

Nishith Desai Associates

LEGAL AND TAX COUNSELING WORLDWIDE

MUMBAI

SILICON VALLEY

BENGALURU

SINGAPORE

NEW DELHI

NEW YORK

GIFT CITY

www.nishithdesai.com

—distinctly different.

A decorative white line graphic consisting of a horizontal line that curves upwards and then downwards at the right end, resembling a stylized wave or a flourish.

International Bar Association

Nishith Desai

nishith.desai@nishithdesai.com

Boston*

To the eminent Managing Partners of Global Law Firms

***updated from the presentation made in 2013**

The Firm of the Future

Quiet Revolution:

How the Law Firm Business Model Is Evolving from India

Nano Firm: stay small, think Big, do Big.

“Asia–Pacific’s Most Innovative Law Firm”

Financial Times, London



“Recognised amongst
India’s Most Innovative Law
Firms of the Year 2024”

Legal500, London



Chambers & Partners Asia Pacific Rankings 2024: Band 1 firm for Tax, Life Sciences, Technology Media and Telecoms (TMT), and Employment practice. Ranked for Dispute Resolution, Private Equity, Corporate/M&A: The Elite, and White-Collar Crime & Corporate Investigations.

Chambers and Partners FinTech Guide 2024: Ranked firm for FinTech Legal.

Chambers and Partners High Net Worth Guide 2023: Nishith Desai as Eminent Practitioner for Private Wealth Law.

Legal500 Asia Pacific Rankings 2024: Band 1 firm for Tax, TMT and Life Sciences and Healthcare. Ranked for Labour and Employment, Dispute Resolution: Arbitration and Litigation, Data Protection, Private Equity and Investment Funds, Intellectual Property, and Fintech and Financial Services Regulatory, and Corporate and M&A practice.

Legal500 India Awards 2024: Won the Firm of the year recognition for Life Sciences and Healthcare practice. Recognised as TMT Law Firm of the year, Arbitration Law Firm of the year, Data Protection Law Firm of the year and Innovative Law Firm of the year.

Benchmark Litigation APAC 2024: Band 1 firm for International arbitration, Tax, Labor and employment. Ranked for Commercial and transactions, Government and regulatory, Insolvency, Construction, White collar crime and Intellectual property. Further all the Indian offices – Mumbai, Delhi, and Bengaluru received recognition for city-specific practices.

Benchmark Litigation APAC Awards 2024: Only Indian ranked firm for international arbitration practice across APAC region. Ranked as Tax Law firm of the Year and India Law Firm of the Year.

Asialaw Asia Pacific Rankings 2023: Band 1 firm for Media and entertainment, Labor and Employment, Technology and telecommunications, Tax, Private Equity, Regulatory, Pharmaceuticals and Life Science Practices. Highly recommended firm for Dispute Resolution and Investment Funds.

Who's Who Legal 2024: Thought leaders for Arbitration, Corporate Tax, Private Funds, Sports & Gaming and Transport.

ALB Pan Asian Regulatory Summit Awards 2023: Only Indian ranked firm for Regulatory practice across APAC region.

Who We Are

.....

“We are a strategy driven research focused law firm providing legal, regulatory and tax counsel to clients which are or aspire to be global”

.....

Hear Directly from Our Clients

“The team is very detail oriented — they do not let anything slip through the cracks.”

“The NDA team is very approachable and fully updated with latest legal knowledge required to address any difficult situation. Their research team constantly churns out legal assessment and analysis on all important topics and its shared regularly over emails with their clients.”

“Quality of service, promptness in response and practical approach keeping the organizational culture and appetite for legal risk in mind has always been a differentiator.”

“The team is extremely sincere and very skilled, and does in depth research for the subject in focus. They enter the session for us fully prepped and ready for all alternatives.”

“The people here are brilliant, and they understand the new technologies.”

“From what I’ve seen the mentorship and opportunities provided to juniors is great.”

Legal500 UK

Our Select Clients



Mission

.....

“We exist to innovatively solve complex legal problems of our clients, to foster the next generation of socially conscious lawyers and shape the Future of Law”

.....

Vision

To be distinctly different, a role model, and a 'dream firm' for professional firms — globally

To be a Nano* firm — stay small, think big, do big:

- i. Where clients take pride in engaging us
- ii. Where members receive best rewards
- iii. Which upholds the nobility of the legal profession
- iv. Which commands respect of its competitors

To be a joyous and happy home for professionals

*One Nano meter is one billionth or 10^9 of a meter: to put that scale in another context, the comparative size of a nanometer to a meter is the same as that of a marble to the size of the earth.

