



apprentice times

A MONTHLY LEGAL NEWSLETTER



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OUR NEWSLETTER.

All you need to know about a legal notice: Part 2

-by Apprentice in-house

APPRENTICE
NEWS BULLETIN

Supreme Court waives cooling-off period to grant divorce

The Supreme Court has passed an order on 2nd October, 2018 that the cooling-off period to grant divorce between the first and second motion could be waived off depending on the circumstances of the case.

[Read more](#)

Personal information v. Public interest: Section 8(1)(j) of RTI

-by Harish G.

Though the privacy right of a person needs to be protected, the public interest in transparency is of higher value than the private interests of individuals. Despite the emphatic declaration that the right to privacy is a part of life and personal liberty, the right to information survives with Section 8(1)(j) and 11 of the RTI Act.

[Read more](#)

If you wish to protect your legal rights, then it is pertinent that a legal notice is sent or replied to. Legal notices are often precursors to litigation - the contents of the notice will hint at the stand that the person will take at litigation. Further, the core contents of the legal notice and a plaint/written statement do not largely vary from each other.

[Read more](#)

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Relief to developers on the maintainability of a specific performance of a agreement.

The Supreme Court passes order for Section 14(3)(c)(iii) of the Specific Relief Act, 1963 to be interpreted purposively to give room for the Section to be used in favour of the developer in a suit for specific performance of a developer agreement.

[Read more](#)

Litigation

Understanding defamation laws

-by Meghana Ballal

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NEWS BULLETIN

The most common mistake one does in a defamation suit is not adding the right or necessary parties to the suit or often adding wrong persons as parties. The common dilemma in a libel is choosing between authors, editors, publishers, and intermediaries. The simple yardstick to follow in such cases is to check 'who has the final creative control over the statement published?' and such a person should be made responsible for it.

[Read more](#)

APPRENTICE NEWS BULLETIN

The Citizenship Amendment Bill causes furore in Assam

Assam has shut down in protest against the controversial Citizenship Amendment Bill. The Bill which goes against the Assam Accord is alleged discriminatory on the basis of religion instigating political and communal wars.

[Read more](#)

Only Green-crackers allowed between 8-10 PM this Diwali

Supreme Court, on considering a petition filed by 3 infants about the pollution caused by firecrackers leading to health issues, has decided to take strict measures to get the situation under control.

[Read more](#)

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Supreme Court: The victims now don't have to seek special leave to appeal.

The rights of victim gets a boost as the Supreme Court orders that a victim can file an appeal under the proviso of Section 372 of CrPC and he can appeal without seeking Special Leave to appeal.

[Read more](#)

litigation

Sexual harassment at workplace in light of #Metoo:

Know your rights.

-by Poornachandra Pattar

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Although the Act mandates that a company having more than 10 employees should constitute ICC, many companies/organisations have remained oblivious. To ensure strict compliance of this provision, the Ministry of Corporate Affairs, vide the Company (Accounts) Rules, 2014 dated July 31, 2018, made it compulsory for companies to file a statement that they have complied with the provisions relating to the constitution of ICC under the Act.

[Read more](#)

Data Localisation: RBI's deadline expires

The deadline given by RBI for storage of payment system data on Indian servers expired on October 15, 2018. One must wait and see how the RBI sketches out the next steps for the defaulters.

[Read more](#)

OTHER NEWS

Yahoo has agreed to pay \$50 million in damages and provide two years of free credit-monitoring services to 200 million people whose email addresses and other personal information were stolen as a part of the biggest security breach in history.

APPRENTICE NEWS BULLETIN

NCLT orders new Board for debt-ridden IL&FS

India's leading infrastructure finance company, Infrastructure Leasing & Finance Services (IL&FS) defaulted on payments to lenders across multiple instruments. Government intervened as a result of widespread panic in the market.

[Read more](#)

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ED raids Amnesty International for alleged FCRA violations

Enforcement Directorate raids Amnesty International premises in Bangalore for alleged violations of FCRA and for illegally receiving foreign funding of Rs. 36 crores.

[Read more](#)

OTHER NEWS

India's first bitcoin ATM founder arrested for illegally setting up the ATM. Unocoin Technologies co-founder, Harish BV, was arrested by the police in Bangalore, a week after its installation.

corporate

Determining the nature of CCI

-by Rupendra Singh

Responding to the question of the true nature of CCI, the Parliamentary Standing Committee on Home Affairs in its 93rd Report, 2001, was of the opinion that it is a judicial body. The rationale for this argument was that the CCI has a specific adjudicatory function in relation to abuse of dominance, anti-competitive practices and on combinations... The Act, however, does not conform with the Parliamentary Standing Committee Report. [Read more](#)

APPRENTICE NEWS BULLETIN

Direct seller Amway sues Flipkart over unauthorised sale

Amway took the e-commerce giant Flipkart to the court for allowing unauthorised and illegal selling of Amway products on its platform thereby violating the Direct Selling Guidelines issued by the Government. [Read more](#)

OTHER NEWS

ArcelorMittal wins the bid for bankrupt Essar Steel finally after the long legal battle between ArcelorMittal and Numetal over ineligibility clause under Section 29A of IBC.

OTHER NEWS

The Insolvency and Bankruptcy Board of India (IBBI) in its new notification on October 23, 2018 laid down the mechanism to be followed for issuing regulations under the insolvency law.

OTHER NEWS

Competition Law Review Committee formed by the government to review the competition regulations and ensure that the legislation is in tune with the changing business environment.

