

## SONAL KUMARI

5<sup>th</sup> Year, B.A. LLB. (Hons.) | National Law University, Ranchi (NUSRL).

Email- [sonal99099kumari@gmail.com](mailto:sonal99099kumari@gmail.com) | Contact- 9123472887 | 

AREAS OF INTEREST- Intellectual Property Law, Media & Entertainment Law and Consumer Law.

### ACADEMIC QUALIFICATIONS

- Class 10<sup>th</sup> ICSE Board : 8.2 / 10
- Class 12<sup>th</sup> ISC Board : 9.1 / 10
- 4<sup>th</sup> Year, B.A, LLB. (IPR Hons.) CGPA : 6.7 / 10

### INDEPENDENT PROJECTS - IPR

- **Pre – Litigation Mediation:** Advised the client and successfully conducted Pre – Litigation mediation for amicable settlement of disputes wherein the Applicant claimed trademark passing off action, infringement, unfair competition, dilution and damages – Curated amended mark options and successfully mediated on two marks for the client while keeping the integrity and spirit of the previously used trademark intact.
- **Trademark Registration:** Registered two Trademarks under class 43 for a Hotel chain in Jaipur, Rajasthan and also curated the trademarks by adding distinctive features, defined its correct specification, conducted due diligence before registration, etc.

### IPR SPECIALIZATION HONS. PAPERS AND COURSES IN IPR

- **IPR Specialization Hons. Papers-** Trademarks (8.5/10), Copyrights (7.5/10) WTO&TRIPS (7.4/10), Data Protection (7/10), IP Valuation (Undergoing) and Consumer Laws (Undergoing).
- General IP Course by **WIPO, Geneva.** (2022)
- Course on Intellectual Property laws accompanied by research work, **CSRIPR, NUSRL** (2021)

### INTERNSHIPS

1. **Saikrishna and Associates, Noida – IPR** (02.01.24 – 31.01.24)
  - Drafted Examination Report Replies where marks were objected u/s 9 and 11 of Trademarks Act, 1999.
  - Drafted Notices of Opposition taking the grounds of- Sec 9, 11, 12, 18, 27 and 102 of Trademarks Act, 1999.
  - Drafted Counter statements under rule 44 of Trademarks Rules.
  - Drafted Affidavits under rule 45, 46 and 47.
  - Drafted Cease and Desist Notices.
  - Assisted in online investigation of Subject Marks, prepared public search reports, navigated Madrid monitor, etc.
  - Conducted due diligence before the registration of the mark.
2. **Vohra & Vohra IP Attorneys, Delhi - IPR** (01.06.23 – 30.06.23)
  - Drafted Evidence by way of affidavit under rule 45, 46 and 47 of the trade marks rules, 2017 on the grounds of - the marks being well-known and likelihood of association, copying of dominant portion of marks, lack of distinctiveness, deceptive similarity, passing-off, circumstances of usage etc.
  - Drafted Notice of opposition taking the grounds of- Sec 9, 11, 12, 18, 27 and 102 of Trademarks Act, 1999.
  - Drafted Examination Report replies pertaining to section 9 (1) (a), (b) and (c) of Trademarks Act, 1999.
  - Navigated Madrid Monitor to check Provisional Refusal details, Statement of Grant of Protection, etc.
  - Assisted with TM-M Application for a well-known mark by establishing its well – known status.
3. **ALG India Law Offices LLP, Delhi - IPR** (02.01.23 – 31.01.23)
  - Drafted Grievance request against delay in serving of notices by the registry and non-use of mark.
  - Drafted counter statement pertaining to- passing off, lack of distinctiveness, deceptive similarity, likelihood of confusion etc.
  - Drafted two examination report replies whereby the mark was objected over relative grounds of refusal.
  - Conducted online investigation on several platforms such as TMview, WIPO database, National TM Registries, etc.
  - Conducted case law research relating to International exhaustion, Authorship claim over movie when the copyright has been assigned, cases where WIPO/NIXI has held that passive use of a domain name including parked pages is in bad faith, etc.

