

## Information Technology: An Insight into Key Legal Issues



### Software Exporters' Association of Pune

and

### Nishith Desai Associates

are delighted to invite you to a workshop to discuss industry & legal insights on the following topics

*Protection of Intellectual Property,  
Confidential Information, Trade Secrets  
– Usage of Third Party IP and Open  
Source*

**Gowree Gokhale** (Partner, Nishith Desai Associates)

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*Key Clauses in Technology Agreements  
along with negotiating tactics*

**Bharat Mehta** (Vice President-Legal, Oracle Financial Services Software Limited)

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*Governing Law, Enforcement and  
Jurisdiction Issues in Technology  
Agreements*

**Shafaq Uraizee-Sapre** (Senior Associate, Nishith Desai Associates)

Tuesday, July 28, 2009  
from 2:00 pm to 5:00 pm

#### Venue:

**Persistent Systems Limited**

Bhageerath, 402,  
Senapati Bapat Road,  
Pune 411016, India

#### RSVP

Tanvi Timbadia  
tanvi@nishithdesai.com

Rajat Rashmi  
rajat\_rashmi@persistent.co.in  
Tel: 020 - 30242403

The workshop aims to address issues related to intellectual property, trade secrets, usage of open source along with insights on key clauses pertaining to technology agreements from a legal as well as a commercial perspective. The workshop would also provide insights on enforcement and jurisdiction issues which are commonly faced in cross border technology agreements.

### Software Exporters' Association of Pune

SEAP consists of large to small business houses and it aims to foster better interaction among Software Export units in Pune. SEAP also acts as a single body representative for software companies and puts forth its proposals and demands for larger IT related issues with the concerned authorities.

SEAP intends to promote itself and its activities to the outside world (both within and outside the country) and attract attention in order to boost the software business within the Pune region.

### Nishith Desai Associates

Nishith Desai Associates ([www.nishithdesai.com](http://www.nishithdesai.com)) is a research oriented international law firm with offices in Mumbai, Bangalore, Singapore and USA. The firm specializes in providing strategic legal and business solutions coupled with industry expertise.

Nishith Desai Associates has a leading team in the field of technology law and several ancillary fields, including, human resource law, media, taxation, corporate, outbound and inbound structuring and fund formation and investments. The technology practice group at Nishith Desai Associates has considerable experience in handling and advising clients on legal, regulatory and tax issues relating to information technology, outsourcing, telecommunications and the protection of intellectual property rights. Some of our eminent clients include Google, Amazon, Oracle, e-Bay, Dun & Bradstreet, Larsen & Toubro, Bennett Coleman and Verizon.

Our tax litigation team has won the Tax Controversy Firm of the year award. Further we are the only Indian Law Firm qualified to advise on Indian Law in Singapore as well as California, making us ideal for cross border representation. Nishith Desai Associates has been included in the Asian Legal Business Watchlist as one of the 'Top 10 firms to watch in 2009' in the Asia Pacific region. It has also been named one of the top law firms in India for IT, Media & Telecommunications; Taxation; and Venture Capital & Private Equity by the India Business Law Journal. Nishith Desai Associates recently ranked amongst the top three firms in the country in terms of quality and reputation.

### PROFILES OF THE SPEAKERS

#### Gowree Gokhale

Ms. Gowree Gokhale heads the IP, technology, media and entertainment law practice of the multi-skilled, research-based international law firm, Nishith Desai Associates. Her specializations also include litigation and dispute resolution, franchising, pharma and life sciences laws, commercial laws, HR laws. Ms. Gokhale has led several IP, technology and HR litigations. She has been involved in negotiations of large BPO and technology contracts. She is involved in patent oppositions and devising patent litigation strategies for clients. She has assisted international media and productions houses and pharmaceutical companies in structuring of their India operations, including

IP structuring, and advice on regulatory issues. She specializes in structuring of cross border outsourcing and franchising arrangements and has negotiated several transactions both for Indian and MNC clients. Ms. Gokhale is a Solicitor and a registered Patent & Trade Mark attorney and has been practicing for the last 13 years. She is a visiting faculty at Institute of Intellectual Property Law Studies at Mumbai. She has authored research reports and articles on variety of subjects and has presented at various national and international seminars and conferences on IP, pharmaceutical, media and technology laws. She has is a regular speaker at NASSCOM TLF seminars on technology contracts, CII on enforcement of IP in India.

#### **Bharat Mehta**

Vice President – Legal at Oracle Financial Services Software Limited is an experienced professional in legal and commercial matters related to IP and IT industry worldwide. Bharat has the opportunity of interacting, negotiating and concluding business deals globally with experience spanning across functions including mergers & acquisitions, intellectual property, customers, partners, vendors and employee related matters, corporate affairs, group integration, business practices, risk management and compliance. Bharat enjoys the continuous challenge and rewarding experience of working with professionals of different worldviews. He is actively involved as a speaker at various forums in spreading awareness about intellectual property, technology contracts and compliance. He is also one of the founding members of the Technology Law Forum (TLF). He graduated out of Mumbai University and has a Degree in Law.

#### **Shafaq Uraizee-Sapre**

Ms. Shafaq Uraizee Sapre is a senior member of the Technology, Litigation & Dispute Resolution, Fund Investment and Real Estate Practice Groups at the firm. Ms. Sapre received a Bachelors and Masters degree in law from the University of Bombay. Ms. Sapre's practice focuses on cutting edge complex cross-border litigations and international commercial arbitrations. Ms. Sapre is a leading attorney in assisting clients to reach creative and pragmatic solutions and effective dispute resolution strategies. In addition to in-house representation, Ms. Sapre represents clients in Supreme Court, High Court and respective Tribunals in a wide-range of sectors including corporate, media, entertainment, franchising and oil & gas. Ms. Sapre's practice includes a variety of transactions with both domestic and international venture capital and private equity funds. Ms. Sapre has advised and assisted clients on issues concerning the legal aspects of structuring and restructuring investments in India and globally, documentation, private equity investments and mergers and acquisitions across a multitude of sectors. Ms. Sapre has led several legal due diligence teams and often renders opinions on issues concerning litigation, arbitration, Indian labor laws and contract law.

Ms. Sapre has spoken at the Confederation of Indian Industry and actively writes for publications such as the Indian Venture Capital Journal. Ms. Sapre is a member of the Bar Council of Maharashtra & Goa and has been practicing as a litigator at the Bombay High Court since 2000.