

CORRIDA LEGAL

Corporate Legal and Compliance Solutions



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FIRM PROFILE

January, 2021

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About Corrida Legal

We are a full service law firm with specialists in Corporate Laws, Civil and Criminal Litigation, Employment Law, Data Protection, Mergers & Acquisitions/Private Equity and Intellectual Property. We have a strong team of lawyers and chartered accountants headed by our founder & managing partner, Pushkar Thakur.

We stick to our core areas of expertise in order to provide our clients with top quality services.

Our practice areas are:

1. Corporate Law Advisory & Contract drafting;
2. Dispute Resolution - Litigation:
 - 2.1 Civil Litigations & Arbitrations;
 - 2.2 Criminal Litigation & White-collar Crimes;
 - 2.3 Insolvency and Debt Recovery Proceedings;
 - 2.4 Real Estate Litigation;
 - 2.5 Labour Law Disputes;
 - 2.6 Consumer Disputes; &
 - 2.7 Matrimonial Disputes.
3. Employment and Labour Laws;
4. Prevention of Sexual Harassment: Trainings, Policy Drafting and Investigations;
5. Data Privacy and Protection;
6. Intellectual Property Rights;
7. Technology & Media law;
8. Tax; and
9. Statutory Compliances & Registrations.

Whilst our key practice areas are mentioned above, do check out the upcoming pages for more detailed information on each practice area. Please visit our website, www.corridalegal.com for more information.



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What we stand for

Corrida' stands for 'bullfight' in Spanish, which signifies '*protection with courage*'. We, at Corrida Legal, follow this principle whilst advising and acting for our clients. In line with our principle of '*protection with courage*', we protect you legally whilst keeping your aims and principles intact.

Why us?

We are the experts: We bring on board extensive experience of advising corporates including Fortune 500 companies on complex corporate law and litigation issues. We understand our clients' commercial concerns and strive towards giving them the most beneficial advice within the contours of law.

Value based pricing: The firm is built on the philosophy that quality legal services need not be overpriced. Our aim is to provide perfectly executed work at comfortably paid costs.

Single umbrella Legal & Accountancy solutions: We offer complete legal and (chartered) accountancy solutions to our clients. This leads to synergies between the two fields and ensures hassle free experience for our clients for years to come.

Our network: Corrida Legal has offices in Gurgaon, New Delhi and Mumbai and is well equipped to handle pan India legal cases through its advocate's network. We have more than 16 specialised lawyers and chartered accountants and this network of alliances gives the benefit of a single window service to our clients.

We step into your shoes!; We firmly believe that having a good knowledge of commercials helps in better understanding of the needs of our clients. Our managing partner, Pushkar Thakur has worked with corporate majors such as Nomura, Emaar India and Drake & Scull International and he helps ensure that the firm's officers understand your business needs to be able to give you the best advice.

About our Founder & Managing Partner: Pushkar Thakur is a corporate advisory & litigation lawyer with expertise in corporate law, contracts, litigation, employment law and data protection. Pushkar represents corporates including Fortune 500s before various Courts at Gurgaon, Delhi and Mumbai and regularly advises clients across IT/ITES, FMCG, banking, aviation, construction, real estate and e-commerce start-ups on their corporate law issues. Pushkar is an ex Assistant Vice President, Legal, Nomura (Investment Bank) and has led the legal teams at global corporates namely Emaar properties and Drake & Scull International. He has also worked with Kochhar & Co., a leading Indian law firm in its Corporate Advisory & Litigation team.



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Pushkar heads the litigation practice and brings on board vast experience of handling matters pertaining to recoveries, real estate, white-collar crimes, consumer disputes etc. Pushkar argues before the courts and has represented corporate majors such as Emaar properties, EMC (now Dell), International Air Transport Association, Lumata Digital, RaeBareilly Allahabad Highway Private Limited and more than fifty international airline companies including Lufthansa airlines, British Airways and United Airlines in matters including white-collar crimes. Pushkar has also fought multiple consumer and real estate cases against real estate giants such as Unitech Limited, BPTP Ltd., Conscient Infrastructures etc.

Pushkar aims to provide cost effective & high quality legal solutions to clients regardless of their pocket size.

