
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Saisunder NEDUNGAL VIDHYA BHASKAR
Eshwars Advocates
Chennai
India



Nationality: Indian

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Bachelors Degree, Academic Law and Bachelor in Law (B.A.L., L.B.);
Qualified, Associate Company Secretary (ACS), the Institute of Company Secretaries of India (ICSI).

Fourth-generation lawyer and leads the Intellectual Property, Technology, Media Law and Real Estate practice of the firm. Strategic IP prosecution and enforcement advisory in India and other jurisdictions, advising drafting, reviewing, and negotiating various contracts related to Information Technology, Film and Media. Helping companies establish their international franchises by structuring franchising and distributorship agreements.

LANGUAGES

English
Tamil

PRESENT POSITION

Partner, IP, Technology and Media Law practice

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Junior Legal Consultant, Eshwars, Advocates 2007

MEMBERSHIP IN PROFESSIONAL BODIES

Bar Council of State of Tamil Nadu and Puducherry in India (Admitted to the Bar in the year 2006);
Fellow member, the Institute of Company Secretaries of India (FCS), 2014;
Member, International Trademark Association (INTA) since 2017;
Member; IR Global since 2016;
January 9, 2024

Committee member – Indigenous Rights Committee of INTA (2022 – 2023);
Committee member – Internet Committee of INTA (2024 – 2025).
Committee member, Legal Committee, IT/ITES Committee, Education Committee of the Madras Chamber of Commerce and Industry (MCCI) for 2023 – 2024.
Member of the Intellectual Property Association of South India (IPASI).

AREAS OF SPECIALIZATION

Intellectual Property Rights;
Information Technology and Data Privacy Law;
Media Laws;
Telecommunication Laws;
Transactional Due Diligence;
Real estate, Wills & Inheritance;
Distribution and Franchising.

EXPERIENCE IN INTELLECTUAL PROPERTY

Intellectual Property Laws and rendering advisory in protecting brands in India and globally under the Madrid Protocol, strategizing enforcement actions and resolving complex IP disputes concerning trademarks, industrial designs, copyrights, and domain names.

IPR audits for large multi-national companies in automotive, Information Technology, FMCG and Pharmaceutical business for IP strategy in terms of maintenance of IP portfolios across the globe and also enforcement across jurisdictions.

Structuring, drafting, reviewing and negotiating various film and media production contracts encompassing a wholistic advisory on complex copyright issues including its exploitation and licensing.

Brand endorsement and artist agreements for celebrity projects and engagements.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Advising clients in the protection of their brands and trademarks in the Internet space.

Strategizing various domain name, cybersquatting and cyberflight related challenges and issues faced by brand owners in the gTLD and ccTLD space.

Domain acquisition, management, and dispute resolution.

WIPO Advanced Workshop on Domain Name Dispute Resolution, Geneva, November 7-8, 2023.

MAJOR PUBLICATIONS

Concept of Parallel Imports and the Principle of Territorial Exhaustion of Rights under the Indian Trademarks Act, 1999.

Protecting Business Ideas under the Indian Copyright Act: An Analysis.

The article, Scope of statutory licensing under Section 31D of Indian Copyright Act – Are Internet Broadcasting or Streaming Services covered?

Delhi High Court Clarifies Patentability of Computer Programs with 'Technical Contribution' under Patents Act, 1970.

Smile please -- don't shy away from the copyright law in India relating to photography.

Delhi HC Rules "Boult" Deceptively Similar to "Boat" in Trademark Case.

Fluid Trademarks – Adapting Brands to Changing Markets.

Delhi High Court Declares Ferrero's "KINDER JOY" a Well-Known Trademark in India.

IPAB Declares "NOKIA" a Well-Known Trademark in India.

DPIIT Amends Patent Rules 2002 for Business Ease.

EXPERIENCE IN COURT LITIGATION

Litigator and also regularly appears before various judicial and administrative authorities in various kinds of IPR litigation and dispute resolution matters.

Represents large business houses in the trademark and copyright infringement actions before the High Courts, Commercial Courts, IP offices in India and assists clients enforce their rights against third parties in such disputes.

Complex projects in the real estate and infrastructure space.

International franchise agreements. Providing strategic legal counsel to property developers and owners in the realm of real estate transactions.

Pro-bono legal advisory work for organisations and individuals who strive to promote social welfare.

PROFESSIONAL TRAINING IN ARBITRATION

Online WIPO Mediation and Arbitration Workshop 2023 held November 28-30, 2023.

EXPERIENCE IN ARBITRATION

Has appeared as a representing counsel in a trademark dispute involving a brand name used in the food and beverage industry.

Has appeared as a representing counsel for a film production company in a copyright and media dispute involving the film director.

Has appeared as a representing counsel for a film producer in a copyright and media dispute involving the co-producer and the related applications filed before the Madras High Court seeking appointment of an arbitrator for resolution of the disputes by way of arbitration.
