



RAJESHWARI & ASSOCIATES

trademark & patent attorneys



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The way of business solutions

RAJESHWARI & ASSOCIATES

Providing Insightful Advice
and Seamless Services

Decisions, whether in personal life or professional, need to be taken with utmost care.

Because decisions impact not just our life, but also of those connected to us too. Especially in the matter of business, a business decision is made by the top-most authority but impacts everyone down the line. As such, a prompt, practical timely and legally sound advice becomes all the more crucial. And since 2009, **Rajeshwari & Associates**, a leading global law firm, known for its professional advice, meticulous efficiency and personal responsibility towards its clients are doing just that. Founded with a vision to create a firm where practical advice is given to people promptly, it believes there is a space for people who respond and act fast.

Finding the Ground

The firm's seeds were sown at a small office in Gurgaon. As the sapling grew, it was fed with basic principles of high quality, promptness, and practicality. Additional nourishment was given in the form of technology and adaptive measures to ensure that the firm grows strong and is deep-rooted. While there was pretty much of sunshine, it also faced its own set of storms. But the journey and the growing are have been immensely enjoyed by the team.

The first sweet fruit of labour came in the form of *first compulsory license in India*. India's first case of granting compulsory license was granted by the Patent office in 2012 to an Indian Company called Natco Pharma for the generic production of Bayer Corporation's Nexavar. The Government took this decision for the general public benefit as the medicine was used in treating liver and kidney cancer. However, it was heavily criticized by the Pharmaceutical Companies, and Rajeshwari & Associates took up the case and represented Indian companies in this Novartis V/s Union of India case. The firm strategized it right from the beginning till the end and argued the matter in-house to win at all for a right from the Patent office to Supreme Court. The verdict is not only just the first ever compulsory license, but the first ever that was adjudicated by a court of law. It is first granted in India and is the first-of-its-kind for liver cancer. The grant of compulsory license has been historic as it has helped to save the lives of millions of people affected by liver and kidney cancer.

This was just the beginning of achievements and subsequent cases have kept the firm going. Since then,

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the firm has been chosen as one of the finest law firms in Asia and also rated high by MIP etc. The focus of the law firm is now primarily on intellectual property. *The practice areas include patents, plant varieties, trademarks, copyrights, designs, trade secrets, licensing, competition law and allied areas. It assists clients in filing and prosecution, litigation, licensing and other transactions.* Another vertical of the firm is competition law, wherein it appears in tribunals and advises clients.

An Impactful Founder

As a youngster, **Rajeshwari Hariharan** found her true calling in doing something that would impact the society at large. But the method to do so was still far from her. During her college days, she came across lawyers. She saw them fighting and winning

cases that made an impact and benefitted farmers. This struck a chord within her, as she recalls, *"I thought to myself that this is the field that would enable me to achieve the goal of impacting the society. And such incidents inspired me to take up law as a profession."*

It is her vision that has driven the firm to its current stage. She sums up the voyage as, *"We always look towards a tomorrow where our dreams would be fulfilled. Though in the beginning, we started with some modest resources, later, with the support and appreciation received from clients, we have brought in many innovations in our practice and style of working that has led to faster and quicker turnaround time."*

Surpassing Challenges

Here's what the Firm thinks about various challenges being faced by the Legal System:

Generic Challenges

Though each law firm faces its own separate issues, one of the biggest challenges faced by law firms, whether big or small, is technology. Technology has sped up international communication considerably and automated basic tasks, thus freeing up the time of lawyers for other work. However, technology is fast changing and it is hard to keep up with the same. Additionally, cybersecurity is one issue that is always lurking around the corner and one has to be watchful of the same by investing in technology. The other issue is the changes in economic and political systems leading

A citizen may come across the following issues in their everyday life at some point or the other and thus, should be aware about

01

The criminal justice system – as to how FIR is filed, how it is processed, how complaints are filed and dealt with and the general process of how a criminal complaint proceeds.

02

Consumer laws- as to how to deal with deficiency of service whether it is of car service provider or any other service or product.

03

Law relating to marriage, property – as to how to deal with marriage issues including abuse; dowry related issues ; and of course inheritance;

04

Property laws – as to how to buy and sell property – what is to be seen and what are the legal issues that should be of concern to a seller or buyer.

05

Education system and laws – how to deal with issues concerning school and college admissions

The World Of Intellectual Property
Is Always Evolving, But We Stick To Our Values
Under All Circumstances And Situations



to change in the way people look at Intellectual property. There's also competition from non-traditional legal service providers such as KPOs businesses entering the market. Though their competency in court-room cannot be matched with traditional lawyers, yet it is an issue to contend with. Lastly with the economic downturn and other factors, law firms are required to cut costs but the kind and type service remain the same; however, the billing models change leading to some impact which affects the overall picture.

Pending Cases

One of the main reasons for pendency in the judiciary is a large number of cases that are already pending in courts. The judiciary is alive to the problem and is taking steps in the form of evening courts, less vacation, fewer adjournments, technology etc. The need of the hour is getting more judges on-board so that matters can be adjudicated and disposed-off quickly. A further step may be to fix a timeline whereby each stage of the case is fixed – without a possibility of extension of time and a definite time period within which case must necessarily be disposed-off. Lawyers also have a role in reducing the pendency by preparing well and ably assisting the court when the matter is taken up, rather than seeking adjournments.

The gap between Law Formulation and Law Enforcement

In the legal system, laws are made with the intervention of the Parliament – but at the time of enforcement, there are issues. These can be solved, sometimes through interpretation and at times through amendment of the law.

We need both – quick amendments to the laws so that the lawmakers can catch up with the developments and plug the apparent loopholes; also full co-operation of both lawyers and judges. As citizens and as officers of the court, lawyers have a duty not just to the client that we represent but also to the system and the society at large; something that we must never lose sight of.

Teaching the Young

Rajeshwari advises the young generation to focus on legal matters from the beginning. She says, *"Startups often tend to believe that legal can be taken care of when there is a problem. However, in real life, we see that it is too late by then. Both single entrepreneurs and startups should look at all the legal issues before launching their business. Many confuse the consultations with a CA as 'legal advice' - however, that is not the case and if at all, it is limited help. They need more, especially with a focus on intellectual property."*

Future Perspective

The firm is planning to expand to other areas of law as well as other cities to reach out to larger mass and assist them with intellectual property matters in the near future. There is a huge pool of home-grown enterprises and businesses that have come up in the last few years and who are developing innovative products but are functioning without IP protection. The intellectual property today is a need, not a luxury; and the firm wants to spread this message across India. ■