Our clients: Our clientele is diverse and we provide end to end legal solutions to clients across IT/ITES, FMCG, banking, aviation, construction, real estate industry, e-commerce and start-ups across industries.



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KEY PRACTICE AREAS (in detail):

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1. CORPORATE LAW: ADVISORY AND CONTRACT DRAFTING

Corrida Legal provides end to end corporate law advisory, in addition to assisting on a range of commercial matters and providing contract drafting expertise to its clientele. We advise on complex transactions and day to day issues on compliance with Companies Act, 2013 and other corporate & commercial laws. We are a client focused law firm and are experts in understanding the commercial concerns in transactions.

Corporate Law Focus Areas:

- **Company Law advisory:** We advise on complex and day to day issues on compliance with Companies Act, 2013 and other corporate & commercial laws. We advise our clients in areas of corporate governance issues including composition of board of directors, directors' liability, removal of directors, oppression and mismanagement claims etc. in addition to the entire range of corporate and secretarial compliances. We also advise on more niche issues such as CSR-related obligations, layering of subsidiaries, beneficial interest, shareholding pattern and threshold-related compliances.
- **Pre-incorporation strategy and incorporation assistance:** We advise our clients on the suggested modes and choice of vehicle of incorporation, helping them anticipate and comply with regulatory requirements, while also assisting in procuring the licenses and approvals required for running their business. We interact and liaise on behalf of our clients with various statutory authorities such as the Registrar of Companies, Reserve Bank of India, Competition Commission of India, Directorate General of Foreign Trade and Labour authorities such as the EPFO, ESIC and other labour authorities. We also assist with the gamut of trade and municipal corporation registrations and approvals. Kindly see the section titled, Statutory Compliances & Registrations' to know how more.
- **Private Equity/Venture Capital, Joint Ventures:** We advise on early-to-growth stage investments, helping HNIs, institutional investors and start-ups navigate the entire funding lifecycle from capital raising to exits and strategic buyouts. We routinely assist investors at a pre-investment stage and over the course of funding rounds - in addition to bolstering their portfolio management and helping with the structuring and implementation of exits. We are equally comfortable advising high-growth start-ups and hand-holding them to ensure that they are primed for institutional investment.



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While we have a sector agnostic approach, our domain expertise in FinTech and Data allows us industry-leading wherewithal and ability. We also offer advice on a wide array of strategic collaborations, assisting with contractual and other joint ventures in addition to various other limited co-operation arrangements.

- **India Entry:** We advise our international clients in relation to their India-entry strategy across greenfield and brownfield projects. In addition to our existing suite of services in relation to the pre-incorporation strategy and incorporation assistance, we assist our international clients on the structuring of their business operations in India, formation of liaison/project/branch offices or other choice of business vehicle, and ensuring that their operations adhere to the contours of Foreign Direct Investment related laws, including investment capping in the applicable sectors, choice of capital instruments, minimum sourcing requirements etc.
- **Corporate due diligence:** We future proof our clients' contractual relationships and conduct due diligence & feasibility analysis of probable collaborators. As required, the scope our legal due diligence includes a check on (i) Organizational documents including its incorporation documents & board minutes (ii) Financial condition, (iii) Tax matters, (iv) Assets, Capitalization and shareholders, (v) Intellectual property, (vi) Contracts and commitments, (vii) Governmental filings and (viii) litigations. We also conduct title verification and check the title deeds and records.
- **Recovery, restructuring and insolvency:** We are experts in the dual field of corporate law and litigation and support our clients throughout the recovery, restructuring and insolvency process, as applicable. We have represented multiple clients in restructuring, enforcement of security interest, insolvency and recovery related litigation and documentation. We regularly appear before the National Company Law Tribunal, Debt Recovery Tribunals, High Courts and district courts. We strongly believe in settling issues amicably and quarterback negotiations for our clients.
- **Capital Market & Securities:** We assist clients in matters pertaining to IPOs/FPOs, buy-back of shares, takeovers, private placements, Red Herring Prospectus and Offer documents, rights and preferential Issues, public issue of bond & debenture and other SEBI related issues. We handhold corporates from the drawing board & due diligence to post listing governance & advisory. We also work on Anti-money laundering and SEBI KYC requirements.



