
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Shwetasree MAJUMDER
Noida
India



Nationality: Indian

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

B.A. LLB., (Hons.) National Law School of India University, Bangalore, India, 1997 - 2002.

LANGUAGES

English
Hindi, Bangla (Reading and speaking proficiency)

PRESENT POSITION

Co-Founder and Principal, Fidus Law Chambers India, since August 2008.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Anand and Anand, India:
Partner, July 2007 - July 2008;
Senior Associate, July 2005 - July 2007;
Associate, July 2002 - July 2005.

MEMBERSHIP IN PROFESSIONAL BODIES

Bar Council of Delhi.
Licensed to appear before the Supreme Court of India and all the State High Courts.

International Trademark Association (INTA):
- Chair, trademark enforcement policy advocacy sub-committee, enforcement committee 2018 - 2020;
- Co-chair, presidential task force on small and medium enterprises and entrepreneurs;

January 29, 2020

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- Vice chair of the young practitioners committee 2012 - 2014;
 - Co-chair, global advisory council (India) 2013 - 2014;
 - Board of directors, 2013 - 2015.

International Technology Law Association:

- Co-Chair, Itechlaw Asia Pacific Conference, 2015.

Society of Women Lawyers, India:

- Member of Governing Council.

Asian Patent Attorneys Association:

- Member, India Group.
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EXPERIENCE IN INTELLECTUAL PROPERTY

IP specialist attorney and counsel with 17 years of experience as private practitioner.

Experienced in:

- Litigation, enforcement and counseling in all branches of intellectual property, technology, advertising and trade secrets;
- Prosecution and disputes in trademarks, designs and copyrights;
- Disputes in patent matters;
- Negotiated intellectual property assignments and licenses and drafted and vetted a broad spectrum of commercial agreements in relation to intellectual property, technology transfer, trade secrets and confidentiality, broadcasting, character merchandising, personality rights, content licensing, film rights, book publishing etc.

Awards and recognitions:

- Top 100 Private Practice Lawyers in India: India Business Law Journal, 2017 and 2018;
- The World Trademark Review-1000 Trademark Professionals of the world;
- Managing IP Magazine - "IP Star";
- Intellectual Asset Management (IAM) Magazine - 1000 Patent Professionals of the world;
- International WhosWho of Trademark Lawyers;
- International WhosWho of Patent Lawyers.

Appointed Amicus Curiae by the Appellate Bench of the Delhi High Court on:

- (a) the issue of intermediary liability in *Myspace Inc. v. Super Cassettes Industries Ltd.*, and
- (b) copyright practice and procedure in *Visakha Chemicals v. Raj Kumar Saraf*.

Indian contributor to the Global Trademark Report Card (2018, 2019) and the Special 301 submission to the office of the US Trade Representative as a part of the Trademark Working Group.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Filed a large number of UDRP and INDRP cases and familiar with the new gTLD application process. Has supervised the acquisition and transfer of domains.

MAJOR PUBLICATIONS

1. India Chapter, Brand Protection Online (ed. Jeremy Blum and Theo Savvides), Globe Business Publishing, London, 2016.
2. *Trademark enforcement challenges for technology companies*, Managing the IP Lifecycle: India, IAM Magazine, September 2016.
3. *The slip between the cup and the lip - The Indian Supreme Court, intermediary liability and finding collaborative solutions*, India Business Law Journal, May - June 2016.
4. India Chapter, Trade Secret Protection (ed. Trevor Cook), Globe Business Publishing, London, 2015.

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5. (Co-Authored) *Turf Wars*, India Business Law Journal, November - December 2014.
 6. *The Competition Commission's order against Super Cassettes*, India Business Law Journal, October - November, 2014.
 7. (Co-Authored) *The parallel importation myth*, Managing the IP Lifecycle: India, IAM Magazine, September 2013.
 8. *The rise of the phoenix*, India Business Law Journal, July - August 2013.
 9. (Co-Authored) *Winds of change: F Hoffman-La Roche Ltd & Anr v. Cipla Ltd.*, Queen Mary Journal of Intellectual Property, Vol. 3 No. 2, pp. 167-175 (2013).
 10. *A higher calling*, India Business Law Journal, February 2013.
 11. (Co-Authored) "Appellate Board provides a shield against genericide attack", World Trademark Review, February - March 2013.
 12. <http://www.ndtv.com/india-news/blog-my-experience-assisting-the-justice-verma-commission-511355>, NDTV.com, January 2013.
 13. *F. Hoffman-La Roche Ltd. v. Cipla Ltd-Expert Analysis*, www.barandbench.com, September 2012.
 14. "Intermediary Liability - Infringement by a via media", Managing Intellectual Property, Euromoney Institutional Investor PLC, September 2011.
 15. Interview - Sports Law Monthly, www.sportspower.com, July 2011.
 16. "Managing the Trademark Portfolio of a Brand"-Sports Law Monthly, www.sportspower.com, February 2011.
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EXPERIENCE IN COURT LITIGATION

Acted as counsel in over 500 court cases (over 100 as lead counsel) in courts of first instance and appellate courts in India from 2002 to the present in relation to a variety of subject matter, such as trademark infringement, copyright infringement, patent infringement, design infringement, trade secrets violation, passing off and unfair competition.

Has also filed writ petitions and acted as counsel in writ issues.

Illustrative cases as Plaintiff's counsel in recent years:

1. *Airbnb Inc. v. Ganapathy Joshi & ors.* CS (COMM) No. 320 of 2017;
 2. *American Petroleum Institute & anr. v. Gaurav Ahuja & ors.*, CS (COMM) 309/2017;
 3. *Xerox Corporation v. Sarita Agarwal*, CS (COMM) 492 of 2018;
 4. *DyStar Colours Distribution GmbH v. Jay Chemical Pvt. Ltd.* CS (COMM) 1026 of 2018;
 5. *Google LLC v. Farzana Emporium*, CS (OS) 811/2017;
 6. *Inter Ikea Systems BV v. Annanya Gautam & Anr.* CS (COMM) 1089/2018;
 7. *Merck KGAA v. Merck Sharp & Dohme Corp & Ors.* CS (COMM) 1673 of 2016;
 8. *Western Digital Inc. & anr. v. Amit Tanna & ors.* FAO OS (COMM) 20/2016;
 9. *Glaxo Group Ltd. v. Glaxo Pathological Clinic Ltd.* CS (COMM) 769 of 2018;
 10. *SanDisk LLC & Anr. v. B-One Mobile*, CS (COMM) 1130 of 2018.
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EXPERIENCE IN ARBITRATION

Participated in over 20 *ad hoc* arbitration proceedings in India as counsel in trademark and copyright disputes.

EXPERIENCE IN MEDIATION

Participated in over 50 *ad hoc* and court annexed mediation proceedings in India as counsel in trademark, copyright, patent, and trade secrets disputes.