Our Core Competencies

INTERNATIONAL TAX

Tax Strategy & Structuring
Tax Litigation
Private Client
Globalization

CORPORATE & SECURITIES

Fund Formation
Fund Investments
M&A
Competition Law
Joint Ventures
Corporate Governance
Capital Markets

TECHNOLOGY LAW

IP Strategy & Structuring
HR (Employment & Labour)
Global IP Portfolio Management
Technology Transfer & Licensing
Trade Secrets & Confidentiality
Franchise
Privacy & Data Protection

DISPUTE RESOLUTION

Global Litigation Management
Arbitration

← **REGULATORY & PUBLIC POLICY** →

Industry Focus

INDUSTRY

5G Sector

AgriTech Sector

Artificial Intelligence

Automation and Robotics Sector

Automobile

Aviation

BFSI

Cleantech

Crypto & Blockchain

Cybersecurity

Digital Health

Digital Lending

Drones

E-Mobility

Education

FinTech

Fashion

Food & Beverages

Funds

Healthcare

Hotels

Insurance

Media & Entertainment

Medical Devices

Nanotechnology

Oil & Natural Gas

Pharmaceutical and Life Sciences

Quantum Computing

Real Estate Investments

Social Sector

Space Exploration and Technology

Sports

Technology

Telecom

For more information visit our knowledge-site www.nishithdesai.com.

Representations (Transactions)

INDIAN LEGAL, TAX AND REGULATORY COUNSEL

Investcorp, IDFC PE and Realty (Confidential)

Nexus; Jungle Ventures, PaySense (Confidential)

Cisco, NDS Group (USD 5 billion*)

Rohatyn Group, Citi Group's AMC Business (USD 4.3 billion)

Cognizant, TriZetto Corporation (USD 2.7 billion*)

Telecordia Holdings¹, Ericsson (USD 1.15 billion)

Funderburk Mauritius Limited, Viom Networks Limited (USD 1.15 billion)

Abhay Soi and Radiant Life Sciences, Max Healthcare (USD 1.1 billion)

Mapletree Investments Pte. Ltd., Oakwood Worldwide (USD 1 billion)

Birla Corporation, Lafarge India (USD 765 million)

Birla Corporation, Reliance Cement (USD 710 million)

Clyde Bowers, Textron (USD 645 million)

Goldman Sachs and Everstone Capital, Omega Healthcare (USD 525 million*)

Actis, Acme's solar assets (USD 500 million)

Flipkart, Myntra (USD 330 million)

Huber Group, Micro Inks (USD 300 million)

SingTel, Bharti Telecom (USD 250 million)

Dewan Housing Corporation Finance Limited, Deutsche Post Home Finance (USD 240 million)

Wilmar Group, Shree Renuka Sugars (USD 200 million)

Aricent, Smartplay (USD 180 million)

Siemens, Bangalore International Airport (USD 125 million)

CarTrade, CarWale (USD 111 million)

Goldman Sachs, Nova Medical (USD 100 million)

Representations (Litigation)

INDIAN LEGAL, TAX AND REGULATORY COUNSEL

- Representing a large Malaysian telecom operator in a multi-billion-dollar arbitration against the Republic of India.
- Representing one of India's most prominent cryptocurrency exchanges in a high-stake multi-billion-dollar arbitration under SIAC Rules.
- Represented one of the world's largest (USA based) technical, professional, and construction services company in an ad-hoc arbitration proceeding arising out of a multi-million-dollar dispute related construction of a naval dry dock in India.
- Represented an Indian cable manufacturer in a multi-million-Euro joint venture dispute against its Italian partner in a London seated arbitration under the LCIA Rules.
- Represented the world's second largest oilfield services company in an ad-hoc international commercial arbitration seated in London conducted as per the UNCITRAL Rules.
- Acted as co-counsel for a sovereign wealth fund in a Helsinki seated arbitration arising from a loan given to an Indian manufacturer.
- Represented a Hong Kong based private equity fund against an Indian conglomerate in a multi-million dollar arbitration under the ICC Arbitration Rules.
- Representing a distinguished precast manufacturer and general contractor in the MENA region, engaged in a Doha-based arbitration under LCIA Rules.
- Represented one of the world's largest sovereign wealth funds in respect of an exit dispute against Indian promoters of an infrastructure company.

