ALB INDIA TOP IP LAWYERS 2021



In the second edition of its annual list, ALB spotlights top IP lawyers in India who have worked on important matters and consistently delivered results. The selection was made on submissions received by ALB. The list is in alphabetical order, and certain lawyers have been profiled.

LIST BY ASIAN LEGAL BUSINESS, TEXT BY APARNA SAI

ASHWANI BALAYAN

partner & practice head - patents & designs, ALG India Law Offices



Balayan, a partner at ALG India Law Offices for over a decade, heads the firm's patents and IP litigation practice. On the patents side, he advises clients from diverse technologies, with a special emphasis on biotechnology and pharmaceutical related inventions. His practice also focuses on enforcement, dispute resolution, and transactional matters.

He has represented clients in litigations involving trademarks, copyrights, cyber-squatting, misrepresentation, design and patents. Some of his notable litigation matters include conducting raids on behalf of Viacom International to seize counterfeit products, and representing agricultural conglomerate Jain Irrigation in a patent and design infringement suit. Recently, he has successfully secured interim reliefs for the hotel brand RAMADA in multiple trademark infringement suits before the Delhi High Court. He also frequently represents clients in domain name disputes.

As part of his patents practice, Balayan is engaged by clients for pre-grant and post-grant oppositions, patent revocations, infringement actions, advise on validity, patentability, and enforceability of claims in India, etc. He also assists clients in obtaining plant variety protection in India.

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Navigating COVID-19 – tips from an insider

COVID-19 and the economic downturn has brought unprecedented challenges for lawyers and law firms. None of the forecasting models, however sophisticated they were, could have factored in the associated uncertainties. Business planning by management committees has been rendered meaningless. This is truly an event that has moved the needle. So, what can, or rather should commercial law firms do? After much deliberation and introspection, identified below are some suggestions to help managers.

Focus on people
They are your law firm. They help resolve your clients' complicated problems. Retaining them is essential. Now, more than ever, invest in training and development, implement mentorship programs, create leadership opportunities, establish a work life balance, develop remote working and WFH policies. Most importantly, be empathetic.

Talk to your clients
Set up online meetings. Inquire about their shifting needs and priorities. Reward those who have been loyal. When it is not the right fit for your practice, refuse to take on a new client or a new assignment from an existing client.



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Embrace technology
Legal technology is necessary to provide proper accessibility to today's agile and mobile attorney. Increasingly tech savvy clients also demand a rich digital experience. Tools which simplify administration, document/case management, research and drafting can be very useful. There are several global and Indian providers of such software. It is equally important to address data and cyber security needs of your organization. Invest in good hardware, remote monitoring tools and cloud infrastructure.

Re-engineer your fee structures
For those that have remained inflexible, consider offering deferred payments, discounts for advances, fixed, capped, or milestone-based fee structures and so on. For the others, consider simplifying the lives of inhouse counsel and their accounting teams by helping them in budget planning and forecasting legal expenses.

Diversify the nature of your work
There are several areas of practice that are immune to a recession while others languish during one. It is important to have a balanced mix to remain relevant in changing times. It is equally important to keep innovating and introducing new service lines, with the shift in ways of doing business.

Manage cash and credit more efficiently
Develop improved models for forecasting cash flows. Control credit innovatively without damaging your relationships with clients. Improve billing procedures by more frequent and earlier invoicing. Ask senior members to assist collection teams by picking up the phone. Understand and minimize cash burn rates.

SANTOSH VIKRAM SINGH

partner, Fox Mandal & Associates



Singh is a partner at Fox Mandal & Associates, spearheading its IP law practice and a key partner of the firm's sports law and entertainment law team. He was admitted to the India Bar in 2009 and has been a part of Fox Mandal for over two decades.

Among his clients, Singh has led a team of IP attorneys to assist Samsung Electronics, Korea, since early 2000 in their various IP issues. He further assisted Samsung's Indian R&D centre in planning their IP journey in India with several hundred granted and pending patents. He also assisted the client in getting various recognitions for filing the maximum number of patent applications from South India for multiple years in a row.

Singh also advised Mitsubishi UFJ Research & Consulting, Japan, on numerous occasions on several study reports (projects) related to research on implementations of India Patent Law (Consistency with TRIPS Agreement). Furthermore, the team led by Singh was instrumental in helping TATA SIA Airlines adopt the mark "Vistara".

In addition, Singh and his team have been advising Dover Corp, USA and its group companies in patent-related matters, including data mining, infringement analysis, patent searches, advisory, and prosecution work. He regularly assists Dover India in IP transactional and software licensing assignments.

Singh was selected as one of ALB India's Top 15 IP Lawyers list in 2020. "Working with Santosh and his colleagues has always been a pleasurable and professional experience," says Bruce Lilling, owner of IP Dinosaur. "Fox is a big firm with a small firm feel. For close to 25 years, I have used them as my go-to firm in India for my clients."

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