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- **Contract drafting:** We are experts in contract drafting and handhold our clients in the execution of all corporate contracts. As mentioned earlier, we are equally skilled in the areas of corporate dynamics and commercials and strive towards giving our clients the most beneficial advice within the contours of law.

In line with our principle of '*Protection with courage*', we ensure that the contracts drafted by us meet our client's purpose whilst legally protecting them for present and for future. A few examples of the contracts we draft for our clients are:

- a) Software based agreements including Software Development Agreements, Software Licensing Agreements, Software as a Service Agreements etc.;
- b) Employment contracts, contract worker supply agreements and retainers, secondment agreements, HR, Legal and Compliance policies, service rules etc.;
- c) Website documentation including privacy policy, terms of use, disclaimers etc.;
- d) Term Sheets, Shareholders Agreements, Share Purchase Agreements, Articles of Association, Memorandum of Association, Notices in compliance with the Companies Act, 2013;
- e) Vendor services agreements, Consultancy, Strategic alliance, Technology Licensing, Advertisement, Event management agreements;
- f) Franchising, distribution & marketing agreements, reseller and consortium agreements;
- g) Non-Disclosure Agreements, Bank Guarantees (Power sector/ Real Estate/ Metro Rail etc.), MOUs, settlement and escrow agreements; and
- h) Joint Development Agreements, MEP, EPC/ O&M Contracts, Concession Agreements and bid documentation.



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2. DISPUTE RESOLUTION - LITIGATION

We handle complex and volume-based litigations across India. We represent clients in real estate disputes, civil recovery, insolvency, arbitrations, consumer and criminal matters including FIRs and White-collar crimes. We regularly appear before the Supreme Court, High Courts, National Company Law Tribunal, Debt Recovery Tribunals, District Courts and various consumer fora. We provide the benefit of single window pan-India litigation service to our clients. We advise domestic and international clients on pre-litigious issues and negotiate with the opposite party on settlements. We also advise our clients on regulatory/ statutory/ legal notices and communications. We liaise with external authorities like the regulatory/statutory bodies including the tax/excise department, Economic Offences Wing and the State Police.

Our Managing Partner, Pushkar heads the litigation practice and brings on board vast experience of handling matters pertaining to recoveries, real estate, white-collar crimes, consumer disputes etc. Pushkar argues before the courts and has represented corporate majors such as Emaar properties, EMC (now Dell), International Air Transport Association, Lumata Digital, RaeBareilly Allahabad Highway Private Limited and more than fifty international airline companies including Lufthansa airlines, British Airways and United Airlines in matters including white-collar crimes. Pushkar has also fought multiple consumer and real estate cases against real estate giants such as Unitech Limited, BPTP Ltd., Conscient Infrastructures etc.

CORE LITIGATION PRACTICE AREAS:

Civil Litigations & Arbitrations: We handle civil matters including recovery suits, suits for arrears /damages, contractual disputes, injunctions etc. We appear before the Supreme Court, High Courts and district courts across India. We represent clients in domestic and international arbitrations including Real Estate, Engineering Procurement Construction (EPC) and commercial arbitrations.

Criminal Litigation & White-collar Crimes: We represent our clients in criminal matters including FIRs/Police Complaints, Regulatory/police and Economic Offences Wing investigations.



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Insolvency and Debt Recovery Proceedings: We advise on insolvency and recovery related matters pertaining to enforcement of security interest, insolvency (the IBC, 2016) and recovery related litigation. We regularly appear before the National Company Law Tribunal and the Debt Recovery Tribunals. We believe in settling issues and quarterback negotiations for our clients.

Real Estate: We are commercial and residential real estate litigation experts and represent both individual allottees/purchasers and builders in cases of delay in handover of possession of property and other property disputes. We represent clients before the Real Estate Regulatory Authority (RERA), State and National Consumer Disputes Redressal Commission and district courts.

Labour Law Disputes: We have industry renowned experience in labour law disputes and we represent employees & employers in cases pertaining to wrongful termination, damages and arrears, non-compete and non-solicitation issues.

