



## Nirupam Lodha

Partner

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### Practice:

Intellectual Property

### Education:

B.Sc., LL.B., National Law  
University, Jodhpur (2007)

### Professional Affiliations:

Delhi Bar Council  
International Trademark  
Association  
The International Bar Association

Nirupam Lodha is a Partner in the Intellectual Property practice group in the NCR office. He specialises in advising clients on intellectual property and technology-related transactions, including the acquisition of intellectual property assets, intellectual property and technology licensing, brand licensing and acquisition and conducting intellectual property-related due diligence.

Nirupam also advises clients in intellectual property enforcement matters, such as trademark infringement and passing off actions, patent infringement, copyright infringement, and actions for misappropriation of trade secrets.

His prosecution work includes trademarks, designs, patents and copyright filings. He has handled large IP portfolios of clients at both, India and global level.

### Representative Matters:

In his area of expertise, Nirupam has advised and represented several prominent clients which include:

- **ANI Technologies Private Limited (“OLA”)** on various intellectual property matters, including licensing of copyright for its ‘OLA-Play’ services;
- **Indo Count Industries Limited** on intellectual property matters relating to their purchase of home textile business of GHCL Limited;
- **Atlas Holdings LLC** on intellectual property matters in relation to their acquisition of RR Donnelley Sons and Co, involving the purchase of RR Donnelley's outstanding stock by Atlas for a total consideration of approximately USD 2.1 Billion;
- **General Catalyst** on the USD 70 Million Series A investment in Fintech startup Uniorbit Technologies Private Limited;
- **Nutanix Inc.**, a leader in enterprise cloud computing, on its USD 24 Million acquisition of Minjar Inc.;
- **Hero Future Energies** in its software license and development agreements with various third parties, such as BaxEnergy Italia S.R.L and DEIF A/S, for software solutions relating to operation of wind powered turbines;



- **Fortum Charge & Drive India Private Limited** on software application development agreement relating to development of an e-mobility software application solution;
- **Gaja Capital India Fund 2020 LLP** on various intellectual property and information technology law related issues in its investment in MarketXpander Services Private Limited, the owner of LeadSquared, a SAAS CRM platform;
- **Tata Global Beverages Limited** on their USD 100 Million deal with Starbucks Corp. for setting up a joint venture in India;
- **Reliance Retail Limited** on its acquisition of the menswear brand 'John Player' and associated inventory from ITC Limited for approximately INR 150 Crores (USD 21.79 Million);
- **Mylan Inc.** on its USD 750 Million acquisition of female health care businesses of Famy Care;
- **Khazanah Group**, a Malaysian sovereign wealth fund on its investment of USD 100 Million in Fractal Analytics, one of India's leading data analytics company;
- **Everstone Capital Advisors Private Limited** on setting up its Indian joint venture with Burger King;
- **Haldiram Snacks Private Limited** on various brand acquisition transactions;
- **AllScripts Healthcare Solutions Inc.** on a License and Reseller Agreement with Manorama Infosolutions, in respect of Allscripts software offering;
- **UC Web** on their various online services and applications including the 'Vmate' and 'Vmate Status' mobile applications and the 'UCWeb Browser';
- **Playboy Inc.** on its Master Franchise Agreement as well as various Venue License Agreements in India and issues arising therefrom;
- **II-VI Incorporated** on its acquisition of Finisar Corporation for approximately USD 3.2 Billion;
- **Orient Electrical Limited** on various intellectual property matters, including enforcing of their trademark and design rights against third parties;
- **Mahyco Private Limited** on enforcing their trademark and copyright against third party infringers, across the country, as well as in registering their intellectual property rights;
- **Metro-Mayers-Goldwin Studios ("MGM Studios")** on intellectual property enforcement and prosecution matters in India;
- **CommScope**, on a patent infringement suit pertaining to base station antennas in India;
- **Lava** on their dispute with Ericsson on standard-essential patents and FRAND royalty commitments;



- **Moser Baer India Limited** on trans-border litigation, spread across USA, Netherlands and India, in relation to contractual and patent infringement claims;
- **Dataflow Group** on an action for misappropriation of confidential information against ex-employees;
- **Celfrost** in an action for misappropriation of confidential information against certain ex-employees.

### **Recognitions and Accomplishments:**

Nirupam has been acknowledged for his experience and expertise by:

- **Legal 500 - Asia Pacific 2022** as a 'recognized lawyer' for intellectual property;
- **Legal 500 - Asia Pacific 2019** as a 'leading lawyer' and 'recognized lawyer' for intellectual property; and
- **Who's Who Legal** as 'expert' in the field of 'Telecommunications Media & Technology' and 'Data Privacy'.

### **Publications and Presentations:**

Nirupam has authored the following contributions:

- **"The Conundrum Around the "First User" Rule: Analysing Supreme Court's Decision in Neon Laboratories' Case"** published by Mondaq and Lexology (July 2021);
- **"Use of player & team names in fantasy sport leagues - trademark infringement?"** published by Kluwer Trademark Blog by Wolters Kluwer (21 June 2021);
- **"Before the IP Leap"** published by Millionaire Asia, in Volume 2 Issue 2 of (month 2016);
- **"Internet of Things"** published by Technology, Media and Telecommunications Expert Guide, (Month 2016);
- **"The Regulatory Uncertainty Facing Indian e-Pharmacies"** published by Digital Health Legal, in Volume 3 Issue 8, of (month 2016);
- **"Boosting Foreign Technology Transfers & Brand Licensing in India"** published by World Intellectual Property Review, (April 2010); and
- **"Keeping Your Finger on the Pulse in India"** published by World Trademark Review, Issue 23, (February & March 2010).

### **Television Interview:**

- Participated in a panel discussion on Draft Personal Data Protection Bill 2018 on the show '**India Risk Reports**' aired on ET Now.