

**bharucha & partners**

Advocates & Solicitors

**TECHNOLOGY, MEDIA, & TELECOMMUNICATIONS**  
Practice Profile



# About the Firm

Founded in 2008 on immutable principles of professional ethics and excellence, Bharucha & Partners is a full-service law firm, with offices in Mumbai, New Delhi, and Bengaluru in India.

We are a Firm of practitioners, with 11 Partners and over 80 lawyers offering a blend of rich experience, creativity, and the energy of youth. Each of the partners has a proven track record of handling complex commercial transactions or dispute while each associate has a passion for the law and a love for learning. Each associate has been individually groomed and selected as sharing the qualities and vision of the partners and the Firm. The hallmarks which each of our lawyer's share are Commitment to the Profession, Communication and Transparency, and, Conviction and Integrity in our dealings with each other, our clients, counterparts in the profession and, also, and no less importantly, with ourselves.

The Firm caters to a diverse clientele including Fortune 500 companies, multinational corporations, public sector undertakings, banking and financial institutions, government and state authorities, and various not-for-profits. Our clients consistently praise the 'work ethic' of the Firm, the 'timeliness' of our lawyers, and the 'hard-working' team of lawyers that serve 'the best interests of the clients'.

The Firm has been consistently recognised on various platforms like Chambers and Partners, Euromoney, Legal 500, Who's Who Legal, IFLR1000, asialaw, Benchmark Litigation, and India Business Law Journal, to name a few.

# Mission

## **To our clients**

We are committed to further your interests: by delivering work product of the highest quality; on time, every time; consistent with high ethical standards; at a reasonable cost; always delivering value.

## **To our professional colleagues**

As our learned friends, we offer courteous and straight dealing.

## **To our counter parties**

Respectful of your legitimate rights, we will not make unreasonable demands while working for the best results for our clients. In a hostile situation, may the best man win and we will work to ensure that the best case for our client is put forward.

# Vision

In the 21st century, time is at a premium; competence is said to be a commodity; and loyalty is for sale. We accept none of that.

Organisations and systems make time manageable. Excellence is rare, it cannot be equated with competence.

We have seen the legal profession grow and change with growth. We believe that growth cannot be at the cost of excellence. To the contrary, growth must foster excellence. We will not be part of any system where values or quality may be impaired in the rush to get the deal done.

We have come together based on immutable principles of truth, ethics, and excellence.

We will not compromise.

Growth will be driven by these principles. We will select the right people, groom them, invest in them. We will not just invest money. We will invest our time and our commitment. Some will fall by the way, as they must, but a few will make the grade. Those who share our values and our vision will be partners. They will be lawyers who will succeed in any jurisdiction.

Within ourselves, we have the capabilities of a full-service law firm. We will grow our capabilities to better serve our clients.

We are proud of every member of our Firm, be they professionals, fee earners, or support staff. Each is a flag bearer. We are committed to going forward and each constituent of our Firm is proud to belong to the law firm that delivers excellent value to its clients and enriches the profession.

# Technology, Media, & Telecommunications Practice

The Firm's Technology, Media, & Telecommunication (TMT) Practice evolves with changing technology, business, and business models and we are known for our innovative advice on complex issues.

The Firm advises and represents clients on all aspects of TMT practice, ranging from support and documentation on all types of transactions (mergers and acquisitions, initial public offerings, private equity investments), advising on technology and intellectual property aspects of transactions, local law and regulatory compliance to contentious matters. Our strength lies in understanding the issues faced by corporate decision-makers as many of our lawyers have held key government and in-house positions in the past.

Our clients include technology companies engaged in IT/ITES, fintech & banking, software licensing & protection, media & entertainment, individuals engaged in films, television, FM radio, OTT, content publishing, and telecom companies engaged in basic telephony as well as value-added data services.

## Technology, Media, & Telecommunications Practice Leaders



**MP Bharucha, Founder, Senior Partner**

MP, as he is popularly known, spearheads the Commercial Litigation Practice at the Firm. MP has been consistently ranked by Chambers and Partners, Euromoney, and Legal 500 as amongst India's leading lawyers and has wide experience in TMT matters. He is known for his multidisciplinary abilities in both dispute resolution and general corporate advisory.



