

PUNEET DHAWAN

Personal Details

Date of Birth : September 12, 1976.
Address : House No. 10587, Street No. 4, Pratap Nagar, Delhi – 110 007, India.
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Professional Qualification

LL.M in European & International Business Laws from University of Leeds, United Kingdom (Year 2006-07).

Bachelor of Law, Jamia Millia Islamia (Central) University, New Delhi, with an aggregate of 67% (Batch 2000-2003) - (University Topper). Qualified, Registered and Practicing Lawyer/Advocate in Delhi (Registered with Delhi Bar Council).

Merit Scholarship awarded in I & II years of LL.B by the University.

Other Professional Qualifications / Diploma

Post Graduate (Annual) Diploma in Intellectual Property Rights Laws from the Indian Law Institute (Deemed University), New Delhi.

Post Graduate (Annual) Diploma in Tax Laws from the Indian Law Institute, New Delhi.

Post Graduate (Annual) Diploma in Corporate Laws & Management from the Indian Law Institute, New Delhi- Qualified and Competent to work/practice as a Company Secretary as per Section 4(1)(b) of the Company Secretaries Act, 1980 in Companies which have paid up share capital of less than Rs.5 Crores.

Office Management Course- RNR Institute of Management.

High School, Senior Secondary School & Graduation

Passed Class XII with First Division (73%) from the C.B.S.E. - Ravindra Public School, Pitam Pura, Delhi.
Graduation- B-Com (Pass) from Satyawati College (Delhi University), Delhi.

Passed Class X from the C.B.S.E.- J.D. Tytler School (Public School), New Rajendra Nagar, Delhi.

Professional Experience

Worked with K&S Partners, Gurgaon for about 2 years and 8 months (i.e, from February 09, 2009 to October 18, 2011). Thereafter, worked with Ashoka & Co., New Delhi from Nov. 2011 to September 2013.

Worked with Amitabha Sen & Co., New Delhi for more than 7 years (i.e. from Jan. 2004 to Aug. 2006; Jan. 2007 to Feb. 03, 2009 and from October 29, 2013 till June 2018).

Worked as Legal Officer with National Internet Exchange of India (NIXI), Govt. of India under Ministry of Electronics and Information Technology since July 01, 2019- 31 March 2023.

Intellectual Property Laws & Other allied Laws Practices Experience : 12 Years approximately.

Corporate Law Practice Experience : 5 Years approximately.

Conferences

Attended 136th Annual INTA Meeting May 10-14, 2014 at Hong Kong (Attendee No.123754).

JOB PROFILE

I.P. & Related Matters:

- Review of Trade Marks Journals and reporting to clients about conflicting marks and legal action to be taken against it;
- Review of Company Master Register of the Ministry of Corporate Affairs and reporting to clients about conflicting companies and LLPs incorporated with the clients' trademarks/trade names and advising on legal action to be taken against it;
- Providing legal advice to clients in relation to protection, enforcement and commercialization of IP rights;
- Providing legal advice to clients on portfolio management;
- Providing legal advice to clients in respect of adopting a trademark, copyright, design and ways to obtain rights and its protection thereof;
- Conducting search of a trademark and providing advice on its availability pertaining to its registration and use. Providing watch services to Trade Mark Clients (National & International) pertaining to Identical or similar marks;
- Prosecution of a trademark application including drafting of an Application for the registration of the trade mark(s) with/without convention priority as well as IRDI Applications, reporting office actions, drafting affidavit of trademark use, attending show cause hearing, etc., registrations, renewals and restoration of trademarks;
- Providing advice to client on opposition and rectification application matters of a trademark;
- Attending trademark show cause hearings, IRDI Hearings, Rectification hearings, Opposition hearings and Appeal Hearings;
- Attending hearing of trademark miscellaneous matters like renewal of trademark, change of particulars of trademark, trademark assignment/license agreement matters, etc.;
- Preparing Cease & Desist Notice, Notice of Opposition, Counter Statement, Evidence by way of Affidavit and various other Forms prescribed under the Trade Marks Act, 1999 read with the Trade Marks Rules, 2017; Preparing of rectification/cancellation application, counter statement, affidavit, etc. under Trade Marks Act, 1999 and IPAB (Procedure) Rules, 2003 (now abolished);
- Preparing of rectification applications, Appeal, etc. Drafting of appeal and its reply, etc. under IPAB (Procedure) Rules, 2003 (now abolished);
- Appearing and arguing before the Registrar of Trade Marks Registry in opposition & cancellation/rectification petition matters. Earlier attending and arguing before IPAB (now IPAB dissolved) in various matters;
- Preparing applications, Forms and Petition with respect to registration of Copyright;
- Preparing of an Agreement related to transfer of a Trade Mark and Copyright including License Agreement and Franchise Agreement;
- Preparation and Filing of an Application/ Form for registration of an Industrial Design and Cancellation Petition/application, etc.;
- Preparing& arguing in the Court (High Court and District Court) in the matter of Suit for infringement of the Trademark & Copyright & Industrial Design and passing-off of trademark action. Drafting of Interlocutory/Interim Application, WS, Reply, Rejoinder, evidence by way of Affidavit and written final arguments and case law research; and
- Preparing of a criminal complaint, etc. in the CMM/ACMM court against falsely applying and falsification of a trade mark.

Corporate Matters:

- Incorporation of a Wholly Owned Subsidiary Company, Private Company and the matters incidental thereto. Drafting of an MOA, AOA, Board Resolution, Joint Venture Agreement; and an Agreement between a Foreign and Indian company;
- Dealing with the issues pertaining to Corporate Insolvency, Corporate Governance and Corporate Rescue;
- Advising on the issues pertaining to SEBI, RBI Regulations and FEMA and other various similar laws; and
- Preparing, filing and arguing in rectification of company /LLP name matters before Regional Director, MCA at various jurisdictions.

Other Matters:

- Advising clients on Domain name disputes and website disputes. Preparing, filing & dealing with Domain name disputes at the IN.REGISTRY.
- Preparing of a Suit/Plaint (including Suit for seeking Injunction, Suit for Recovery of Money, Partition Suit, Tenancy Suit/Petition and Matrimonial Suit), Written Statement, Replication, Interim/Interlocutory Application, Reply to the Application, Rejoinder, Evidence by way of Affidavit, Legal Notice, Written Final Arguments, Appeal and Consumer Complaint;
- Appearance and argument before the Judge in the District Court and Delhi High Court in respect of Suit, Injunction Application, Appeal and other Miscellaneous Applications (I.A.) and case law research.
- Conducting Examination in Chief and Cross Examination of the witnesses;
- Client Counseling and Research Work (Case Research/Finding of Precedents); and
- Conveyancing including drafting of Will, Codicil, Transfer Deed/Agreement, Lease Agreement, etc.
- Arbitration & Conciliation Matters.

Internship

Kalia & Associates, Delhi (July 2001 – March 2002).

R.K. Jain, Advocate, Delhi (November 2002 – December 2002).

Moot Court

Participated in All Delhi Moot Court Competition in the year 2001 – 2002 (as a Speaker) & in the year 2002 - 2003 (as a Researcher) –Campus Law Centre Faculty of Law, Delhi University.

Former Member of Moot Court and Research Society, Faculty of Law, Jamia Millia Islamia (Central) University, New Delhi.

Published Article

“MARKS MUST BE USED TO BE VALID”- INTA (INTERNATIONAL TRADEMARK ASSOCIATION) Bulletin- November 01, 2004 Issue.

Reference

Mr. R.K. Jain, Advocate, Delhi.