

## ADARSH AGARWAL

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### EDUCATION

National Law University and Judicial Academy, Assam

2019- 2024

B.A.LLB

9.1 CGPA | *Specialization- IPR Law, Business Law*

### ADDITIONAL COURSES

- **Microsoft Excel: From Beginner to Advanced-** by UDEMY (2022).
- **General Course on Intellectual Property-** by WIPO (2020).

### WORK EXPERIENCE

LITLEGAL

NEW DELHI

*IP Litigation & Prosecution / Opposition*

August 2024- *present*

- *Drafted & filed* suits related to trade mark infringement and cancellation;
- *Drafted & filed* TM-A applications; Convention (Madrid) Applications; user Affidavits; Reply to Examination Reports; Notice of Oppositions; Counter Statements; and Evidences under Rule 45, 46 and 47; Rectification/ cancellation against trade mark registration; Rectification Petition against Design registration; Counter Statement to rectification petition; cease and desist notices and replies thereto; Objection Petitions against Copyright Applications;
- *Drafted & filed* S.124 applications under Trade marks Act 1999; Rejoinders; Replications; Non-compliance application under O. 39 R. 2A; Caveat applications; Compromise Applications under O. XXIII R. 3; Agreement for sharing technical capabilities; Applications for substituted service and other ancillary legal documents;
- *Drafted* IP Assignment agreements; IP License Agreement, Service Agreement;
- *Attending* hearings before the Trade Mark Registry.
- *Reviewing* IP portfolio of the clients and routinely advising them on brand protection;
- *Assisted* the Court appointed Local commissioner in conducting raids;
- *Initiated* and *executed* the filing of a trademark infringement suit against the infringing party;
- *Conducted* trade mark searches and *drafted* availability reports and advised clients on adoption of marks;
- *Researched* cases relating to S. 52(1)(k) & (l), 55 of the Copyright Act; advertisement of trade mark constitutes as 'use'; one's color combination cannot be used by others; actions taken by court against third party for obstructing LC;

### INTERNSHIPS

LINK LEGAL

NEW DELHI

*Disputes Team*

August 2023

- *Researched* on can application be filed in the court seeking discretion for getting the records of a case filed by a 3<sup>rd</sup> party against one of the parties to original suit; Does MCA, ROC, SFIO have the power to freeze the shareholding of a company; Product liability and its cases; whether RP can approach NCLT for maintenance of a company as a going concern;
- *Prepared* note on dilution of shareholding and rights of shareholders; Section 60(5) of the IBC, 2016 should be dealt with before initiation of CIRP process.

LAKSHMIKUMARAN & SRIDHARAN

BANGALORE

*Indirect Tax Team*

July 2022

- *Researched* on and formulated a summary on judicial precedents and circulars on refund of tax under Inverted Duty Structure in Transactions of SEZ unit for client purposes terms of Section 54(3) of CGST Act; whether tablets and ipads come under the ambit of computers and laptops for the purpose of depreciation under IT Act; whether club membership given by employer uniformly to all employees will or can be exempted from taxation; secondment taxation in India.
- *Collected* judicial decisions and made summary on whether CCDs are characterized as Debt or Equity under the IT Act;
- *Formulated* a report on secondment taxation in USA, South Africa and UK and drafted document on provisions of Specified Domestic.

<b>UKCA &amp; PARTNERS LLP</b>	<b>NEW DELHI</b>
<i>Corporate Law Team</i>	July 2021
<ul style="list-style-type: none"> <li>▪ <i>Researched</i> on status-quo order granted by a court needs to be specific and cannot be so vague as to stop the functioning of the company; Whether after submitting resignation letter &amp; completing the notice period, the employee shall be deemed to have resigned from service when the service rules is silent about the deemed resignation; Whether the competent authority in a departmental proceeding is bound to obey the direction/order of High Court.</li> <li>▪ <i>Researched</i> on whether Personal Guarantor can initiate proceedings under Insolvency and Bankruptcy Code, 2016 to absolve from Guarantor obligations; whether three different Stamp duty has to be paid for three different properties mortgaged or a single stamp duty for all.</li> <li>▪ <i>Prepared</i> research notes on Section 233 and 241 of the Companies Act, 2013 and Private Placement procedures under Companies Act, 2013.</li> </ul>	

