informed and fitting opinion. He has to be open for arguments and willing to learn even from his juniors. And most important, he has to prepare his briefs as a devil's advocate. This helps in knowing the strengths and weakness.

### 3. Do you believe that running a law firm is as managerial as any other business?

Yes, running a law firm is as managerial as running any other business inasmuch as the following aspects have to be necessarily taken into consideration for running a law firm:

- i. Human Resource Management and friendly policies
- ii. Basic amenities such as healthy work environment, clean surroundings, etc., need to be provided to the retainers
- iii. Management of the firm needs to ensure a harmonious environment for its retainers, support staff so that the work environment is congenial and every individual's queries and grievances are addressed in an effective and timely manner.
- iv. Strengthening of loyalty is another key aspect which is required to be developed. Loyalty is strengthened when individuals are respected, trusted, involved in the process of making decisions that impact them, when credit and decision making is shared when there is recognition for a job well done, and when there are honest, fair and consistent relationships.
- v. Creation of basic state-of-art infrastructure.
- vi. Most importantly, just like any other business, every law firm has to formulate ideas and policies to generate business and



**SUDEEP CHATTERJEE**  
Partner, Singh & Singh Law Firm LLP



**Creation and creativity ought to coincide in order to create a strong IP value. One cannot be seen in isolation of the other. The fundamental requirement of copyright is that an idea ought to be translated into a tangible form and therefore, creation comes into existence when creativity is put into a tangible substratum. There lies no IP in merely a 'creative idea'.**



develop a significant client base.

### What do you think are the top 3 requirements in-house counsel have today?

The top 3 requirements that in-house counsel has today are as follows:

- i. Thorough research, background check pertaining to the issue at hand and timely redressal of their queries
- ii. Honest opinion i.e. how weak or strong the case is.
- iii. Good turn-around time with effective communication skills. Clients value lawyers and law firms who know how to communicate and are sensitive to their needs and concerns.

### Your views on talent management, retention in today's competitive job markets?

Considering the dynamic nature of the present day job markets, talent management has become vital for organizations to function properly. A lot of time and resources are invested in the development and training of an employee/retainer and therefore, it becomes necessary to retain such retainers. Since you have trained them as per your requirements, they become valuable assets. In the event a trained employee leaves an organization and joins another, the latter reaps benefits of the former's hard work in the form of that competent employee. If employees are not retained then it leads to a fresh cycle of recruitment, investment of time and resources, thereby creating instability as well as lower confidence levels in employees.

Therefore, talent management is necessary. The same can be done by aiding the employees/ retainers with an efficient paralegal and support staff, good administration and well-defined HR policies for proper redressal of queries and grievances of the employees/ retainers and taking necessary measures for strengthening their loyalties and creating a sense of belongingness as also highlighted above.



**What are your views on India's standing on the global IP map?**

India has been consistently and constantly moving up the ladder in terms of the global index of IP rankings. The improvement is a result of specific reforms such as India's accession to the WIPO Internet Treaties, agreement to initiate a Patent Prosecution Highway (PPH) with international offices, a dedicated set of IP incentives for small businesses along with IP workshops in accordance with the National IPR Policy, 2016, and administrative reforms to address the patent backlog. Such measures accentuate India's competitiveness in R&D-intensive industries. Apart from the aforementioned steps and initiatives, the influx of global brands and new FDI policies have also enabled Indian brands to gain international repute and protection and vice-versa.

**Where do you think creation and creativity coincide to create a strong IP value?**

Creation and creativity ought to coincide in order to create a strong IP value. One cannot be seen in isolation of the other. The fundamental requirement of copyright is that an idea ought to be translated into a tangible form and therefore, creation comes into existence when creativity is put into a tangible substratum. There lies no IP in merely a 'creative idea'.

**Which sectors do you think are most impacted as far infringement is concerned?**

Fast Moving Consumer Goods (FMCG) and Fast Moving Electrical Goods (FMEG) are most impacted as far as infringement is concerned inasmuch as large extent of counterfeiting happens in the said product lines and the issue of infringement as counterfeiting and infringement become inter-twined and in fact counterfeiting supersedes infringement as it is a more grave offense. There has been a manifold increase in copyright violations and infringement of music rights with the advancement in digital technologies and high penetration of internet. The rampant

**Sudeep's Journey so Far**

*He joined the firm in the year 2005 as an associate. In the year 2012 when the firm was restructured into a LLP, he became a partner. He has his own team of one Principal Associate, one Senior Associate and 8 associates.*

*He handles all infringement matters relating to copyright and trademarks and domain-related issues including filing of UDRP complaints. He has handled various high-profile cases in the field of Copyright, Trademarks, Data protection, anti-counterfeiting and UDRP. He regularly conducts Civil and Criminal raids vis-à-vis Counterfeiting.*

*He was a part of the Parliamentary Standing Committees which was constituted to look into the Copyright Amendment Bill, 2010. He regularly gives advice to the DIPP on copyright related issues and is also on their panel.*

*He is the Secretary of the Asian Patent Attorneys Association (Indian Group) and is also a member of the Association's Copyright Committee besides being a Council Member of APAA. Since the year 2008 he has been a part of the INTA Committees and has served in the Trademarks Committee as well as in the Non-traditional marks committee. Currently he is a member of the INTA Copyright Committee (2018 – 2019) and is also a member of INTA - India Global Advisory Council.*

*In the year 2015 he was awarded "Rising Star below 40" by Legal Era. WIPR has recognized him as "Leaders in Trademarks" for four consecutive years from 2016 onwards while "Chambers & Partners" has ranked him as "Band 3 Intellectual Property Litigation Lawyer in India" for three consecutive years from 2017 onwards as well as "Highly recommended lawyer for IP Litigation" in the year 2019. He also got the Clients Choice Award for Copyright in 2018. He has also been ranked by ManagingIP as an IP Star for Trademarks for 2018-19. He is also awarded the "Young Achievers Award of the Year" by LegalEra in 2019.*

piracy of software has also become a big concern which is also required to be tackled with innovative and effective countermeasures.

**Business Vs. IPR - what do you think would get management's attention first?**

Business and IPR in today's time and age go hand in hand as a lot of businesses stem from the creation of an IP such as a trademark or copyright inasmuch as at times the entire goodwill and reputation vests and is generated by a trademark /design/copyright. With the development in the law that organizations cannot use another's trademark as a part of their trade name or corporate name further implies that companies are aware and informed of rights of other IP owners as well.

Furthermore, when a business launches a

new product or a new product range, the management has to carry out a thorough trademark and/or design and/or copyright check in order to ensure that it does not violate anybody else's IP rights.

It is also pertinent to note that with the implementation of the National IPR Policy, 2016 various workshops on IP are being conducted in schools and for MSMEs thereby, creating awareness about IP and acquainting the public with the possibilities of great business prospects by way of using and protecting IP.

Therefore, one cannot be seen in isolation of the other. Effective management of IP rights always leads to a successful business and an essential ingredient of good business practice is to ensure effective and efficient management of IP rights. [W](#)