Consumer Disputes: We advise consumers and corporates on consumer related disputes pertaining to deficiency in services, insurance claims, product liability etc. We handle cases at all forums including the district forum, state and national consumer disputes redressal commission.

Matrimonial Disputes: We understand the sensitivity and confidentiality when it comes to matrimonial disputes and we regularly represent individuals in divorce and maintenance proceedings, proceedings for guardianship and cases pertaining to dowry, cruelty etc.



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3. EMPLOYMENT & LABOUR LAWS

Employment & labour law is our core area of expertise and we assist our clients in keeping compliance with the existing and upcoming laws. We liaise with the labour authorities and the government on labour related enquiries and we regularly make representations to the ministries including the ministry of Labour and employment.

We handhold corporates on labour law related issues and advise them on the following aspects:

1. Offer letter/Contract of Employment/Retainership letters;
2. Personal Data collection notices and consent forms for new joiners;
3. Service rules and Legal/Compliance/HR policies;
4. Investigation in cases of breach by employee of internal HR/Legal & Compliance policies;
5. Employment related litigation including cases alleging wrongful termination and arrears, non-deposit of TDS (Income Tax), trade union disputes etc.;
6. Legal Audits on HR compliance with applicable labour laws and advise on the actions to be taken to ensure compliance;
7. Employee trainings: We conduct employee trainings and provide training materials on employment laws and on as HR/ Legal/ Compliance policies;
8. We advise management and businesses on the following aspects:
 - a. Issues and compliance with labour legislations such as state-wise Shops & Establishments Acts, Industrial Disputes Act, Factories Act, EPF Act & Scheme etc.;
 - b. Removal of personnel, unauthorised absence of employee(s), vendor resource breaches, change in team structure, CSR initiatives & spending and HR events;
 - c. Secondments, Short Term Assignments, Dual employment, withholding tax requirements and fixed term contracts;
 - d. Compensation and ESOPs, non-compete and non-solicitation advisory & documentation.

Code on Wages, 2019: We are advising multiple clients on the upcoming Code on Wages, 2019 and the rules framed thereunder. We provide our clients with curated checklists for compliance with the Code on Wages, 2019, conduct briefings and advise them on ensuring compliance with the Code.

Our employment related documents are drafted with a special emphasis on non-compete, non-solicitation, intellectual property, confidentiality and Personal data protection requirements.





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4. PREVENTION OF SEXUAL HARASSMENT: TRAININGS, POLICY DRAFTING & INVESTIGATIONS

We are experts in Prevention of Sexual Harassment (POSH) related advisory and documentation. We handhold corporates and advise them on all POSH law related issues and compliances. A few examples of the work we conduct on POSH are as follows:

- **Sexual Harassment Policy and Complaints procedure:** Drafting of Sexual Harassment Policies and procedure for complaints under the Sexual Harassment (Prevention, Prohibition and Redressal) Act, 2013 and the rules framed thereunder;
- **Internal Committee investigations:** We regularly advise corporates on Internal Committee* (*earlier known as, 'Internal Complaints Committee') investigations. We advise on the procedures to be followed in matters pertaining to employee and other staff related Sexual Harassment complaints;
- **Internal Committee Meetings and documentation of minutes/attendance sheets:** We conduct Internal Committee meetings for clients and ensure that such meetings are conducted in a timely manner. We also maintain minutes of these meetings.
- **Annual Filings and POSH Law compliance:** Assistance on annual filings to be made under the POSH Act and display of penal consequences, as required under the legislation;
- **External Membership of the Internal Committee:** Our managing partner, Mr. Pushkar Thakur is on the board of NGO, AARSS and by virtue of his said position serves as the member of Internal Committee of several organisations;
- **Curated Training Material for Employees & Internal Committee:** In addition to the above, Corrida Legal provides industry-wise curated training material on POSH for Employees and Internal Committee members. Our training materials are engaging and provide the much-needed understanding to staff and Internal Committee members on the basics and the finer aspects of POSH law. There are separate training modules for Employees and Internal Committee members with the latter focusing on investigation related learning. *Please reach out to us on contact@corridalegal.com for more information on our training materials.*



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5. DATA PRIVACY & PROTECTION

We help ensure data privacy and protection in our client's policies, processes and engagements. We are experts in the field of personal data and advise clients on the extant data protection rules i.e. SPDI rules, 2011, the Personal Data Protection Bill, 2019 and GDPR compliance. Our scope of advice includes the following:

Data Privacy Policy, Consents and Notices: We draft comprehensive Data Privacy Policies keeping in mind the scope of processing being conducted along with data retention requirements. We advise on the consent and notice requirements for processing of personal/ sensitive personal data. We create consent processes for collection of personal data from employees/ job applicants.

