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*Advocates since 1911*



### **Smriti Yadav**

Partner

One Indiabulls Centre  
13th Floor, Tower 1  
841 Senapati Bapat Marg  
Mumbai - 400 013  
India

T: +91 22 6636 5000

F: +91 22 6636 5050

E: [smriti.yadav@khaitanco.com](mailto:smriti.yadav@khaitanco.com)

#### **Practices:**

Intellectual Property

#### **Education:**

LL.M., Intellectual Property and  
Information Technology Laws  
University of Mumbai (2005)

LL.B., University of Mumbai  
(2003)

BSc, University of Mumbai  
(2000)

#### **Professional Affiliations:**

Bar Association of Maharashtra &  
Goa

The Trademark Registry and the  
Patent Office, India

International Trademark  
Association (INTA)

Asian Patent Attorneys

Association (APAA)

Bombay Bar Association

Smriti Yadav is a Partner in the Intellectual Property Practice Group in the Mumbai office. With more than 15 years of experience, Smriti has been advising, managing and maintaining IP portfolios of clients in diverse fields like pharmaceuticals, tobacco, music, automobiles, retails, real estate, textiles and garments, FMCG, finance and stock marketing including multinational companies.

Smriti's expertise lies in strategising and handling contentious and non-contentious matters pertaining to trademarks, copyrights and industrial designs at national and international forums. She has also advised clients on copyright royalty sharing and licensing issues and on various international treaties relating to intellectual property law and their effect on the Indian intellectual property law. Being a registered patent agent Smriti has also handled select patent cases.

#### **Representative Matters:**

In her area of expertise, Smriti has advised and represented the following clients:

##### IP Prosecution and Advisory:

- **General Mills India Pvt Ltd, The Pillsbury LLC, Saregama India Ltd, Mahindra & Mahindra Ltd, Inox Group, Bajaj Auto Limited, Johnson & Johnson USA, Hindustan Unilever Limited, Aloe Vera of America, Singapore Institute of Management Pte. Ltd. Trent Group, Tata International, Suryavanshi Private Limited, Innovcare Lifesciences Private Limited, Fazlani Group, Fractal Analytics, Kalpataru Properties Private Limited, C K Birla Group, Greenlight Planet India Pvt Ltd, Argos International, PSiPL, JMC Projects, Godrej & Boyce Mfg Ltd, Crompton Greaves (CG), Doms Industries Pvt Ltd, Simba Sleep Limited, TCS, Sahajanand Medical Technologies Pvt Ltd, Staywell Hospitality, Lemill, Fleetguard Filters Pvt Ltd** on advising on conception and registrability of the trade marks, domestic trademark prosecution work, IPR audits, common law related aspects such as confidentiality, tort of passing-off, trade secrets and goodwill;
- **Saregama India Ltd, Trent Group, Tata International, Fazlani Group, Bajaj Auto Limited, Greenlight Planet India Pvt Ltd, Doms Industries Pvt Ltd** on international trademark prosecution work;



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- **General Mills India Pvt Ltd, The Pillsbury LLC, Saregama India Ltd, Trent Group, Fazlani Group, Mahindra & Mahindra Ltd, Kalpataru Group, Doms Industries Pvt Ltd, Cleartrip** on domestic and international copyright registration;
- **Doms Industries Pvt Ltd** and **Fazlani Group** on domestic and international customs registrations;
- **Saregama India Ltd, Greenlight Planet India Pvt Ltd, Doms Industries Pvt Ltd** on domestic and international industrial designs registrations;
- **Saregama India Ltd** on Carvaan copyright issues and advices relating to royalty sharing, licensing issues, retailing of music through physical and digital mediums;
- **Mahindra & Mahindra Ltd, Phoenix Mills Ltd, Trent Ltd, Crompton Greaves, Lyla Blanc London, HMV (IP) Limited** on various copyright enforcement advisory;
- **Trent Ltd** on liabilities of intermediaries and use key words vis-à-vis trademark infringement; and
- **ITC Ltd** on use and licensing of GI.

