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Dear Friends,

It gives me immense pleasure to connect with each of you in this noble legal profession, which in my view is very valuable to share the insights and processes that contour in-house legal counsel. And **The Grand Masters 2018 Summit Series – A Corporate Counsel Legal Best Practices Summit Series** happens to be one of the most ideal platforms that we have today. The series starts with its 2018 debut edition at New Delhi on the 8th February 2018 followed by the Mumbai edition on 16th February 2018 and the concluding edition on 23rd February 2018 in Bengaluru.

There is no denying the fact that the in-house legal function has emerged from its shadows as a back-end working arrangement to a front-end leading function. Going forward, I have hope and belief that the legal managers of today are the CEOs of tomorrow, synthesizing the right inputs, and integrative goal with business. I wish to share a few insights on

how best to transform in this epic journey that lends name, fame and financial upliftment to the in-house legal counsels. A famous quote by Louis D Branders says "If we desire respect for Law, we must first make the Law respectable. Apt and aligned to the saying, if we want the in-house professionals more respectable; let us first make the function respectable. Which are those means? Let's review.

Leadership & Management Challenges

Essentially the role of an in-house council precipitates to advisory, business enabling, transaction facilitation, compliance and defending company's interest in multiple forums. Over a period of time, the role matured from being risk spotters and general advisors to strategic partners and business enablers. In my view, the role should transcend from where it is now, to manage an eco-system of legal services which originate from multiple sources. The shift in emphasis, therefore, has to be from being a resource to managing an eco-system of legal services. This is not possible, except through the support of technology. The eco-system I am referring to rests on the four pillars of business enablers, legal risk managers, becoming knowledge coaches to colleagues and leaders of domain expertise to take over business at the right opportunity. In the spectrum of quartet talent and career management are the most important issues in striving to meet the challenges of present times. Like a captain to a game, it is the individual and team performance that determines and showcases the function as what it should be, than what it might be. Thus, the lead is in your hands to take to a level, where it can be strategic & productive.

Slew of Legislation

With the change in government at the centre and states in the last three years, we found legislative enactments of substantive magnitude in the areas of Company Law, competition law, Arbitration law, Regulatory and administration of justice. On the micro level, we are confronted by the regime of NCLT, RERA, Environmental law, Arbitration Amendment, besides others which are in robust pipeline like Data Privacy and Muslim Personal law. It is, therefore, imperative for the in-house counsels to be abreast with the changes and challenges in legislation and procedures. A hands-on expertise always gives the advantage to the organisations, in lieu of its dependence on external counsels for advice. However much one strives, absorption of this wisdom is realistic only with a technology back up. It helps on two counts, one to augment the existing knowledge and two to encompass the new age legislation.

Cross Border Transactions and M&A

India, now is a world power. Power is defined by a country's economic environment, ease of doing business, political leadership and a trusted judiciary. India lacks in none, and is on the way up with growth rate pegged at 7.4% per annum, as we speak. It is but natural that the technology of the world knocks the Indian doors. The "Make in India" emphasis makes it imperative for the world leaders to join hands with Indian entrepreneurs for partnerships. I have never seen times better than this for a legal professional executing so many agreements on this front. This demand offers a big push to the in-house legal counsel to gear up to the specifics of deeds and documents, subscribing to international jurisdiction, choosing the seat of arbitration and even getting expertise in handling disputes with these international partners. The role of M&A is no less, which in itself rests on the pillars of successful due diligence, liaison with international legal firms, execution of definitive agreements, comprehension of regulatory compliance with RBI et al. These activities make the function a dynamic interface between the business aspirations and functional exuberance. The in-house counsels need to map these challenges in their brainstorming sessions to rise to the demands.

Reward, Remuneration and Succession Planning

It is no secret that the salaries of in-house legal departments are significantly lower than those in private practice. On the other hand, retention of talent became a daunting task to ensure that the company has horses for the courses. To bring in a robust work culture, aligned with the line of business an organisation is in, it is essential to recruit the best talent at all levels, entry to mid-level to senior level with a respectable compensation. This in itself motivates the layers of working to expect career growth and for the fresh grads to take up corporate assignments. Succession planning is yet another imperative one need to focus on, with the twin objectives of retaining the talent and getting the maximum from that function. It is thus the responsibility of the HOD of legal departments to discuss with the HR and top-management of the company to ensure fair compensation to the recruits. In the absence of the same, there will be a sure tilt for the practice at legal firms than being a part of an in-house legal counsel. If so, the companies, in the long run, would be on the waning proposition in their legal talent, which in turn affects their budgets going for a toss on legal working.