**Alka Bharucha, Senior Partner**

Alka heads the Firm's Transactions Practice and has significant experience in capital markets transactions and over 30 years of experience in mergers & acquisitions and private equity investments. Alka has in-depth expertise in telecom, power, logistics, e-commerce, aggregators, and oil and gas sectors and has advised Indian and multinational telecom companies on mergers and acquisitions, financings, refinancings, initial public offerings, and regulatory matters. Alka has been consistently ranked as one of India's foremost transaction lawyers by Chambers and Partners, Legal 500, and Who's Who Legal. She has also been listed amongst India's top 100 lawyers by the India Business Law Journal.



**Sneha Jaisingh, Partner**

Sneha is a multi-faceted litigator and has vast experience in litigation before the Supreme Court and High Courts, as also tribunals. Her experience also extends to arbitration. Sneha has handled important regulatory cases in the telecommunications sector and the securities market. She also specialises in commercial disputes, and her practice extends to environmental liabilities, insurance claims, and employment law. Sneha services clients across sectors including the telecom, construction, manufacturing, and services sectors. She is recognised for her meticulous attention to detail coupled with sharp tactical insight.



**Kaushik Moitra, Partner**

Kaushik's invaluable in-house experience with diversified media conglomerates guides the Firm in matters regarding media platforms and personnel. His experience with diversified media conglomerates affords him a 360-degree view of the media and entertainment sector that helps him, and his team provide advice and representation that has deep sectoral insights and relevance to the client's business. Kaushik is known for his prompt and business-centric advice in the transaction space and his ability to address intellectual property mandates which require representation in tribunal, and courts across the country.



**Swathi Girimaji, Partner**

Swathi advises start-ups from the initial rounds of funding until late stage investments and exits. Her understanding of unique challenges faced by start-ups, especially in the technology sector and her ability to guide clients through the transaction is well recognised. Her experience enables her to build a balanced contractual framework that will hold her clients in good stead even in the later stages of growth of the company.

## Indicative Experience

- 1'. Advising ALT Digital Media Entertainment Limited during the course of the reality show 'LockUpp' which was streamed live on ALT and MX Player starting 27 February 2022. B&P also advised on the legality of the game show titled 'LockUpp' and opined on whether the game being played was a game of chance or game of skill as per the extant laws of India; representation before the Delhi High Court in commercial dispute with MX Player Pte Limited; advise related to terms & conditions, privacy policy and end user license agreement for the OTT Platform 'ALT'.
- 2'. Representing Balaji Motion Pictures with respect to Disputes with co-producers and interest-rights group in contractual disputes and content accuracy, etc; and Arbitration proceedings initiated by Sujoy Ghosh (film director) arising out of Director Agreement for Espionage, entered between Sujoy Ghosh and Balaji Motion Pictures Limited.
- 3'. Advising Shemaroo Entertainment Limited with respect to end-user license agreement (EULA), privacy policy and terms of use, and disclaimers for their over-the-top (OTT) platform 'SHEMAROO WORLD'.
5. Advising and representing Sony Pictures Network India Pvt. Limited in various matters including inter alia:, including:
  - a. Advise and representation with respect to cases pertaining to patent and copyright infringement in respect of the game show, 'Kaun Banega Crorepati';
  - b. Representation in 'John Doe' proceedings initiated prior to the release of films such as 'Piku', 'Youngistaan', 'Kya Kool Hai Hum', 'Darr @ the Mall, the Indian Premier League, and India-New Zealand Cricket Series;
  - c. Representation before the Bombay High Court with respect to the commercial suit filed by the against Ashiq Usman Productions and certain others for infringement of the client's copyright, trademark, and broadcasting rights in their mark 'SONY SIX' and with respect to the usage of the footage of the 2014 FIFA World Cup in the movie 'Argentina Fans Kattoorkadavu';
  - d. Representation before the Bombay High Court with respect to a suit based on allegations of copyright infringement filed against a popular Indian soap opera;
  - e. Representation re licensing of copyrights in a movie titled 'Is it a Murder?' from the alleged producers of the movie 'Murder of a Journalist', and
  - f. Representation before the Bombay High Court and Supreme Court of India with respect to challenging an order passed by Competition Commission of India ordering an investigation on the allegations involving the imposition of unfair terms and limiting services to less favoured distribution operators, in violation of the Competition Act, 2002.
5. Advising M/s Uprising Science Private Limited who offers the clean beauty brand 'Minimalist' re defamatory and infringing posts by a competitor on their social media regarding Minimalist products and defamatory and infringing posts made by influencers on YouTube on the behest of the competitor.