Data Protection in Contracts and External engagements: We conduct firm-wide review of contracts and third party/ vendor engagements to ensure data protection. We also advise on the controls that third parties need to have in place whilst collecting personal/ sensitive personal data.

Data Privacy Training material: Corrida Legal provides curated training material on Data Privacy and Protection for Employees and Management/Team leads. *Please reach out to us on contact@corridalegal.com for more information on our training materials.*

Legal Data Privacy Audit: We conduct firm-wide check on the resting and processing of personal/ sensitive personal data in order to ensure adherence with the applicable personal data laws. We advise on changes/ improvements to the data collection/storage process to ensure due compliance.

GDPR Compliance: We advise clients on ensuring compliance with GDPR aspects if they are processing data pertaining to GDPR countries. We advise clients on preparation and maintenance of Records of Processing and the Breach Notification Procedure, as mandated under GDPR.

Aadhaar compliance: We advise on Aadhaar collection and processing requirements including consent of Aadhaar user, redaction of Aadhaar and maintenance of Aadhaar Data Vaults.

Personal Data Protection Bill, 2019: We use a two-pronged approach to ensure our Client's readiness for the upcoming law: (1) Data footprint assessment: Conducting a thorough check on the resting and processing of personal data/sensitive personal data through checklists and department-wise/management briefings. This step helps maintain a clear record of resting of personal data/ sensitive personal data. (2) Privacy policies and governance framework: We prepare the privacy policies, notices and consent drafts required for the processing of personal/ sensitive personal data. We also put in the controls and governance, as required for processing of personal data/ sensitive personal data.



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6. INTELLECTUAL PROPERTY RIGHTS

We provide our services to several Indian and International companies, Fortune 500s, SMEs and start-ups across a wide range of industries. We enable our clients to create, effectively enforce & protect their interests in their IP. We also help our clients maintain their IP portfolios, perform IP due diligence, valuation, acquisition, transfer etc. We recognize the nuances and criticality of intellectual property as an asset to our clientele.

In line with our principle of 'protection with courage', we enable our clients to take strict actions against any unwarranted, illegal and unlawful use of their Intellectual property.

Key IP Practice Areas:

Intellectual Property Disputes: We represent our clients in court litigations in cases of infringement, injunctions and passing-off. We also assist our clients in sending and responding to Legal Notices and Cease & Desist letters.

Trade Marks registration: We conduct public searches in the Trade Mark office database and common law searches for our clients. We assist our clients in drafting and filling trademark applications, prosecution instruments, office responses, recordals, assignments etc. We represent our clients in opposition, rectification, cancellation proceedings before the Registry and IPAB.

Copyright: We assist our clients in obtaining copyright in their work and represent them at the Copyright Board. We enable our clients to comply with the required formalities in obtaining Copyright registrations. We support and advise our clients on active protection of their copyright and help them strategize effective action to protect their interest in the Copyright at various forums. We also draft the relevant instruments including legal notice, assignment or license agreements.

Patents: We assist our clients in Patent registration by conducting prior art and novelty searches (we perform patentability searches as well and provide detailed opinions thereof). We also assist our clients in drafting specifications, prosecution documents, office responses, legal notice, cease and desist. We attend hearings before the Registry and represent our clients in the IPAB.

IP Protection in Contracts & Engagements: We undertake a thorough review of the contracts and engagements in place to ensure they provide for adequate protection of Intellectual Property. We provide tailor-made contract provisions and inputs on protection of Intellectual Property.





