

Issue 2

December 2018

Apprentice Times



[Click here to subscribe to our free newsletter](#)

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.

Corporate Law articles and News

Factors influencing minimum wage in India

The legal remedy for the violations in the payment of minimum wages is available under the Section 12 of the Act, coupled with Section 21 of Contract Labour (Regulation and Abolition) Act, 1970 wherein the aggrieved can move against a contractor registered as per the Act. In a case where there are discriminatory practices between male and female workers, Article 14 of the Constitution of India and Equal Remuneration Act, 1976 can be invoked.

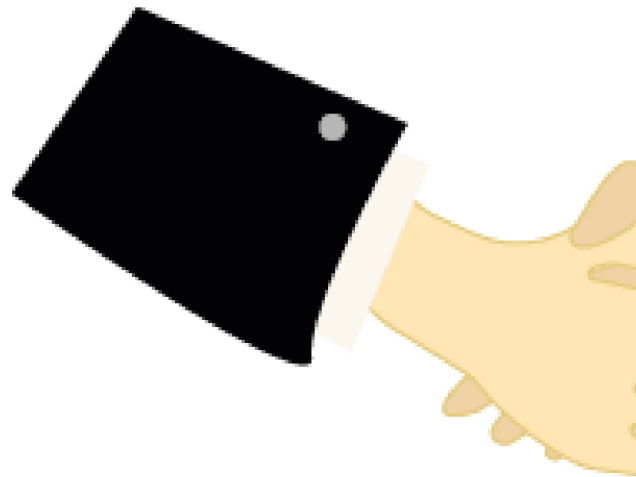
[Read More](#)

Apprentice News Bulletin

Google promises transparency in handling sexual misconduct cases after employee walkout

After employees global protest last week, Google announces change in its sexual harassment policy. Are all of the demands met by the tech giant?

[Read more](#)



Other News

NCLAT orders Cyrus Mistry to submit the changes he wants to propose to Tata Sons

The National Company Law Appellate Tribunal ordered Cyrus Mistry camp to submit the changes it wants in the Articles of Association (AoA) of Tata Sons.

Hyundai gets interim relief. SC stays CCI's Rs. 420 crore penalty

The Supreme Court gave relief to Hyundai Motors India Limited w.r.t the penalty imposed by CCI for indulging in anti-competitive trade practices. Find out why Hyundai Motors came under the radar.

[Read More](#)

Apprentice News Bulletin

Government tightens laws on willful defaulters to stop them from fleeing

The government brings about fundamental change in the creditor-debtor relationship by adding more restraints through the law against willful defaulters of bank loans to flee the country.

[Read More](#)



Other News

TCS says that it will continue to invest in people irrespective of their national origin

India's largest software firm TCS said that its employee hiring and retention practices are based purely on capabilities, "irrespective" of background or national origin, as a US jury ruled in favour of the company in a case involving charges of discrimination.

Censorship of streaming platforms: Boon or Bane?

The most recent legal issue surrounding OTTs which has restarted talks about its censorship is the Sacred Games matter. On July 16, 2018, a petition was filed in the Delhi High Court against the producers of the critically acclaimed series Sacred Games and Netflix alleging that the show maligns the reputation of former Prime Minister Mr. Rajiv Gandhi. On July 19, 2018, the counsel representing Netflix informed the Division Bench comprising of Justices Sanjiv Khanna and Justice Chander Shekhar that Netflix changed the word in the English subtitles in the fourth episode of the show that was alleged derogatory.

[Read More](#)

Apprentice News Bulletin

The bitter saga of Sri Krishna Sweets

Sri Krishna Sweets is amid a trademark battle between two brothers on the use of their family business's mark. Although the Madras HC has allowed the younger brother to use the mark, another hearing is set for November 11, 2018.

[Read More](#)

Apprentice News Bulletin

Trump's Game of Thrones tweet an IP infringement?

US President Donald Trump tweeted a Game of Thrones themed tweet in the line of the recent US sanctions against Iran. This report focuses on the legal implications attached to the usage of variation of a slogan in light of intellectual property rights.

