



Shardul Amarchand Mangaldas



J.V. Abhay

Partner

Intellectual Property

J.V. Abhay is a partner at the Firm and part of the Intellectual Property Practice Group.

Abhay advises international and domestic clients on the full range of trade mark, domain name, copyright, design and breach of confidence issues. He acts for a wide array of innovation led high profile clients, including in the fashion and luxury products, hotel, telecommunication, media and entertainment and pharmaceutical industries. He specializes in enforcement, litigation and dispute resolution before Courts, adversarial proceedings before tribunals and strategic counselling. He manages the trade mark prosecution practice of the Intellectual Property Practice Group and also advises clients on IP aspects of corporate commercial transactions.

Abhay was admitted to the bar in 2004 and has over the years represented several clients in litigation and cancellation actions before various courts and tribunals in India and in other jurisdictions. During his career, Abhay has been a part of one of India's largest trade mark litigation matters. He regularly provides advice to clients on branding issues and commercial exploitation of their IP rights.

He is member of the Bar Council of Delhi and is licensed to practice at all courts and trade mark offices in India. He is also a member of the INTA non-traditional trade marks committee. He is fluent in Hindi, English and Kannada.

Select Experience Statement

- Millennium & Copthorne International Limited - represented Millennium & Copthorne International Limited in a suit for trade mark infringement and passing off before the Delhi High Court, which led to significant orders being passed with respect to the aspects of security of costs and territorial jurisdiction of Courts in where the Plaintiff is not residing nor having physical presence in India but is carrying on business through the internet.
- PECB Group Inc. - acted for PECB Group Inc. in a suit for trade mark infringement and passing off of its trade mark PECB by a third party. The Court ruled in favour of PECB Group Inc. at the interim stage and the suit was ultimately disposed of on the basis of a settlement between the parties.
- Su-Kam Power Systems Limited - represented Su-Kam Power Systems Limited in a suit for trade mark infringement and passing off filed before the Delhi High Court against its erstwhile Managing Director. In a precedent setting judgement, the Court acknowledged Su-Kam as the exclusive registered proprietor of the SU-KAM Marks in respect of inverters. It ruled that the Defendant had no real prospect of successfully

Location

- Delhi

Education

- LL.B. (Hons.)

Practices

- Intellectual Property

Professional Membership

- Bar Council of Delhi
- Delhi High Court Bar Association

Awards Recognitions

- **Valuable Client Assistance Award 2022-2023** for IP Litigation by Bray International and First Law International
- Recognised as **Top IP Lawyers in India** by **Asian Legal Business 2022**
- Featured in Legal 500 Asia Pacific Rankings as "**Recommended Lawyers**" for Intellectual Property 2022





defending the claim and that there was no other compelling reason why the claim should not be disposed of before recording oral evidence on the ground of the admissions made by the Defendant. Thus, a summary judgement, under Order XIII A of the Code of Civil Procedure, 1908 may be granted even if there exists a disputed question of fact as long as the Court can make necessary findings of fact, apply the law to the facts and if that would be a proportionate and more expeditious and less expensive means of achieving a fair and just result.

- Grofers India Private Limited – acted for Grofers in a suit for trade mark infringement and passing off filed against it before the Delhi High Court. The Court modified the ex-parte order of injunction against Grofers and the matter was subsequently disposed of on the basis of the settlement between the parties.
- Indiabulls Pharmaceuticals Limited - represented Indiabulls in a suit for trade mark infringement and passing off filed against it before the Delhi High Court. The Court did not grant any order of interim injunction against Indiabulls and the matter was subsequently disposed of on the basis of the settlement between the parties.
- The Financial Times Limited – part of the team which represented The Financial Times Limited in trade mark litigation against Times Publishing House Limited and Bennett Coleman & Co. Limited before various Courts and tribunals in India. The litigation was one of the largest (in terms of the number of disputes and matters) in India.
- Apollo Tyres Limited – acted for Apollo Tyres Limited in a suit for design passing off of its tyre tread pattern. The Court granted protection to the unique tread pattern of Apollo’s tyre tread pattern despite it not being registered as a design in India.
- Asia Pacific Breweries Limited – represented Asia Pacific Breweries Limited in litigation before various Courts in India.
- Federal Express Corporation – assisting Federal Express Corporation with actions against third parties misusing its trade mark FedEx by various entities in India.
- Think & Learn Private Limited - advising Think & Learn on various trade mark and copyright issues as well as assisting it with actions against third parties misusing its trade mark BYJU’S.
- One97 Communications Limited - advising One97 on various trade mark and copyright issues as well as assisting it with actions against third parties misusing its trade mark PAYTM.
- Assisted Vodafone Idea Limited in the launch of its new integrated brand ‘Vi’. The launch has been followed by advertisements on TV and digital platforms, as well as an intensive multimedia campaign.
- Advised on IP aspects of Zee Entertainment Enterprises Limited’s merger with Sony Pictures Networks India.
- Assisted on IP aspects of PVR Limited’s merger with Inox Leisure Limited
- Advised on IP aspects in acquisition of the Retail & Wholesale Business and the Logistics & Warehousing Business of the Future Group by Reliance Retail Ventures Limited.
- Advised client on various IP issues in acquisition of stake in Escorts Limited by Kubota Corporation.



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- Assisted client on IP aspects in SoftBank's acquisition of a minority stake in Meesho Inc.

