Pragya Jain

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EDUCATION

- B.A.LL.B. (Hons.) from Amity Law School, Kolkata with a Cumulative Grade Point Average of 8.45/10 [2017 2022].
- Class 12th from Delhi Public School, Ruby Park, Kolkata Science Stream, CBSE, with an aggregate of 85% [2015 2017].

EXPERIENCE

• Inttl Advocare, Noida [July, 2022 – Present]

- Drafted-
 - Pleadings, interim applications and written submissions to be filed before the Court.
 - Assisted and briefed arguing counsels for hearings before various Courts.
 - Notice of Opposition, Counter-Statement, Evidence in Support of Opposition, Evidence in Support of Application, Evidence in Reply and Written Submissions for Opposition hearings.
 - Legal Opinion, Cease and Desist Notices, Undertakings and Settlement Agreements.
- Conducted legal research on various propositions
- Took part in civil raids for identification and seizure of counterfeit goods.

Biswajit Sarkar Advocates- IP Attorneys, Kolkata [December, 2021 – May, 2022]

- Drafted-
 - Response to the objections under section 9 and 11 of the Trade Marks Act, 1999, Counter Statement for Rectification Petition, Evidence in Support of Opposition, Notice of Opposition-Counter Statement, user affidavits and No Objection Certificate for Trademark Prosecution.
 - Trade Mark Assignment Deed and No Litigation Affidavit.
 - Form 1, Representation sheets, Response to First Examination Report, Form 15, Form 16 and petition for change of name and address of the agent for Design registration proceedings.
 - Copyright Application Form XIV and Statement of Particulars.
 - Cease and Desist Notice & Reply to the legal notice for Design infringement.
- Researched and compiled a blog on Cultural Appropriation and patents on holiday season.
- Acted as a liaison between the clients and seniors.

• Indus Law, Bengaluru [October, 2021]

- Drafted:
 - Notice of Opposition, Evidence in support of Opposition/Application and Written Submission for Trademark Prosecution.
 - Response to the objections under section 9, 11 of the Trademarks Act, 1999 as well as user affidavit to be filed along with TM-A.
- Compiled Trademark portfolios for technology development companies and E-commerce platforms
- Researched and compiled a note on:
 - IP issues in the field of 5G.
 - IP considerations for Engineering, Manufacturing and Technology Development Companies in India.
 - IP considerations for real estate franchising in India and for brand protection
 - Trademark Strategy for an E-commerce Platform.

• Sim & San, Delhi [September, 2021]

- Researched and compiled a note on:
 - Liability of an intermediary upon actual knowledge of Trademark infringement.
 - Cases on conceptual similarity of trademarks for an ongoing matter.
 - Three elements required to establish dispute under Para 4 of the UDRP.

• Sahadeva Law chambers, Delhi [July – August, 2021]

- Drafted:
 - Response to the objections under section 9 and 11 of the Trademarks Act, 1999.
 - Evidence under rule 45, 46 of the Trademarks Rule, 2017.

Notice of Opposition – for the marks advertised in TM Journal conflicting the marks of the client.

• S. Bhambri and Associates, Delhi [May, 2021]

- Researched and compiled a note on compulsory licensing of patents in the light of the second wave of Covid-19 pandemic in India.
- Drafted:
 - Assignment, license, terms and conditions, representations and warranties, termination, consideration, indemnity clauses for a Trademark assignment agreement.
 - Legal notices for Trademark Infringement.

• World Cyber Security Forum [May, 2020 – January 2022]

- Compiled a blog on Protection of Intellectual Property in Cyber Space: a new perspective.
- Assisted in a pro-bono case of cyber fraud, participated as a client in a client counselling competition, moderated sessions of webinars and compiling research materials on IPR Laws.
- Assisted in research pertaining to Council of Europe Convention on Cyber-crimes including offences like data theft, computer embezzlement, cyber warfare and cyber terrorism and the case of Times Internet Limited v. M/S Belize Domain Whoise Service Limited and Ors.

Publications

- Hapic v. Domex Advertisement: Product Disparagement or nominative fair use?, SpicyIP. August, 2021
- Patent v. Tradesecret: in the light of Indian Pharmaceutical industry, SpicyIP. July, 2021.
- Access to Essential Medicines: Is IPR a Handicap?, International Journal of Legal Enforcement, (ISSN:2582 8894 ISNI: 491561750), Volume 1, Issue 2, June, 2021.
- Analysis of Trademark Infringement in the Fast-moving consumer goods industries; with reference to
 Britannia Industries Ltd. v. ITC Ltd. & Ors., International Journal of Legal Science and Innovation, (ISSN: 2581-9453) Volume 3, Issue 2 of April, 2021.
- Trademark Genericide: A Study of the Indian Legal System, International Journal of Socio-Legal Research, (ISSN: 2393-8250), Volume 7, Issue 1, January, 2021.
- <u>Case Analysis: Times Internet Limited v. M/S Belize Domain Whoise Service Limited and Ors.</u>, Indian Journal of Socio-Legal and Contemporary Affairs, July, 2020.

MOOT COURT ACTIVITIES

- Second Position, Intellection Moot Court Competition, August, 2020.
- Speaker, 12th National Moot Court Competition of Amity University, Lucknow, March, 2019.
- Speaker, First Virtual Moot Court Competition organized by NMIMS, Bangalore, August, 2020.

CERTIFICATION

- Completed a Course:
 - Intellectual Property offered by WIPO, November, 2021.
 - IP Panorama offered by WIPO, November, 2021.
 - Introduction to Patent Cooperation Treaty, 1970, November, 2021.
 - Madrid System for International Registration of Marks offered by WIPO, June, 2021.

Co-Curricular Activities

- Legal Training Program, Law Office of Rahul Dev, June, 2021.
- Second Position, Research Paper Competition for the article titled, "A doltish way of Tax Evasion: Legality revolving around the issue of Fake Invoice for Input Tax Credit", organised by Judicate Me, ISSUE IV, ISSN: 2582-7324, May, 2021.
- Second Runners-up, PIL Competition by Abhudyay, IIT Bombay, January, 2020.

Positions of Responsibility

Publishing Editor, Quod_Legalis [IP Blogs] [October, 2020 – Present].

Host, VakilTalks – A Podcast by Quod_Legalis [October, 2020– Present].						