- Conducted a presentation for the firm on “Can Movie Titles be granted Trademark Protection?”
- 4. ALG India Law Offices LLP, Delhi – IPR** (01.07.22 – 30.07.22)
- Drafted examination report reply whereby the mark was refused over relative grounds of refusal.
  - Researched on several aspects of IP such as- copyright application of brochures having both artistic and literary value, application of estoppel during trail against a claim made before trademark registry, whether OTT platforms can be classified as intermediaries and their liabilities thereof, etc.
  - Prepared two pre-hearing analysis.
  - Conducted a presentation for the firm on “Can Intermediaries seek safe harbour under the Intermediary Guidelines of 2022”
- 5. S.S. Rana & Co, Delhi – IPR** (05.01.2022 – 12.02.2022)
- Assisted in Trademark search on IP India website
  - Drafted ER Replies under section 9 and 11 of Trademarks Act, 1999.
  - Conducted case law research on- nominative use of trademark, cases where Courts/IPAB had removed registrations on the ground of false prior use claim, cases where the release of movies was enjoined on the ground that it infringes the IP of the plaintiff’s prior releases, cases on the liability of franchisor for the conduct of business of independent franchisees.
  - Wrote articles on “NFT and IPR”, “Motion Marks”, “Prior Publication of design”, etc.
- 6. Vohra & Vohra IP Attorneys, Delhi - IPR** (28.08.2021 – 24.09.2021)
- Assisted in trademark search on IP India website.
  - Researched on trap purchase- Permissibility for the Plaintiff to establish prima facie case through trap orders and fairness of such transactions.
  - Submitted article, “Protecting the Indian Aroma through Smell Trademarks.”
  - Mock practiced preparing Notice of Opposition, ER reply and Counter statement by looking for already uploaded documents online.
- 7. D.K. Sharma & Co, AOR, Supreme Court of India – Civil and Criminal Litigation** (03.01.21-14.02.21)
- Assisted in Drafting Real Estate Purchase Contracts, Special Leave Petitions and Bail Applications before the Supreme Court of India.
  - Assisted in Ongoing matters in Arbitration Law, Civil Law and Criminal Law. Assisted in Preparing case notes and case records.

#### RESEARCH PAPER AND ARTICLES – IPR

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- HNLU: “Accentuating Third-Party Product Comparisons in Comparative Advertisements” [ <https://lnkd.in/eWZ4NYSP> ]
- Khurana & Khurana IP Attorneys: The Indian Aroma: Protecting through Smell Marks [ <https://rb.gv/cv8m8> ]
- NUSRL: Era of Image Advertising : *Can Right to freedom of Speech by override Personality rights?* [ <https://shorturl.at/bjwSU> ]
- Khurana & Khurana IP Attorneys: Live Streaming Live Performances- *Will it land you in hot waters?* [ <https://shorturl.at/bjwSU> ]
- Nirma University: “Trademark Infringement and Counterfeiting in Covid Times” [ <https://rb.gv/falw8> ]
- Under Professor M.R.S. Murthy, NLU Ranchi: How Non-sponsors skirt IP laws by moment-marketing and “Congratulating” [Under process for Publication]

#### MOOT COURTS

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- **Qualifier for India Rounds (As Speaker):** International Criminal Court (Netherlands), Moot Court Competition, 2021.
- **2<sup>nd</sup> Best Memorial:** NUSRL Moot Court Competition, 2020 Intra on Constitutional Law.
- **Rank 4<sup>th</sup>:** National Law University Ranchi, Moot Court Competition, 2020 Intra on Constitutional Law.

#### C0-CURRICULAR AND EXTRA CURRICULAR ACTIVITIES

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- **First Position, Debate Competition** on Gandhian Principles in current legal System, NLU Ranchi.
- Attended webinar on **Trademark search and registration** facilitated by MikeLegal.
- Attended webinar on **Intellectual Property Management** facilitated by NLU, Assam and DPIIT IPR.
- Participation in IPR Debate competition- *Can Patents be granted to AI creation?*

#### POSITIONS OF RESPONSIBILITY

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- Member, **Centre of study and research in IPR**, NLU Ranchi and assisting in conduction of seminars and events pertaining to Intellectual Property Law.
- Student Member, **International Bar Association, London** (2020-2021)
- **Assisted Australian Delegate** in Seminar on Protection of Women and Child rights in collaboration with National commission for Protection of child rights.