[Read More](#)

Other News

P&G loses trademark dispute to Nelovy Healthcare

US based Satanic Group 'The Satanic Temple' has accused Netflix for copyright infringement for using their sculpture of Baphomet, the false God of Satanism in the series 'Chilling Adventures of Sabrina'.



Not all e-commerce websites intermediaries: Analysis of Christian Louboutin v. Nakul Bajaj & Ors.

The due diligence required to be an intermediary is that it does not indulge in conspiring, abetting, aiding or inducing and is thereby contributing to the sale of counterfeit products on its platform. When an e-commerce website is involved in or conducts its business in such a manner, its actions are seen in the light of the 5 factors listed above based on which it should be decided if has crossed the line from being an intermediary to an active participant and hence, liable for infringement.

[Read More](#)

Other News

P&G loses trademark dispute to Nelovy Healthcare

Holding that it is unlikely that members of the public will be misled into buying Nelovy's product instead of Procter & Gamble Co.'s, UKIPO decided in favour of Nelovy Healthcare Ltd. which had tried registering the mark SOLAV with an artistic representation of a woman's face. The opposition by P&G came about because of its mark OLAY with artistic rendering of a woman's face along with the words OLAY which has been registered since the year 1993.

Other News

Lyor Cohen of Youtube alleges that EU Copyright Directive will harm music industry.

Lyor Cohen, head of the music division of YouTube, has published a newsletter stating how Article 13 of the EU Copyright Directive will harm remixes and covers, tutorials, fan tributes, parodies etc. which are essential part of the culture.

Other News

A big win for generic drug companies in UK

US drug giant Pfizer which sought to affirm a secondary patent (patent valid beyond the life of the original one) for its neuropathic pain drug Lyrica, lost its final appeal in the UK Supreme Court.

Dishonour of cheque under Section 138 of NI Act

The provisions of Sections 138 to 147 of the Act indicates that the jurisdiction to try the case can be inferred from Criminal Procedure Code, 1973 (CrPC), i.e. under Sections 177 to 179 based on where offence is committed either wholly/partly. If there is uncertainty as to where, among different localities, the offence would have been committed wholly/partly, the case can be instituted in a court having jurisdiction over any of those localities.

[Read More](#)

Blast from the Past:

Access to toilet a fundamental right?

Connecting this fundamental right to the duty of the State, the Himachal Pradesh High Court, in the case CWPIIL No.6 of 2017, held that “...this Court is of the definite view that State is under obligation to provide basic amenities to the citizens of the country while ensuring that their right of sanitation is not defeated.” Further, the Court confirmed that right to sanitation cannot be denied as it is a fundamental right.

[Read More](#)

Other News

SC declines request for gender neutrality in rape laws.

The Supreme Court refused to interfere in the petition assailing Section 375 of Indian Penal Code provision on the ground of violation of gender neutrality

Apprentice News Bulletin

PIL to ban convicted politicians from contesting elections

Supreme Court, while hearing the PIL seeking lifetime ban from elections for convicted politicians on November 1, 2018, took into account the suggestion by Senior Advocate Vijay Hansaria who has been appointed as amicus curiae to have separate designated courts for the cases involving elected representatives.

[Read More](#)

Other News

Karnataka Chief Minister H D Kumaraswamy inaugurated Kaveri Online Services, a one-stop portal for all property and marriage registrations.

The process of buying and renting property in Karnataka now got a lot simpler. Citizens will no longer find it necessary to visit a Sub Registrar's office to register properties. One just has to go online <http://kaverionline.karnataka.gov.in> and register to get certified hard copies or to know how to calculate property prices.

Continued mutual consent must for grant of mutual consent divorce

The Delhi High Court in the case under Section 13B (2) of Hindu Marriage Act, 1955 has ordered that it is necessary that the mutual consent must remain till the decree is passed for granting divorce.

[Read More](#)

Apprentice News Bulletin

States say “No” to CBI

Media has reported that the Andhra Pradesh and West Bengal governments have withdrawn the ‘General Consent’ accorded to Central Bureau of Investigation hence, blocking the agency from conducting any investigations within these States.