Blending Balance between External Legal Costs vs Internal Talent

Typically, it is a matrix one need to carefully plan and implement as an SOP, since the external legal spend is coming under greater scrutiny with the costs going up. A sense of confidence is needed to be instilled in the management to guide that a majority of work will have to be done in-house, in preference to the external firms. The disadvantage in outsourcing is that the in house talent tend to depend for everything and anything to the external firm for ease or convenience at the cost of fortifying the internal acumen. It has been my observation over a period of time that more we engage an external firm, the lesser the chances of a robust internal team. It is therefore suggested that a right blend would be to outsource the top end scrutiny of documents to the external firms, while templates for most of the routine document should be done in-house. Further, the competency and skill set to do the due diligence, which is critical to legal working, should be developed in-house, which in turn reduces costs. Legal professionals must recognise that budgets are sacrosanct and should contribute to the organisational profitability. Networking with foreign firms gives a substantive advantage in overseas transactions, at the right opportune time.

Integration with Technology

With the advent of huge repository of data, be it applied on transaction documents or for litigation briefing, proper tools are required to critically examine the contours of legal knowledge, which include statutes, case law, transaction experience – domestic and international, data analytics, communication from multiple resources, project management legal challenges and emerging facets of law. All this is not possible, while being on routine job, and also expected to develop on sunrise applications. Hence, proper tools should be sourced to update the domain knowledge and interpretative analytics for a better advisory. The tools that help out in this direction are data mining systems, work flow systems, contract generators and artificial intelligence systems.

It is with this brief, I set the tone for us to deliberate further, and raise the curtain for interesting deliberations during the day.

See you at The Grand Masters 2018!

Badrinath Durvasula,
Senior Vice President, Adani Group
Summit Chair – The Grand Masters 2018, New Delhi Edition



THE AGENDA

09:00 AM – MORNING REFRESHMENTS & REGISTRATION

09:30 AM – WELCOME NOTE BY LEX WITNESS

09:35 AM – SPECIAL ADDRESS BY DR. LALIT BHASIN, PRESIDENT, SILF & BAI

09:45 AM – SUMMIT CHAIR'S ADDRESS BADRINATH DURVASULA, SR. VICE PRESIDENT, ADANI GROUP

10:00 AM - MEET THE ALL NEW GENERAL COUNSEL 2.0 – READY FOR THE UPGRADE?

Badrinath Durvasula, Senior Vice President, Adani Group - Moderator

Dr. Manoj Kumar, Founder & Managing Partner, Hammurabi & Solomon

Ameet Datta, Partner, Saikrishna & Associates

Anupam Sharan, Senior Director, Legal & Business Contracting, Sutherland Global

Joyjyoti Mishra, Director Legal, Uber India

Neera Sharma, Chief Legal Officer, Sistema Shyam TeleService

Ugen Bhutia, Vice President - Legal - SBI Card

India Spikes Up In Ease of Doing Business - The Inevitable Role of Legal Machineries

The Stakeholder Sagas – Are Your Courtrooms & Boardrooms in Sync?

The New Age General Counsel's Tool Kit

The Balancing Act between the In House Counsel & the External Counsel

A GC's External Counsel Check List - Secrets & Success Stories

An External Counsel's Wish List - Perspective & Ambition

The In House Legal Team & External Legal Advisory - A Unison in Play?

Technology Steam Ahead of Lawyers - A Combating Conversation?

AI vs. HI - A GC's Take on the Bots

Future of Fraud Risk Management - Is Automation the Key?

Paradise Papers - A Lesson in Place for Data Shelving?

Disclosure of Whistleblower Investigations – What Does The Law Demand?

White Collar Crimes - Can there be a Watchdog?

Corporate Governance - A GC's Note wrt SEBI Guidelines & Kotak Committee

Delisting of Companies, Disqualification of Directors - Lessons for The Corporate Counsel

Number of Layers Rules 2017 - Restrictive & Ambiguous?