Approach to Practice

INTEGRATED APPROACH



Research Philosophy

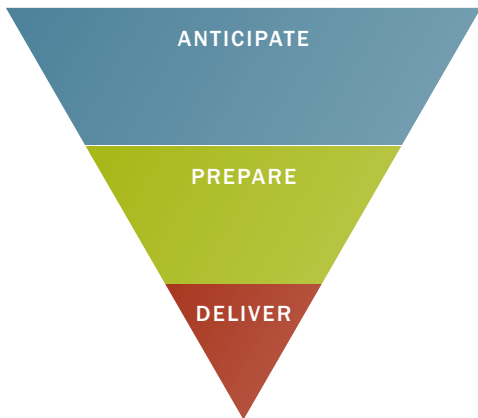
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Every new development in science, society, politics
and economics brings along with it new legal,
tax and regulatory challenges.

.....

In our research based approach we anticipate trends ahead of time, undertake secondary and primary research, develop deep insights, find solutions, build new business models, manage crisis and deliver high quality services at the speed of thought.

Research Process



Core Competence

- Trend assessment
- Forecasting technology, new financial instruments etc.
- Short listing of trends
- Secondary and primary research with focus on industry clusters
- Comparative law analysis
- Identification of legal, tax & policy issues
- Development of simulated models
- Finding creative solutions
- Developing unique insights & core competencies
- Providing value at the speed of thought

Blue Sky Thinking Center



NDA Research Center Alibag, Mumbai, India

Imaginarium AliGunjan, an NDA initiative, is dedicated to stimulating and cultivating the imagination. It is an apolitical platform for world leaders and global thinkers — to discuss, debate and find solutions to the big challenges faced by the planet, in a collegial and constructive manner, putting aside narrow self-interest.

Talent

Talent can come from anywhere — from a city to a remote village, from a ranked law school to an unranked law school. Many of our lawyers have diverse background — from engineering to MBA and accountancy, from medicine and surgery to social sciences. Industry insight is the key to solving problems.

.....
We are fortunate to have attracted best intellect from top law schools world over.



.....

We believe in **brain count**
and **not** head count.

.....

3 Pillars of the Firm

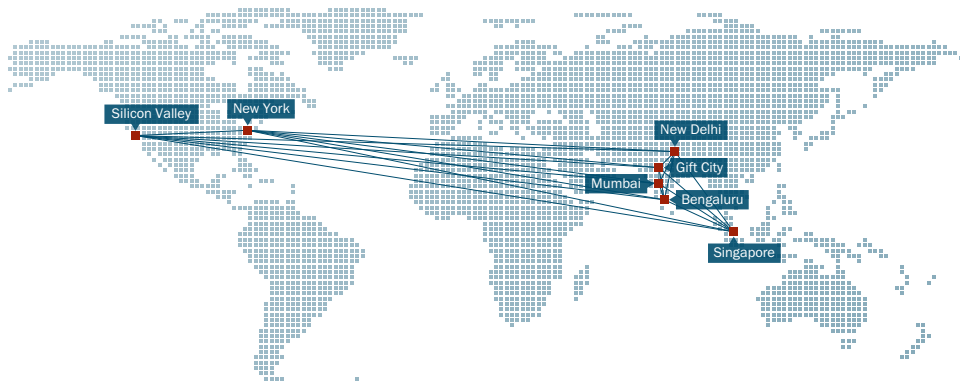
TALENT

TECHNOLOGY

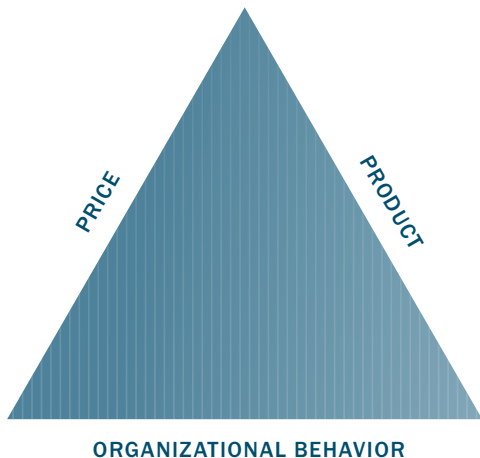
GOVERNANCE

Nishith Desai Associates

Technology

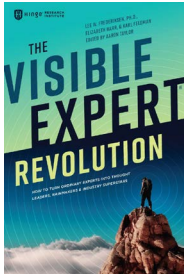


Globally connected by state-of-the-art technology, interactive screens, advanced knowledge management. For more details visit our Knowledge site www.nishithdesai.com.



Organizational Behavior
as a Competitive Advantage

Case Study Law Firm



NDA features as a case study in the book

“The Visible Expert® Revolution: How to Turn Ordinary Experts into Thought Leaders, Rainmakers and Industry Superstars”,

authored by distinguished marketing thought leaders Lee Frederiksen, Ph.D., Liz Harr and Karl Feldman.