APPRENTICE NEWS BULLETIN

US Court approves SEC and Elon Musk settlement after the infamous tweet

The U.S Court, in his recent judgment, has approved of the settlement between SEC and Elon Musk for the securities fraud following Elon Musk's infamous tweet [Read more](#)

Corporate

Trademarks: Registration and its restrictions

(Part 3 of a 3 part series on Trademarks)

-by Akanksha Mathur

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NEWS BULLETIN

Google joins the Patent Prior Arts Initiative

Google has decided to join Prior Art Archive initiative to aid the USPTO and its examiners by providing necessary info in order to ensure that duplicate patents are not granted.

[Read more](#)

Copyright for visually blind: Failure of Marrakesh treaty

-by Ritu Meena

The Marrakesh treaty came into existence to aid persons with visual and other disabilities to access the copyrighted works in a holistic and efficient manner through simplified mechanisms. This article aims to understand the background, the building process as well as the consequences brought in with the Treaty along with other similar regulations.

[Read more](#)

The mark will then be examined by the Trade Marks Registry for compliance with Section 9 and 11 of the Act. If the Registry believes that the mark may be refused based on the two Sections, they issue an Examination Report. If they find no grounds for refusal, they proceed to publish the mark in the Trade Marks Journal.

[Read more](#)

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Trademark, Copyright Office introduce video conferencing for hearings

With the aim to reform the way IP prosecution takes place in the country both the offices have announced the decision to conduct hearings through video conferencing apart from the physical appearance requirement followed until now. This is set up to expedite trade mark and copyright prosecution process.

[Read more](#)

ipr

Summary judgments in IPR: The road less taken

-by Utkarsh Joshi

APPRENTICE
NEWS BULLETIN

Artists win:
President Trump
signs Music
Modernization Act

An infringer selling packaged bottles of water under the brand 'Bisleri' is blatantly attempting to utilise the brand to make illegal profits and has no defence under the law. This is an ideal scenario for invoking Order 13A and prevent the matter from going through a lengthy and expensive trial where there is no real prospect for the Defendant to prove that he was legally dealing in 'Bisleri' branded packaged water.

[Read more](#)

APPRENTICE NEWS BULLETIN

**Prithvi Shaw's management team
sues Swiggy and FreeCharge,
demands 1 crore**

Cricketer Prithvi Shaw's management company has sent cease and desist notices to two companies for using his name without permission. The company has called it ambush marketing and infringement of trademark rights.

[Read more](#)

The long due Music Modernization Act has been signed by President Trump. With aims to fix the issues in copyright law in the US, especially for music artists, the Act brings relief and the essential royalties to the artists' plate.

[Read more](#)

APPRENTICE NEWS BULLETIN

**Mechanical compilations
not copyright, reiterates
Delhi HC**

Delhi HC yet again gave a clear-cut judgment on the copyrightability of a mechanical compilation database. Rejecting the Plaintiff's application for an injunction for copyright infringement and revealing confidential information, Justice Endlaw underlined the ratio of landmark judgments to clarify the principal.

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APPRENTICE TOP 5 JOBS OPENINGS

recruitment services



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OTHER OPENINGS

Non - litigation:

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[Assistant Manager:
#AIHM001/AM](#)

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CANDIDATES TESTIMONIES

“I am very happy to have found the perfect job because of you guys. Apprentice legal recruitment services is one of the best in legal recruitment.”

- **Contract Analyst at a leading LPO in Bangalore.**

“Apprentice Legal Recruitment Services is one among the few recruitment services which caters to the legal recruitment. They have essentially enabled me to procure my job without any hassle. They have been very warm, friendly and helpful throughout my recruitment process. Furthermore, they made sure that there is highest level of professionalism during the recruitment process and they considered the privacy of candidates of paramount significance”

- **Assistant Manager at a leading healthcare/pharma company in Bangalore.**

“I am very glad and grateful to Apprentice Legal Recruitment Services and Sathwik Sir specifically. Apprentice has provided me with the right job that I was looking for, which is also the motive and target of Apprentice.

- **Legal Associate at a law firm in Bangalore.**

recruitment services

CLIENTS TESTIMONIES

“People at Apprentice Education and Consulting Services LLP are very knowledgeable, responsive and highly professional. They understand client requirements well and have referred us good candidates after thorough preliminary screening.

Post their screening they share with the client an update on the strengths and limitations of the candidate. As a client, this reduces our recruitment time greatly and keeps our team better prepared when we have tight timelines for recruitment. Our experience of working with them has been very pleasant.”

- **Sowmya**
Founding Partner, Sowmya & Associates

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ABOUT APPRENTICE

Here at Apprentice, we are dreamers who aim to shake up the legal industry and revolutionize how the industry interacts with its stakeholders. We strive to equip law students and legal professionals, across all fields, with tools to shape a better version of themselves and unlock their professional best.

The idea of Apprentice germinated from the actual struggles of a law student, journeying through a non-National Law School with a nagging feeling of unpreparedness and consequent resentment over lack of opportunities. However, after working as a legal professional in multiple organisations and drawing from these experiences, Apprentice's motto was crafted - "There is no dearth of opportunities. Only a deficit of skills and readiness."

Apprentice, a tri-vertical business, is determined to become your one-stop shop for all things legal. With Apprentice Skill Shop, our skill development academy, we strive to change the way law is taught and perceived. With Apprentice Insights, our legal blog, we offer theoretically and practically relevant posts to legal professionals to keep themselves updated and ahead of the curve. With Apprentice Career Connect, our legal recruitment services, we offer the perfect tool for job seekers and employers in the legal industry.

Our team of talented and motivated lawyers and HR professionals work hard to redefine and reconfigure the rules of this noble profession every day. Be a part of our exciting journey as we create a place of opportunity - To learn. To network. To grow professionally.

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