

NISHANT MALHOTRA

PROFILE

Corporate lawyer working with Deutsche Bank with Masters in Law and Certificate in Business Administration from Northwestern University and Kellogg School of Management, USA. Total work experience of more than eight years.

KEY SKILLS

Drafting and analysis of complex corporate and financial international contracts; transaction structuring and negotiations; excellent interpersonal and communication skills, analytical and managerial abilities; exposure to variety of commercial transactions.

PROFESSIONAL EXPERIENCE

Deutsche Bank

Counsel, Asia Pacific (ex-Japan) Location: Singapore
Associate

June 2011 – Till date

I support Deutsche Bank's asset management and wealth management business divisions for the Asia-Pacific region (primarily Singapore and Hong Kong), comprising of investment management business for both private and institutional clients. My work includes:

- Asset Management
 - Supporting the retail and institutional business lines of the asset management unit, e.g. negotiating investment management, advisory and delegation agreements, subscription agreements for investment-linked insurance products, request for proposals;
 - Maintenance and distribution of in-house retail and non-retail funds in Singapore and Hong Kong and providing regulatory advice on issues arising from day-to-day operations;
 - Drafting and negotiating various distribution agreements, terms and conditions for opening various broker accounts, confidentiality agreements, intra banks agreements, service level agreements and derivatives trading agreements such as ISDA and master confirmation agreements;
 - Working with external counsels on the preparation and review of various fund documents and filing requirements in Singapore and Hong Kong;
 - Providing legal and regulatory advice for new product offerings.
- Wealth Management
 - Providing legal advice and support to the bank's wealth management unit, e.g. providing legal and regulatory advice for new product offerings; dealing with issues arising from day-to-day operation of customers' accounts (account opening documentation, tax compliance, information disclosure, operational requirements);
 - Drafting and negotiating subscription agreements with third party fund providers and electronic trading platform agreements;
 - Reviewing, drafting, advising and negotiating client account opening documentation and corporate resolutions;
 - Working with Compliance and Risk functions to deal with operational incidents;
- Assisted on the sale of Deutsche Asset Management Company in India to a joint venture operated by Prudential Inc and Wadhwan Group and a few other M & A transactions; Closely involved in the negotiation of transaction documents and agreements;
- Prepared legal knowledge handbook on various products and their legal documentation aspects;
- Involved in various internal projects including implementation of common reporting standards, software/outsourcing to be implemented by the bank, digital initiatives, projects related to managing bank's legal risk;
- Closely involved in Deutsche Bank's legal education and development of lawyers initiative which looks after the development of in-house lawyers.

O. P. Khaitan & Co. Solicitors & Advocates (Law firm)

Associate: Corporate Practice Group

November 2010 – May 2011

- Foreign Direct Investment: Drafted applications for FIPB approval on behalf of a US based Fortune 500

company dealing in multi asset investment brokerage;

- Transactional work: Negotiated and drafted a joint venture agreement between an Indian chemical company and a Korean company; a share transfer transaction for a leading Indian clothing brand;
- General corporate: Drafted and negotiated term sheets and memorandums of understandings and agreements such as service level, lease deeds, trademark license, technology license and technical assistance, research and development, consultancy, share purchase/transfer and escrow; Drafted opinions and memorandums on issues pertaining to Companies Act, Foreign Direct Investment Policy, FEMA Regulations, SEBI Act, RBI master circulars and notifications; conducted legal due diligences on various companies.

Titus & Co. Advocates (Law firm)

Associate:

June 2007 – April 2009

- Banking: Represented a US based fortune 500 global corporation in drafting the terms and conditions of a US \$5 million bank guarantee and negotiated its terms and conditions with a major US bank and an Indian nationalized bank;
- Corporate: Advised a world's leading freight forwarding company, concerning its general corporate, employment and contractual issues and in the review of its freight terms and conditions, for its services in Asia-Pacific region; Advised a premier nutrition company in the review of its product labels from the standpoint of Indian labeling laws; Represented an Italian manufacturer in resolution of its customs related issues with the Indian customs authorities, Advised various clients on several issues pertaining to Companies Act, FEMA and RBI Act; Drafted and vetted agreements such as joint venture/shareholder's, share purchase/transfer agreements, strategic alliance, escrow; conducted legal due-diligences on various companies;
- Defence: Advised one of the leading US law firms on issues pertaining to implications of Official Secrets Act of India;
- Dispute Resolution: Drafted petitions, suits and applications for a multinational construction company before the High Court of Delhi, for realization of its insurance claims of over US \$2 million from an Indian insurance company;
- Intellectual Property: Assisted a premier nutrition company in connection with full range of portfolio protection matters, including registration of trademarks, filing and prosecution of oppositions applications, rectification and renewal of trademark registration certificates;
- Labour and Employment: Assisted an American bank in establishing subsidiary operations in India and in the review of its "Employee Handbook" for its India subsidiary, from the standpoint of Indian labour laws/state-specific local laws; Assisted a leading US semi-conductor manufacturer, on employee-employer relationship, including drafting of employment contracts and offer letters and advised it on state local laws, affecting such relationships;
- Tax: Advised a US based infrastructure company concerning both direct and indirect tax issues, in connection with setting up of joint ventures in India and advised it on benefits and exemptions available to SEZ units established under the SEZ Act; Drafted various petitions, suits and applications for a leading US defense manufacturer in proceedings for refund of US \$ 13 million tax, before the High Court of Karnataka.

E D U C A T I O N

<i>Masters of Laws, (LL.M)</i> - School of Law, Northwestern University, Chicago, USA Courses completed: Business Associations, Venture Capital, Project Finance, Mergers & Acquisitions, Commercial Law: Secured Transactions, Entrepreneurship Law, Contract Drafting, and Practical Issues in Business Law.	June 2009 – June 2010
<i>Certificate in Business Administration</i> - Kellogg School of Management, Northwestern University, Chicago, USA Courses completed: Accounting, Statistical Methods of Management Decisions, Mathematical Methods for Management Decisions, Business Strategies, Finance, Marketing Management and Operations Management.	June 2009 – June 2010
<i>Bachelor's of Laws, B.A.LL.B (Hons.)</i> - Guru Gobind Singh Indraprastha University, New Delhi, India	August 2002 – May 2007

P U B L I C A T I O N S

India Business Law Journal: Articles authored and co-authored: “*Enforcing Arbitration Awards in India*” (2008); and “*IP assets may be more valuable than real one*” (2008); Doing Business in India Handbook: Authored Chapter: “*Employment Issues in India*” (2007).

B A R A D M I T T A N C E

Admitted to practice by the **Bar Council of Delhi** vide Enrollment Number: D-153/2008