By nurturing a culture of continuous learning, research and specialisation, today NDA has transformed into a globally recognised firm of visible experts. This visibility strategy is underpinned by the halo effect, a psychological principle that suggests if clients have positive feelings about a person, they are likely to believe that the person's firm is pretty wonderful as well.

Organizational Behavior

OUR VALUES

Culture of creativity and discipline (culture adds 30% value)

.....
Research and education

.....
Treat competition as a sport not as war (Co-opetition)

.....
Policy of no 'headhunting' and no 'poaching'

.....
Open, transparent, fair and judicious compensation process including appeals

.....
Develop technically sound inspirational leaders

.....
Ethics and Integrity

Operating Philosophies

DISTINCTLY DIFFERENT

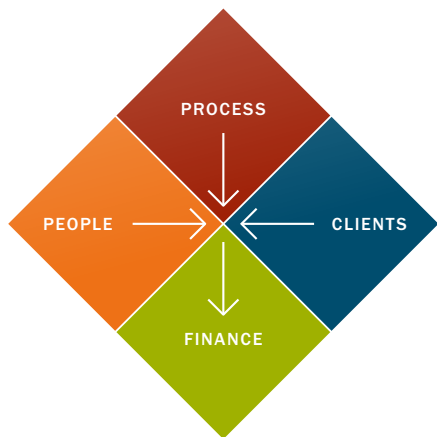
1. Board of Trusted Advisors – unique experiment
2. Strategy focussed law firm
3. Secondary and Primary research
4. Technology – business at the speed of thought
5. Moving towards being a virtual law firm to do complex deals
6. Intangible brand is far more powerful and long-term than tangible
7. Established number of think tanks be the change we want to see
8. Organizational behavior – a competitive advantage
9. Offices in strategic locations
10. Powered by spirit, driven by processes
11. Open, transparent and fair
12. Competition a sport not a war
13. Play against big players, and win
14. Play to win, not to kill
15. Coopetition – cooperate and compete
16. Measure everything through the eye of Balanced Scorecard
17. Leadership Model – less of leverage model
18. Clients belong to the firm and not to individuals
19. Do not accept clients who do not fit into the firm strategy or get rid of them
20. Make clients take pride in hiring us
21. Service Excellence – NDA Project Management Module
22. A melting pot for inter-disciplinary talent – Engineers, MBAs, social scientists, doctor have turned into lawyers

Operating Philosophies

DISTINCTLY DIFFERENT

23. There is only functional leadership and no feudalistic or power centric hierarchy. Hierarchy is merely for discharging responsibility and accountability with a sense of leadership. People are not wedded to titles
24. Inverted T – everyone must have one or two focus areas but lateral knowledge of other subjects
25. Seamless mobility – ability to move across teams, across verticals, and across geographies with minimal efforts
26. 70-20-10 principle
27. No head-hunting, poaching
28. Meritocracy based on Performance, Attitude and Loyalty (PAL) formula
29. Blue Sky Thinking Center – a unique campus by a law firm
30. Document, document, document – when you find a solution to a problem, document
31. When you confront a problem for the first time, don't take a shortcut, try to find a permanent solution; we believe that if you do not solve it permanently, it will keep repeating; only in exceptional circumstances, take a shortcut
32. Communicate, communicate, communicate
33. Daily continuing education – be in the state of preparedness all the time
34. Knowledge site not just a website – to reach out to the world, excavate inner most instinct, to pursue knowledge and enlightenment and be inspirational
35. Use of new media, such as Nishith.TV, to create, maintain and distribute knowledge internally and externally
36. Work-life balance – use technology
37. Happiness billing
38. Pro bono
39. **Work hard, play hard, and have lots of fun**

Balanced Scorecard



Measure everything
through Balanced Scorecard

The **business** of law?
No, we are in the **profession** of law.

Value Billing



Painting by Lyubov Popova, 1915

Price or **Value**?

Price is a function of demand and supply.
Value is a matter of perception.

Happiness Billing





Ranked as the 'Most Innovative Indian Law Firm' in the prestigious FT Innovative Lawyers Asia Pacific Awards for multiple years. Also ranked amongst the 'Most Innovative Asia Pacific Law Firm' in these elite Financial Times Innovation rankings



Our **limit** to growth,
is where our **happiness** ends.

License to practice Indian law from

The State Bar of California
The State Bar of New York
The Attorney-General of Singapore

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—distinctly different.

A decorative white line graphic consisting of a series of overlapping, curved segments that flow from the left towards the right, ending in a small loop.

Nishith Desai Associates

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To know more visit our knowledge site www.nishithdesai.com.