

Madhav Khosla

Counsel

Delhi - NCR



Practices

Dispute Resolution
Technology Disputes
Data Privacy

Education

BA/LL.B. (hons.), West Bengal National University of Juridical Sciences, Kolkata (2015)
LLM., New York University School of Law (2020)

Professional Affiliation

Bar Council of Delhi

M: +91 98110 39074
E: madhav.khosla@khaitanco.com

Madhav is a Counsel in the Dispute Resolution practice group. His practice focuses on civil, commercial and regulatory disputes, with a particular emphasis on clients in the technology industry.

Madhav has appeared on behalf of represented and advised clients in contentious matters relating to training artificial intelligence models, software services contracts, deepfakes, regulatory and civil data disclosure requests, data theft by employees and competitors, domain blocking, content removal and moderation, injunctions to alter platform operations, and damages.

REPRESENTATIVE MATTERS

In his areas of expertise, Madhav has advised and represented several prominent clients including:

Technology, Data, & AI

- A leading artificial intelligence company in a copyright infringement suit concerning training of its models on publicly available data;
- A prominent messaging application in several civil and commercial suits, concerning infringement of intellectual property, fraud, defamation, the right to be forgotten, and disclosure of private user data;
- A global IT services major in arbitration proceedings arising out of a software services contract with a leading Indian public sector bank.
- A leading Indian internet services company in arbitration claims concerning breach of contract and unlawful access to its services;
- A prominent messaging application in litigation concerning the abuse of deepfakes to manipulate share prices on the National Stock Exchange;
- A global content delivery network provider in proceedings to challenge an order blocking its domain in India;
- A prominent messaging application in several litigation proceedings concerning data leaks; and

- A prominent search engine in writ proceedings seeking to impose pro-active content moderation obligations on search engines.

Commercial Litigation & Arbitration

- A leading Indian EPC company in its USD 200 million claim for allocation of tolling revenues against the National Highways Authority of India;
- A leading Spanish engineering services conglomerate in a number of arbitration claims seeking restitution of wrongful levies of liquidated damages, encashment of bank guarantees, recovery of withheld payments, and damages;
- A leading European investment fund in enforcement proceedings in relation to a USD 100 million LCIA award;
- JSW Steel Ltd. before a Constitution Bench of the Supreme Court of India in proceedings to settle the validity of unilateral arbitrator appointments under Indian law;
- A leading Indian Public Sector Bank in litigation for recovery of a sum more than INR 700 crore; and
- Two global investment funds in enforcement and insolvency actions arising out of defaults in relation to a USD 50 million private credit facility.

PUBLICATIONS AND PRESENTATIONS

Madhav has authored the following contributions:

- "A Thin Line Separates Deepfake Satire From Defamation" published by The Mint (June 2024);
- "Fact Checking or Censorship? Bombay High Court finds Fact Check Unit Unconstitutional" published by Mondaq (October 2024); and
- "Bombay High Court's Split Verdict on the 2023 Amendment to the IT Rules" published by Mondaq (March 2024).