11:15 AM - NETWORKING BREAK

11:40 AM - MASTERING CONTRACTS THROUGH INTELLIGENT CONTRACT MANAGEMENT

Sudeep Sanyal, Regional Vice President, Apttus

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THE AGENDA

12 NOON - LET'S TALK TECHNOLOGY – CUSTOMARY OR INNOVATIVE ENOUGH?

Lakshika Joshi, Global IP Head and Legal Leadership, Aricent - Moderator

Akshat Sulalit, Associate Vice President - Legal, CP Wholesale India

Amit Mohaan Meharia, Managing Partner, MCO Legals

Kapil Chaudhary, Corporate Counsel, India & SAARC, Autodesk India

Parul Sabharwal, Head Legal, Times Internet

Sheetal Kapoor, Regional Counsel - India & West Asia, Google

Artificial Intelligence - Need of A Regulatory Framework

Block Chain Technology & Bitcoins: The Indian X Ray

The Future of Contract Management - Smart Contracting on the Go?

The Automation Mess - Managing Overlaps of Product Liability, Consumer, and Criminal Laws

Robotic Process Automation (RPA) - Potential vis. a vis. Risk Mapping

India under The Research Ethics Debate - Addressing Insurance and Liability Gaps wrt Robotics

Interplay between IOT & IPR - Driving India's Agenda to M2M

Drones & Indian Skies - Privacy & Security Concerns, Need of A Regulatory Framework

Draft Norms/CARs - Data Protection, Bias towards Indian Entities, Multiple Regulatory Windows etc.

A Walk in the Clouds - Innovative, Disruptive & Equally Challenging?

Whose Cloud is it Anyway? Jurisdictional Conflicts, Data Safety, Legal & Regulatory Challenges

The IOT/Open Source Environment - Legal Concerns

01:00 PM - NETWORKING LUNCH

2:00 PM - THE REGULATORY RAGE – READY TO ROAR?

Ketan Mukhija, Sr. VP (Legal, Corporate Strategy & Planning), SREI Infrastructure Finance - Moderator

Alok Dhir, Managing Partner, Dhir & Dhir Associates

Avnindra Mohan, President (Legal & Regulatory), Zee Network

Dr. Sanjeev Gemawat, Executive Director & Group Company Secretary, Dalmia Bharat

Rajesh Bhardwaj, Managing Partner, International Investment & Law Consultants

Sanjay Gulati, Group Vice President Corporate Tax - GST & Litigation, GMR Group

Subodh P. Deo, Partner, Saikrishna & Associates

The India Inc.'s Journey with GST - Aftershocks & Legal Implications

Anti-Harassment Environment - A High-end Checkpoint for India Inc.?

Insolvency & Bankruptcy Code - Past, Present & Future - Work in Progress?

Ordinance - Impact Assessment

The IBC Trio - Debtors, Creditors, Bidders - Possible Peace?

India Inc. Stressed Assets Vis a Vis Investment Climate

Identifying an Ideal IRP/IPE

..Contd.

*Lack of States' Unison on RERA Guidelines
Enforcement Challenges for Lenders under RERA
Absence of RERA Tribunals - Back to the Courts?*

*Right to Privacy - The Debates & Conclusions Therein
India Gearing Up for Its Data Protection Policy – Are We Ready?
7 Commandments of Justice Srikrishna Committee for Data Protection Law in India
The Indian Regulatory Environ for OTT driven Apps
EUGDPR - Definition & Background, Differences between the Data Protection Act and the EU GDPR
Data subjects and their rights - dealing with subject access requests.
Secrets to Implementation - Privacy by Design, Privacy impact assessments (PIA), Data Audits
Incident Response and Breach Reporting, Updating Policies and Procedures
International Data Transfers, Replacing Safe Harbour – New Requirements*

*Concept of Single Economic Entity Under The Indian Competition Act, 2002 - Recent Case Studies
Resale Price Maintenance - An All New CCI Bent?
The Cartel Cries - India vis. a vis. Global Scenarios
Exchange of Commercial & Sensitive Information amongst Competition - Aspiration for India?
Deflating Collusive Bidding Strategies - CCIs Whip on Marketing Brains*

03:15 PM - INDIA'S IPR QUOTIENT – BEGINNING OF A NEW RACE?

