

# Legal Document Summary

**\*\*Comprehensive Summary of the Legal Document\*\***

## ### Parties

The legal document involves three parties:

1. **\*\*Angira Singhvi\*\*** (representing Khaitan & Khaitan),
2. **\*\*Jairika Accessories & Apparel (OPC) Private Limited\*\*** (referred to as "Your Client"), and
3. **\*\*Amaltas Jewels\*\*** (referred to as "Our Client"), a company in the lab-grown diamond industry.

## ### Definitions

- \* "Our Client" refers to Amaltas Jewels.
- \* "Your Client" refers to Jairika Accessories & Apparel (OPC) Private Limited.
- \* "AMALTAS JEWELS" is a brand known for its transparency, ethical luxury, and sustainability, exclusively offering lab-grown diamond-based jewelry.
- \* The "Trade Marks Act, 1999" regulates trademarks in India, including guidelines for infringement and passing off claims.
- \* "Section 142 of the Trade Marks Act, 1999" deals with groundless threats of trademark infringement.
- \* "Groundless threats" refer to allegations made without a valid basis.
- \* "Vexatious and unsubstantiated claims" refer to claims made without sufficient evidence or justification.

## ### Obligations

1. **\*\*Defense of Proceedings\*\***: Amaltas Jewels is obligated to defend any proceedings initiated by [proceedings not specified in the given text].
2. **\*\*Withdrawal of Allegations\*\***: Jairika Accessories & Apparel must withdraw its baseless allegations against Amaltas Jewels.
3. **\*\*Compliance with Laws and Regulations\*\***: Both parties are expected to comply with relevant laws and regulations, including the Trade Marks Act, 1999.

### ### Rights

1. **\*\*Right to Defend\*\***: Amaltas Jewels has the right to defend itself against allegations of trademark misuse.
2. **\*\*Right to Pursue Legal Action\*\***: Both parties reserve the right to pursue legal action to protect their rights and interests.
3. **\*\*Right to Mediation\*\***: Both parties may propose mediation to resolve the dispute amicably.
4. **\*\*Operational Rights\*\***: Amaltas Jewels has the right to operate under its name without interference from Jairika Accessories & Apparel.

### ### Term & Termination

The document does not specify terms or termination conditions. However, it is recommended that a clear provision for ending the mediation process or the dispute be included.

### ### Dispute Resolution

The parties may engage in mediation to resolve the dispute. The mediation process and its

expected outcomes should be clearly defined. A neutral mediator should be appointed to facilitate the mediation process.

### ### Liability and Indemnification

The document should address unfavorable indemnification terms and potential liabilities. The parties may be liable for damages or losses incurred during the mediation process, as outlined in the indemnification clause.

### ### Critical Information

- \* The document outlines the relationship between Amaltas Jewels, Jairika Accessories & Apparel (OPC) Private Limited, and Angira Singhvi.
- \* It highlights the importance of the Trade Marks Act, 1999, and Section 142 in regulating trademark infringement claims.
- \* The definition of "AMALTAS JEWELS" as a brand emphasizes its focus on transparency, ethical luxury, and sustainability, which may be relevant in potential disputes or claims related to trademark infringement.

### ### Mitigation Recommendations

1. Conduct a thorough review of relevant laws and regulations.
2. Clearly define potential liabilities and exposures.
3. Define ambiguous terms and provide a clear definition of the pre-litigation mediation process.
4. Develop a clear contractual framework or agreement outlining the terms of the relationship between the parties.

5. Include a clear provision for ending the mediation process or the dispute.

By addressing these recommendations, the parties can reduce the overall risk profile of the document and ensure a comprehensive and enforceable agreement.