



## Smriti Yadav

Partner

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### Practice:

Intellectual Property

### Education:

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

LL.B., University of Mumbai (2003)

B.Sc., University of Mumbai (2000)

### Professional Affiliations:

Bar Council 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 (both indigenous and multinational corporations) in diverse fields like pharmaceuticals, automobiles, retail, real estate, textiles and garments, FMCG, music and entertainment, tobacco, finance and stock marketing, etc.

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 laws. Being a registered patent agent, Smriti has also handled select patent cases.

### Representative Matters:

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

#### IP Prosecution and Advisory

- **General Mills Group, The Pillsbury LLC, Saregama India, Mahindra & Mahindra, Inox Group, TVS Group, Norton Motorcycles, Johnson & Johnson USA, Zespri Group, Hindustan Unilever Limited, Aloe Vera of America Inc, Bajaj Auto Limited, Singapore Institute of Management Pte. Ltd., Trent Group, Tata International, Suryavanshi Private Limited, Innovcare Lifesciences, Fazlani Group, ITC Group, Kalpataru Group, C K Birla Group, Greenlight Planet, Godrej & Boyce Mfg Ltd, CG Power & Industrial Solutions Limited, Doms Industries, Simba Sleep Limited, Staywell Hospitality, et al** on conception and registrability of the trade marks, domestic trade mark prosecution work, IPR audits, common law related aspects such as confidentiality, tort of passing-off and trade secrets;
- **Saregama India, Trent Group, Tata International, Fazlani Group, Norton Motorcycles, Greenlight Planet, Doms Industries on domestic as well as international trade mark prosecution work;**
- **General Mills Group, The Pillsbury LLC, Norton Motorcycles, Saregama India Limited, Trent Group,**



**Fazlani Group, Mahindra & Mahindra, Kalpataru Group, Doms Industries, Cleartrip** on domestic and international copyright registrations;

- **Norton Motorcycles, Doms Industries, Fazlani Group** on domestic and international customs registrations;
- **Saregama India, Greenlight Planet, Doms Industries** on domestic and international industrial designs registrations;
- **Saregama India** on copyright issues and advices relating to royalty sharing, licensing issues, retailing of music through physical and digital mediums, in relation to Carvaan music player;
- **Mahindra & Mahindra, Phoenix Mills Ltd, Trent Ltd, CG Power and Industrial Solutions Limited, Lyla Blanc London, HMV (IP) Limited, Saregama India** on various copyright enforcement and advisory-related work; and
- **Trent Ltd** on liabilities of intermediaries and use of key words vis-à-vis trademark infringement.

#### IP Enforcements & Contentious Matters

- **Saregama India, ITC Ltd, Norton Motorcycles, The Pillsbury Company LLC, General Mills Group, Mahindra & Mahindra, Hindustan Unilever Ltd, Kalpataru Properties Private Ltd, Inox Group, Lupin Ltd, Andersen Tax, LLC, Zespri Group, C K Birla Group, Doms Industries Pvt Ltd, Greenlight Planet, India Capital, Fazlani Group,** on trade mark infringement and passing off cases;
- **Anand Mahindra and Mahindra & Mahindra** on personality right encroachment advisory work;
- **Andersen Tax, LLC and India Capital** on trans-border trade mark dispute;
- **Honda Motors** on counterfeit goods advisory and criminal enforcement actions;
- **Hindustan Unilever Limited, General Mills Group, 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 and other geographical indications- related issues;
- **Samruddhi Group and Indian Trading League** on trade mark and business method infringement issues;
- **Saregama India, Norton Motorcycles, Trent Ltd, Tata International, Fazlani Group, Bajaj Auto Ltd, Greenlight Planet, Doms Industries** on international trade mark enforcement issues;



- **Mahindra & Mahindra, Lyla Blanc London, Saregama India** on international copyright enforcement issues;
- **Sopariwala Exports Private Limited, CTP Environment S.A.S.** on a patent infringement cases wherein process patents were infringed;
- **EPC Industries Limited and a European client** in a patent infringement case wherein product patent was infringed;
- **HM Megabrands Private Limited, Fazlani group** on groundless threat cases;
- **Saregama India, Doms Industries, Greenlight Planet** on design infringement disputes in India and foreign jurisdictions; and
- **Mahindra & Mahindra, Zespri Group, Skechers, Trent Ltd, Fazlani Group** on domain name disputes before various forums such as WIPO, NIXI, NOMINET and DENIC.

#### Transactional IP

- **Claris Life Sciences Ltd, TVS Group, Mahindra & Mahindra, Mahindra Navistar Automotives Ltd, Sahara Worldwide Ltd, Saregama India, Emami Ltd, Nirma Ltd, Hungama.Com Private Ltd, Apollo Hospitals Enterprise Ltd, Inox Group, CG Power and Industrial Solutions Limited, 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';
- **Auzrnd Pty Ltd** on funding for a research project and the IP ownership; and
- **Saregama India and other music labels** on conducting the due diligence of the repertoire and acquisition agreements relating to sound recordings.

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

- Smriti regularly contributes to articles which are published in leading IP journals such as the World Trademark Review, Lexology, Mondaq, Legal Era, etc.
- Including many presentations on aspects of IP law for various institutes and Government organisations such as CIPAM, Smriti has been interviewed by publication



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named Libertatem.in on her journey of becoming an IP lawyer.

### **Recognitions and Accomplishments:**

Smriti has been acknowledged for her experience and expertise by:

- **Top 250 Women in IP, 2020** in Managing IP's list; and
- Various rankings such as IP Stars, Managing IP, Legal 500 and Asialaw.