



# Daksh Kumar

Partner

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## Profile

Daksh Kumar is a Partner and leads the Intellectual Property Rights (IPR) practice at the Firm's New Delhi office. He is handling several IP portfolios (prosecution, advisory, litigation) for an array of international as well as Indian clients (involving large multinational corporations, medium and small sized enterprises, start-up organizations and individuals). These clients are interspersed across multiple sectors inter alia pharmaceuticals, banking & finance, confectionery, tools & equipment, education, liquor, tobacco, fashion, beauty & cosmetics, healthcare equipment, entertainment & broadcasting, telecommunications and information technology.

Daksh has experience spanning more than 15 years in strategic advisory, preventive techniques for stopping infringement/passing-off/counterfeiting, due-diligence and investigation conducted in relevant markets (Indian and International both offline through brick-and-mortar stores as well as online through websites and social media), prosecution, portfolio and brand management on aspects involving Trade Marks, Copyright, Geographical Indications, Designs and Domain Names. He has also appeared before relevant Courts, Tribunals and competent authorities for clients ranging across the automobiles, arms & ammunition, aviation, film & media, garments, FMCG, healthcare, hospitality, software, computing solutions and food & beverage industries. He has interacted with the Economic Offences Wing (EOW) to formulate strategies for clients encountering piracy in India; helped clients record their IP with the Central Board of Excise and Customs to guard against counterfeiting. He also has experience in collaborating, handling and engaging with foreign counsels for IP matters in commonwealth countries including but not limited to Australia, New Zealand, Canada, United Kingdom, USA, Italy, Germany, Spain, France and UAE. Daksh is well versed in spoken French, in addition to holding proficiency in English, Hindi and some Indian regional languages.

Daksh has also advised and formulated litigation and alternative strategies (negotiations, settlements, co-existence, licensing and assignment) for international and domestic clients. In order to reclaim, strengthen and enforce clients' IP he has been part of proceedings with the WIPO Arbitration & Mediation Centre and negotiated various agreements/contracts with international and domestic corporations. He has also advised Indian public sector organizations on Geographical Indication issues and aspects of Information Technology Law.

## Expertise

Intellectual Property Rights (IP)

## Publications

[Colossal Win for Google as Scotus Affirms Fair Use, 2021](#)

[India Amends Copyright Procedural Rules, 2021](#)

ISP Liability case note, Vantage Asia, 2017

Trade Mark Dilution in India, World Trade Mark Review, 2016

Access to medicines under TRIPs regime in India, Offprints of the WIPO Journal, 2006

Protection of Plant Varieties and Applicability of UPOV Convention, Offprints of the WIPO Journal, 2005

[Snapshot of Recent Landmark Judgements & Legislative Updates in Indian IP Landscape](#)

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## Awards & Recognitions

Legal 500 Asia Pacific : Recommended Lawyer for IPR 2022

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## Education

- LL.M, Queen Mary College, University of London
- LL.B, National Law Institute University, Bhopal

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## Memberships

- Bar Council of Delhi

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## Select Experience Statement

- Handled IP portfolios (prosecution/advisory/litigation) in India for some globally prominent MNCs, PSUs and similar large organisations in India and MSME's as well.
- Represented a renowned American writer and cartoonist for one of his most well-known creations and its sound mark (one of the first in India).
- Represented industry leaders inter alia a global FMCG giant and Telecommunications and Multimedia conglomerate in matters regarding ISP liability and online copyright infringement.
- Represented Indian industry leading Garments manufacturer in criminal proceedings at Tis Hazari Court, Delhi.
- Represented multimedia and broadcasting major At Delhi High Court and Consumer Courts in Delhi.
- Appeared frequently before IPAB Chennai for global pharmaceutical companies.
- Advised, prepared and filed Geographical Indications for international and Indian clients and associations.
- Extensively engaged in anti-counterfeiting measures in India and recordation of their IP with the Central Board of Excise and Customs to curb import of infringing/counterfeit goods into India being electronics and electrical appliances.
- Prepared and filed unconventional Trade Marks such as fluid marks for a global giant in Alcoholic drinks; colour marks/shape marks for high-end fashion designers and labels, series, collective and certification marks for educational institutions, electrical equipment manufacturers as well as Hospitality sector MNCs.


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## Industry Presence

- Speaker & Panelist at ITechLaw, 2009
- Speaker & Panelist at FICCI, 2009, 2013, 2016

- Speaker & Panelist at BASCAP, 2013
  - Speaker & Panelist at CII event, 2015
  - Speaker & Panelist at ASSOCHAM, 2013
  - Speaker & Panelist at INTA, 2018
  - Panelist at IPAA, 2018, 2019, 2020
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## Contact Details

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