<b>ANM GLOBAL ADVOCATES</b>	<b>DELHI</b>
<i>Intellectual Property Litigation Team</i>	February 2021
<ul style="list-style-type: none"> <li>▪ <i>Researched</i> on Section 11(6) of Arbitration and Conciliation Act, Section 31 of the Copyright Act, 1957, Section 9(2) of the Trademarks Act, 1999 and Section 47, 50, 51 of Maharashtra Stamp Act, 1958 through judicial precedents and made case notes on the same.</li> <li>▪ <i>Analyzing</i> through judicial precedents- Copyright registration is only <i>prima facie</i> evidence and does not proof originality; Confidentiality is a right in <i>personam</i> and not right in <i>rem</i>; Courts denying anticipatory bail where the actions of the petitioner have hurt religious sentiments; Interpretation of terms of contract should not lead to absurdity and should have reasonable meaning.</li> <li>▪ <i>Prepared</i> a note on initial draft of ‘<i>ASCI Guidelines for Influencers</i>’</li> <li>▪ <i>Conducted</i> Public Trademark Search and prepared a note on the same.</li> <li>▪ <i>Proofread &amp; assisted</i> the senior in drafting the pleadings and other legal documents.</li> </ul>	

<b>SCRIBOARD ADVOCATES &amp; LEGAL CONSULTANTS</b>	<b>DELHI</b>
<i>Research Team (IPR)</i>	July-August 2020
<ul style="list-style-type: none"> <li>▪ <i>Assisted</i> the Partner, with updates case materials for his book.</li> <li>▪ <i>Researched</i> cases related to the Trademarks Act, 1999; Copyright Act, 1957 and other allied IP Laws.</li> <li>▪ <i>Researched</i> on compulsory licensing under copyright law and Section 51 and 52 of the Copyright Act, 1957.</li> </ul>	

<b>VAHURA</b>	<b>MUMBAI</b>
<i>Legal Consultancy &amp; Recruitment Team</i>	January 2023- February 2023
<ul style="list-style-type: none"> <li>▪ <i>Formulated</i> databases by inputting employee information and employment details of Tier 1 Law Firms.</li> <li>▪ <i>Created</i> talent pipeline by sourcing potential candidates through online channels.</li> <li>▪ <i>Assisted</i> in screening potential employees’ resumes and application forms to identify suitable candidates and organizing interviews with shortlisted candidates.</li> </ul>	

**VOLUNTEERING EXPERIENCE**

<b>Information Officer, IDIA</b>	<b>2022-2023</b>
<ul style="list-style-type: none"> <li>▪ <i>Acted</i> as a liaison between the management and the members of the North-East Chapter.</li> <li>▪ <i>Formulated</i> a plan to increase the funding for North-east Chapter and was successful in increasing it by 110% on Y-O-Y basis.</li> <li>▪ <i>Mentored</i> the trainees on subjects like Quantitative Aptitude and Logical Reasoning and prepared practice questionnaires.</li> </ul>	

**EXTRA-CIRRICULAR ACTIVITIES**

<ul style="list-style-type: none"> <li>▪ <b>Semi-Finalist</b>, 2<sup>nd</sup> NLUJAA National Law Quiz Competition (November 15, 2019).</li> <li>▪ <b>Operational Head</b>, Aequitas Victoria Foundation (2021-2022)</li> <li>▪ <b>Student Coordinator</b>, National Seminar on “Transition of Inclusive and Exclusive Practices of Child Protection and Promotion: A Multidisciplinary Approach” - organized by Government Law College, Kozhikode.</li> <li>▪ <b>Volunteer</b>, NSS NLUJAA Unit (2019-2021)</li> <li>▪ <b>Semi-finalist</b>, Football Tournament (Bosco Fest, 2016).</li> <li>▪ <b>Quarter- finalist</b>, Football Tournament (St. James Sports Fest, 2014).</li> <li>▪ <b>Position of Responsibility-</b> <ul style="list-style-type: none"> <li>○ <b>School Games Captain</b>, Holy Child School (2017).</li> <li>○ <b>Vice-Captain</b>, Holy Child School Football Team (2016-2017).</li> </ul> </li> </ul>	
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