6. Advising Sterlite Copper Limited (Vedanta) with respect to defamatory content and its proliferation on OTT Platforms namely Vimeo and Tamil OTT vis-à-vis the documentary titled 'The Pearl City Massacre!'
7. Advising Mr. Bhuvan Bam who announced his OTT debut titled 'Taaza Khabar' which will be produced by BB Ki Vines Productions.
8. Advising on the upcoming documentary project titled 'Mafia' produced by the UK based production house Minnow Films (MUMM) Limited, to be released on Netflix.
9. Advisory during production of the documentary project titled 'Crime Stories: India Detectives' which traces the police in Bangalore as they conduct real time investigations. The series was produced by the UK based production house Minnow Films Limited and released on Netflix on 22 September 2021. We also represented the Client in litigations instituted by one of the documentary's subjects before multiple courts in India.
10. Advisory during production of the documentary project titled 'Bad Boy Billionaires' which traces the rise and fall of 4 notorious Indian billionaires. The series was produced by the UK based production house Minnow Films Limited and released on Netflix on 5 October 2020. We are also representing the Client in litigations instituted by the documentary's subjects ie., Ramalinga Raju, Nirav Modi, and Subrata Roy, before multiple courts in India.
11. Advising on the upcoming documentary project titled 'Caught Out' produced by the UK based production house Passion Pictures Limited, to be released on Netflix.
12. Originating and editing of knowledge resources for the Internet Freedom Foundation, as their knowledge partner. We also originated the series on Practical Guide for Journalists for the client's Digital Patrakar Defence Clinic.
13. Originating and editing of knowledge resources and legal representation for the DIGIPUB News India Foundation as their knowledge partner and legal counsel.
14. Acting as the knowledge partner for Asia Video Industry Association (AVIA): Assisted AVIA in preparing the India leg on its Regulatory Handbook setting out matrices for compliances, regulations and the foreshadowed changes governing PayTV, OTT, OCC, and Advertising in India; conducted a knowledge session for members of AVIA on Indian privacy laws as part of the AVIA Policy Roundtable 2021; and made a presentation on the Laws Governing Content Platforms and Satellite Communication in India for all AVIA members on 29 April 2022.
15. Advising Mr. Abhinandan Gupta, a reputed director and writer in the Indian Film Industry who has worked projects such as 'OK Jaanu' (associate director), 'Padmaavat' (associate director), and 'Chandigarh Kare Aashiqui' (first assistant director). We have been representing the Client for his upcoming projects.