IP Enforcements & Contentious Matters:

- **Saregama India Ltd, ITC Ltd, The Pillsbury Company LLC, General Mills India Pvt Ltd, Mahindra & Mahindra Ltd, Hindustan Unilever Ltd, Kalpataru Properties Private Ltd, Inox Group, Lupin Ltd, Andersen Tax, LLC, Zespri Group, C K Birla Group, Doms Industries Pvt Ltd, India Capital, Fazlani Group, Pioneer Intertrade Pvt Ltd** on trade mark infringement and passing off cases;
- **Anand Mahindra** and **Mahindra & Mahindra Ltd** on personality right encroachment advisory work;
- **Andersen Tax, LLC** on trans-border trade mark dispute;
- **Honda Motors** on counterfeit goods advisory and criminal enforcement actions;
- **Hindustan Unilever Limited, General Mills India Pvt Ltd** and **Fazlani Group** on copyright violation and passing off issues;
- **ITC Limited** on issues relating to trade dress infringement which led to its famous mark 'Aashirwaad' being declared as well-known mark;
- **Samruddhi Group** and **Indian Trading League** on trade mark and business method infringement issues;
- **Saregama India Ltd, Trent Ltd, Tata International, Fazlani Group, Bajaj Auto Ltd, Greenlight Planet India Pvt Ltd, Doms Industries Pvt Ltd** on international trade mark enforcement issues;
- **Mahindra & Mahindra Ltd, Lyla Blanc London, Saregama India Ltd** on international copyright enforcement issues;



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- **Sopariwala Exports Private Limited** and **CTP Environnement S.A.S.** on patent infringement case wherein process patent was infringed;
- **EPC Industrie Limited** and a **European client** for patent infringement case wherein product patent was infringed;
- **HM Megabrands Private Limited** and **Fazlani group** on groundless threats cases;
- **Saregama India Ltd, Doms Industries Pvt Ltd, Greenlight Planet India Pvt Ltd** on design infringement disputes in India and foreign jurisdictions; and
- **Mahindra & Mahindra Ltd, Zespri Group, Trent Ltd, Fazlani Group** on domain name disputes before various forums such as Wipo, Nixi, Nominet and Denic.

#### Transactional IP:

- **Claris Life Sciences Ltd, Mahindra & Mahindra Ltd, Mahindra Navistar Automotives Ltd, Sahara Worldwide Ltd, Saregama India Ltd, Emami Ltd, Nirma Ltd, Hungama.Com Private Ltd, Apollo Hospitals Enterprise Ltd, Inox Group, Forever Living Products, Crom- Pharma GmbH, Invista Technologies S.á r.l, Toshiba America Business Solutions Inc, Eurostar Engineering Plastics, Orient Paper & Industries Ltd, Novartis AG, Robert Bosch GmbH, TPG Growth and Sutures India Pvt Ltd, Twelve Cupcakes Pte Ltd** on IP perspective of commercial transactions including strategizing, documentation, negotiations pertaining to technology transfers; licensing, franchising and acquisition of IP; assignment; co-existence; co-branding; confidentiality and employee agreements; IPR aspects pertaining to mergers and acquisitions, joint ventures; OSS issues, due diligences in IPR related transactions;
- **The Pokémon Company** on merchandising rights, publishing rights, TV broadcasting rights, and videogram rights concerning the TV series 'Pokémon'; and
- **AUZRND Pty Ltd** on funding for a research project and the IP ownership.

#### **Publications and Presentations:**

Smriti has contributed several articles in IP journals such as the World Trademark Review, Lexology, Mondaq and Legal Era. Some of her recent work includes:

- **"Counterfeiting – no more a cakewalk!"** published by Lexology (April, 2019);
- **"Restraint in monopolising the entire class"** published by Mondaq (August, 2018);
- **"Watch you defense"** published by Lexology (June, 2018);
- **"Determination of well-known mark- a conundrum"** published by Legal Era (May, 2018);



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*Advocates since 1911*

- **"Indian Performing Rights Society Re-Registered As A Copyright Society"** published by Monday (Dec, 2017); and
- **"The Trade Marks Rules, 2017"** published by Mondaq (March, 2017).

#### **Recognitions and Accomplishments:**

Smriti has been recognised by well-known rankings such as **Asia IP** and **IP Stars** from time to time.