[Read More](#)

Apprentice News Bulletin

Complete ban on use of animals in circuses

The Government advisory MoEFCC on November 30, 2018 has circulated its draft policy for comments from stakeholders about banning usage of all kinds of animals from circus owing to the hue and cry by animal activists as well as the Ministry’s finding of cruelty on animals.

[Read More](#)

Apprentice News Bulletin

Ban on online sale of medicines clarified to include only unauthorized dealers

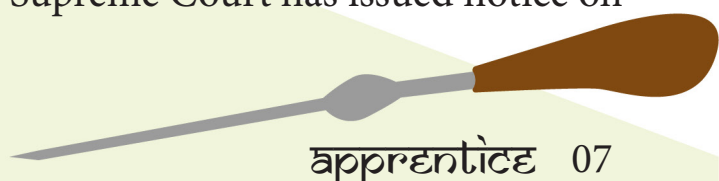
On October 31, 2018, Madras High Court banned the online sale of drugs till November 9, 2018 which caused panic among the online pharmacies. The Court later clarified that the ban was applicable only on unauthorised online drug sellers.

[Read More](#)

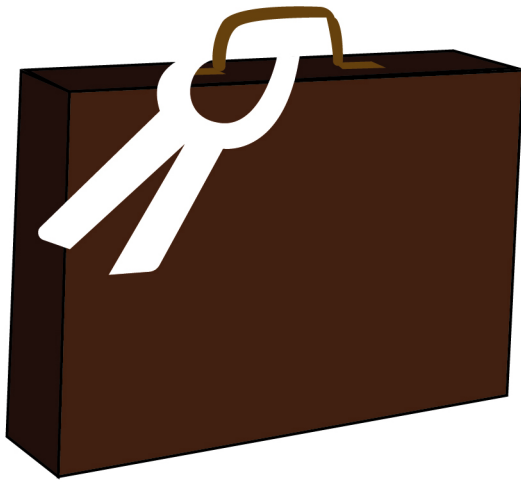
Other News

SC issues notice to center against the attempt at dilution of law under the Prevention of Corruption Act

Centre for Public Interest Litigation (CPIL) filed a petition challenging two amendments to the Prevention of Corruption Act, which included removal of Section 13 (1)(d)(ii) (criminal misconduct) from the Prevention of Corruption Act. They alleged that these amendments dilute the law. The Supreme Court has issued notice on the government.



Legal Recruitments



Top 3 job posts

Legal Associate: ALFCA001

Legal Associate: ALFDA001

Legal Associate: ALFMD001

Other Openings

Non - litigation

[Senior Associate: ALFAS002](#)

Corporate

[Legal Associate: ALFVA001](#)

[Senior Associates: ALFMU001](#)

[Commercial Manager: AIHCI001](#)

IT/ITES

[Senior Associate: ALFAS001](#)

Litigation

Announcement

Visit India's first exclusive legal job portal by clicking here.

Recruiters - [Sign up](#) today to get access to hundreds of legal professionals of varied backgrounds. Get insights about additional information that's not on their CVs to help you make a decision.

Candidates - [Sign up](#) today and get included in Apprentice candidate database so that we don't miss out on reaching out to you for suitable profiles.

Psst! Signing up is the only way to apply for all the openings with our clients. We look within our database before we can look elsewhere

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. Thank you so much ”

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

Clients Testimonial

“

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

Advantages of choosing us

CLICK HERE TO AVAIL OUR RECRUITMENT SERVICES.

We are hungry

Singular focus

We understand what you do

Pre-screening

Our Network

Our Services



Apprentice Career Connect™



Apprentice SkillShop™



Apprentice Insights™

Contact us at

VISIT US AT THEAPPRENTICE.IN

CONTACT@THEAPPRENTICE.IN

CALL US AT

**09739593542/06360797692/
08073309292/09480363788**



[FOLLOW US ON FACEBOOK](#)



[FOLLOW US ON LINKEDIN](#)



[FOLLOW US ON TWITTER](#)



[FOLLOW US ON INSTAGRAM](#)