16. Advising Digivive Services Private Limited in relation to the acquisition of content and negotiation of rights in content for their various OTT applications.
17. Advising the production house Eleeanora Images Private Limited and its director the Padmashree awardee Mr. Nila Madhab Panda, during the course of their productions and negotiating on their behalf with other actors, producers, and platforms.
18. Advising the maiden production house Kahaaniwaaley Media and Entertainment Ventures Private Limited and Ms. Swara Bhaskar in relation to inter alia copyright protection in works, artist agreements, drafting of defamation notices, and advisory regarding various concerns that may arise from time to time in the Indian entertainment industry, preparing and filing responses to notices, and assisting the client with filing and addressing complaints.
19. Advising Juggernaut Productions for 2 upcoming series to be launched in India with respect to the legal cases pending in relation to the subject matters of the proposed series, procedures or anything related to the subject matter of the series or on any potential sub judice issues and their effects on production and release of the series.
20. Advising KriArj Entertainment Private Limited for the films 'Rustom', 'Padman', 'Toilet- Ek Prem Katha', 'Pari', and 'Parmanu!'
21. Representing Vodafone Idea Limited before Telecom Disputes Settlement and Appellate Tribunal (TDSAT) in various matters with respect to Cyber Appeals; advising on prosecuting trademark applications for Vodafone Idea Limited.
22. Advising and representing Voxbone, S.A. (Belgian Communication as a Service company) before the Telecom Regulatory Authority of India (TRAI) with respect to domestic and cross-border legal provisions in India.
23. Advising SVF Entertainment Private Limited with respect to commercial disputes, content regulation and acquisition, and licensing for their over-the-top (OTT) platform 'HoiChor'.
24. Advising General Atlantic with respect to multiple investments and exits, including Billdesk (payments solutions), Nobroker Technologies Solutions Private Limited (real estate tech start-up), and Sorting Hat Technologies Private Limited i.e. Unacademy (edu-tech start-up).
25. Advising Vedantu Innovations Private Limited with respect to the investment by Tiger Global, Accel, Omidyar, TAL Education Group, West Bridge, Prince Maximilian, and GGV Capital. Representing Vedantu before the Advertising Standards Council of India.
26. Representing Unitech Wireless (Tamil Nadu) Private Limited (Uninor) before Delhi High Court and CBI Special Court in the 2G spectrum case.

27. Advising Shopsy Retail Technologies Private Limited with respect to its acquisition by Reliance Industries Investments and Holdings Limited.
28. Advising BarRaiser Pte & BarRaiser India in seed investment rounds from 021 Capital & Global Founders Capital.
29. Advising Close App Private Limited in seed investment round from Omdiyar Network.
30. Advising Happily Unmarried Marketing Private Limited with respect to its Series G investment round from IIFL Seed Ventures Fund and representation before Delhi High Court in a matter involving the trademark 'Not tested on animals, only on rascals'.

## Clients

We act for public and private companies, acquirers and targets, financial and strategic investors, banks and financial institutions, boards of directors and promoters. The Firm has an even spread of domestic and international clients across a range of industries.

- Aditya Birla Group
- Adani Group
- Apollo Global Management
- Ameriprise Financial, Inc.
- Axis Bank Limited
- BAE Systems plc
- Badminton Association of India
- Balaji Motion Pictures Limited
- Buongiorno SpA
- Burberry Group plc
- Collage Group
- Curtiss-Wright Controls, Inc.
- Danone S.A.
- Diageo plc
- Edelweiss Comtrade Limited
- Firstsource Solutions Limited
- Flipkart India Private Limited
- Fokker Aerostructures B.V.
- Girnar Software Private Limited
- Grover Zampa Vineyards Limited
- Harris Corporation
- HSBC Limited
- IDBI Bank
- IJM Corporation Berhad
- Imperial Auto Industries Limited
- Indian Broadcasting Foundation
- Indostar Capital Finance Limited
- ISS A/S
- ITC Limited
- JCDecaux Group
- JM Baxi Group
- Johnson & Johnson Private Limited
- Kalaari Capital
- Kalpataru Power Transmission Limited
- Kotak Mahindra Bank
- Larsen & Toubro Limited
- Lucid Colloids Limited
- Luxottica Group SpA
- Macquarie Group Limited
- Marks & Spencer Group plc
- Minnow Films Limited
- Morepen Laboratories Limited
- Next Radio Limited
- NIIF Infrastructure Finance Limited
- Peugeot Citroen S.A.
- Porvair plc
- Rolls Royce plc
- Samsung Group
- Shemaroo Entertainment Limited
- Skyline Radio Network Limited
- Standard Chartered Bank Limited
- Star India Private Limited
- State Bank of India
- Sun TV Network Limited
- Tata Communications Limited
- The Federal Bank Limited
- The Times Group
- Twitter, Inc.
- V-Ships Group
- Vestas Wind Systems A/S
- Vodafone Idea Limited
- Wadhawan Group
- Zostel Hospitality Private Limited