Vaibhav Khanna, Head of Intellectual Property, Sterlite Technologies - Moderator
Siddhartha Pandit, Head Legal, Havells India
Sachin Agarwal, Senior Manager - IPR, Samsung
Bitika Sharma, Senior Partner, Singh & Singh Law Firm LLP
Mohit Goel, Partner, Sim and San

*The IPR Exchange - Too Good to be True?
Protecting Trade Secrets & Confidential Data – A Growing Legal Battle?
Directorship, Employment & Copyright Ownership - The Puzzling Paradox
Defining First Owner of Copyright
IP Litigations - Interim Injunctions and Damages | Mini Trials in Temporary Injunction Applications
'Inventorship' in Indian Patent Laws - Assessment Criteria
Patent Litigation in the Tech Space
Demystifying Section 3(f) - Patentability of a Multipurpose Device
Patent of Addition: A Dilemma by Choice?*

*Artificial Intelligence & IPR - Defining Ownership etc.
Identifying patent infringer in case of AI, Inducer of the Infringement, Wilful Infringer or Inducer?
IPR Complexities in the VR and AR Domains
Counterfeiting In The Virtual World
Revised CRI Guidelines & Patentability of Algorithms
E-Commerce Portals - Haven for Online Counterfeiting?
Targeted Advertising - IP Rights ~ Equalisation Levy ~ Royalty Based Transaction*

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THE AGENDA

Sound, Shape & Colour Marks - IP Protection & Enforcement Aspects
Copyright Protection to Architectural Works - India's Standpoint
Concerns Around Brand Extension
IP Scenarios in case of Insolvency Matters
Fight Against Counterfeits - Enforcement & Execution Mishaps

4:15 PM – NETWORKING BREAK

4:45 PM - CHAMBERS, CABINS & COURTS - WOULD YOU CHOOSE TO LITIGATE OR ARBITRATE?

Jasmeet Wadehra, Head - Legal, Sesa Goa and Power, Vedanta Group - Moderator

Gaurav Vutts, General Manager Legal, Indiabulls Housing Finance

KPS Kohli, Associate Partner, Dhir & Dhir Associates

Naresh Arora, Vice President & National Legal Head - Operations, ATC Infra

Niraj Singh, Partner, RNS Associates

Radha Reddy, Chief Manager Law, Indian Oil Corporation Refineries Division

S. Ravi Shankar, Senior Partner, Law Senate

Litigation vs. Arbitration - A GC's Dilemma?

The Arbitration & Conciliation (Amendment Act) 2015 - Recent Updates & Impact

The Commercial Courts Act 2015 - Perspective in Detail

Handling Complexities Related to Multiple Dispute Resolution Clauses - Applicable Jurisdiction etc.

The Art of Contracting - India Vs. Global Standards

Contracting & Project Management - Impact Assessment

Importance Of Liquidated Damages Clause in A Contract

Implying Terms Into A Contract - SC Contours & Whips

Choosing an Ideal Arbitrator

Interference of Courts in Appointing Arbitrators - No More A Challenge?

Choosing A Foreign Seat for Arbitration - Clarity Obtained or Still A Contentious Issue?

Inherent Power of Arbitral Tribunals for Procedural Reviews

Defining Scopes of Challenging the Arbitral Tribunal

Risks of Split Contracts & Arbitration Clause Included By Reference

Enforceability of Foreign Awards

Applicability of Arbitration in Foreign Contracts

Dealing with The Issue of Composite Reference to Arbitration Under Multiple Agreements

Settlement Agreements Qua Arbitral Awards

The Concept of Institutional Arbitration - Global Lessons

India As A Global Destination for International Arbitration: A Dream Indeed?

6:00 PM - GALA LUCKY DRAW FOLLOWED BY CLOSING REMARKS BY LEX WITNESS

After completing The Grand Masters Inaugural Edition in New Delhi on 8th February 2018, and the second edition in Mumbai on 16th February 2018, the summit series will conclude in Bengaluru on 23rd March 2018.

Please feel free to contact Team Witness for any further information on the subsequent editions.

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