7. TECHNOLOGY & MEDIA LAW

We have a focused Technology and Media Law team and we specialise in e-commerce/start-up advisory, media & broadcasting contracts and technology related transactions. The range of our advice includes the following:

TECHNOLOGY

Technology based contracts: We draft all technology based contracts including Software License Agreement, Software as a Service agreement, Software Development Agreements (upfront fee/ revenue sharing model) etc.;

Cyber-crimes and offences: We represent our clients in matters pertaining to Cyber-crimes including identity theft, cheating by personation, vishing/phishing and ransomware;

Sector specific advice: We advise on regulatory framework and stipulations pertaining to sectors including artificial intelligence, fin-tech, cryptocurrency, big data, IT/ITES etc.;

Technology and Personal Data law compliance: We advise domestic and international companies including intermediaries on compliances under the Information Technology Act, 2000. We also advise on the rules on personal data namely the Information Technology (Reasonable security practices and procedures and sensitive personal data or information) Rules, 2011.

MEDIA LAW

Media law and IP advice: We advise both corporates and individuals on compliance with media laws and protection & enforcement of their Intellectual Property rights;

Media based contracts: Contractual assistance in relation to artist agreements (for instance – agreements involving actors, directors, music composers, lyricists etc., production and distribution contracts, licensing and novelty related agreements, talent representation and management, media firm acquisition based contracts and marketing agreements (merchandising, tie-ups etc.);

Media related litigation: We represent our clients in media related litigation including matters pertaining to intellectual property, royalties, copyright infringement, contractual disputes and compliance with local regulatory requirements;

Sector specific advice: We advise on the regulatory framework and contractual restrictions across media sectors namely television, print and visual media, radio, digital and social media, fantasy gaming, event management, advertising and marketing sectors.





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8. TAX

Corrida Legal has a specialised team of lawyers and chartered accountants and we provide end to end tax solutions to our clients. We advise on varied tax issues concerning taxation of royalties, technical services, issues of permanent establishment and attribution of income thereof, transfer pricing etc. We also advise on property tax and other real estate taxation related issues.

Our clients get the benefit of a single window system for all tax related filings, advisory and court work. A few examples of the work we handle in the field of taxation are:

Direct Taxes:

- International Taxation - Double Taxation avoidance, Inbound Investments, Planning of IPR etc.
- Expatriate Taxation – Understanding the Indian Tax System, Consultancy before or after arrival in India, Consultancy when you are leaving India, other matters requiring consideration etc.
- Corporate Taxation – ICDS Compliance, protection under Double Taxation Avoidance Agreement, Taxation under Startup, Filing Return etc.
- Transfer Pricing – Consultancy with regards to Applicability & regulation compliances, TP Study report, TP Appeals etc.

Indirect Taxes:

- Goods and Services Tax (GST) – Impact Analysis of GST, Due Diligence, Sector Specific Structuring etc.
- Customs – FEMA, Import Compliances, Exemptions, Custom Valuation, etc.
- Excise – Applicability, registration, periodical compliances, Legal compliances, Audit etc.

We regularly make representation before Authority for Advance Rulings, Income-tax Appellate Tribunal, Customs Excise & Service Tax Appellate Tribunal etc.



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9. STATUTORY REGISTRATIONS & COMPLIANCES

We procure registrations and ensure compliances for our clients. Our scope of work includes all the registrations required from a legal as well as taxation perspective. We conduct our work in the most compliant manner and at extremely affordable rates.

- We assist our clients in the formation / incorporation of Companies (including Section 8 Company), Limited Liability Partnerships (LLPs) and registration of foreign companies
- Obtaining FIPB/RBI permissions, approvals from various statutory authorities including ROC / RD/ MCA / SEBI/ Stock Exchanges etc. We also conduct the periodic and event-based filings such as FC-TRS and FC-GPR;
- Labour law registrations: We procure necessary licenses and registrations required for setting up an establishment and employing individuals. We interact with labour authorities such as Shops and Establishment, Employees Provident Fund office, Gratuity and Labour welfare fund.
- Business specific registrations: Registration of Company with RBI as NBFC, Primary Dealers, Assets Reconstruction Companies, etc. We also procure licenses for food business operators from authorities such as Food Safety and Standards Authority of India (FSSAI).

We help incorporate your entity, get your licenses/registrations, do your filings and most importantly, ensure that your business is run in a legally compliant manner - for years to come.

For more information, please visit our website, www.corridalegal.com

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