# Practice Areas and Sector Support

## **Practice Areas**

- Mergers & Acquisitions
- Commercial Litigation
- International & Domestic Arbitration
- Private Equity / Venture Capital
- Laws of Crime
- Governance, Ethics, & Anti-Corruption
- Banking & Finance
- Project Finance
- Capital Markets & Securities Law
- Employment & Human Resources
- Regulatory & Compliance
- Intellectual Property
- Insolvency Resolution, Restructuring, & Stressed Assets
- Competition & Antitrust
- Direct Tax
- Indirect Tax
- Real Estate
- Private Client
- Social Impact & Policy
- General Corporate Advisory

## **Sector Support**

- Banks & NBFCs
- Defence & Aerospace
- Real Estate
- Energy (Conventional & Renewable)
- Ports & Logistics
- Roads
- Technology, Media, & Telecommunications
- Securities & Financial Markets Intermediaries
- Fintech
- Food & Beverages (including Water)
- Trade (Wholesale & Retail)
- Private Clients

## Awards & Recognitions



Bharucha & Partners



M P Bharucha



Alka Bharucha



Justin Bharucha



Vandana Pai



Sonam Gupta



Sneha Jaisingh



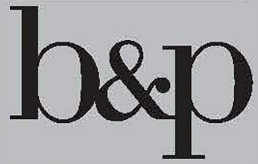


## Reviews

- *"Highly qualified team acting on the full range of corporate matters including M&A, foreign direct investment and joint ventures. Provides general corporate advice to major companies, financial institutions and investors on both the sale and purchase sides. Provides support to private equity and venture capital entities as well as target companies on the entire life-cycle of investment and fund issues. Handles fund formation, management buyouts, minority and controlling-stake acquisitions and a range of follow-on transactions. Notable ability in the financial services, telecommunications, logistics and energy sectors."* - Chambers and Partners
- *"They are very thorough, proactive and knowledgeable."* - Chambers and Partners
- *"We receive top-notch partner time. They are realistic in negotiations, which results in the work being handled faster in a more congenial atmosphere."* - Chambers and Partners
- *"They are a competent team, very capable."* - The Legal 500
- *"They are customer centric and respond in detail to points raised or opinion sought. They are not ambiguous in their response."* - The Legal 500
- **MP Bharucha** is lauded by market sources as *"one of the leading lawyers in the country,"* who *"has been on the top of his game for a long time."* Active on a range of commercial disputes, he maintains a particularly high reputation as a litigator in the Mumbai market." - Chambers and Partners
- **Alka Bharucha** *"boasts a stellar reputation in corporate transactions. She is renowned for her expertise in cross-border M&A as well as her proficiency in providing advice on general corporate issues, in particular within the power, telecommunications and banking sectors."* - Chambers and Partners
- **Justin M Bharucha** *"specialises in foreign direct investments in highly regulated sectors. He is regularly active on complex cross-border transactions, utilising his deep knowledge of inbound and outbound M&A."* - Chambers and Partners
- **Vandana Pai** *"commands a strong reputation among market commentators, who praise her excellence in providing assistance with private equity transactions. Her clients are effusive with praise, with one reporting: "She foresees business and legal issues and is very proactive in addressing potential concerns."* - Chambers and Partners







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Advocates & Solicitors

**Mumbai**

13th Floor, Free Press House,  
Free Press Journal Marg, Nariman Point,  
Mumbai 400 021. India

**T.** +91 22 2289 9300 **F.** +91 22 2282 3900

**New Delhi**

2nd Floor, Legacy  
42, Okhla Industrial Estate III  
New Delhi 110019. India

**T.** +91 11 4593 9300 **F.** +91 11 4593 9399

**Bengaluru**

COWRKS, Purva Premiere, Residency Road  
Bengaluru, Karnataka 560025. India

**T.** +91 80 4614 5993 **F.** +91 80 4614 5994

**E.** [sr.partner@bharucha.in](mailto:sr.partner@bharucha.in)

**W.** [www.bharucha.in](http://www.bharucha.in)