

CITY BAR CENTER FOR CLE

Doing Business In India

Friday, March 1, 2013 / 9:00 a.m. to 5:00 p.m.

The promise of India as a growing market is not without challenges. These challenges include uncertainty in laws and policy, inefficient judicial systems, archaic laws, red tape, and rampant corruption.

The full-day CLE will cover essential topics and subjects for any lawyer advising clients doing business in India. Besides sharing strategic insights into the working of the legal and regulatory system, the program will bore into the nitty-gritty of organizing various forms of entities in different sectors, making sound choices regarding jurisdictions through which to route investments into India, regulatory hoops to jump before and after commencing business, entering into and enforcing domestic and international contracts, resolving disputes, dealing with tax issues and making remittances. The program will also cover ethics issues and compliance with U.S. Foreign Corrupt Practices Act and its Indian equivalent. A highlight of the program is its case study approach and interactive sessions.

The program has a distinguished faculty comprising of four practicing lawyers from India and five others engaged in India-related work. In short, the program is a must-attend CLE for any lawyer seeking to represent clients doing business in India, or those already representing such clients.

Program Chair

Jaipat S. Jain
Lazare Potter & Glacovas LLP

Faculty

Michael J. Cicero
Cicero, Mehta & Sprang, LLP

Louis Epstein
Senior Vice President &
Deputy General Counsel
Transammonia, Inc.

Amy Hariani
Director and Legal Policy Counsel
US-India Business Council

H. Jayesh
Juris Corp, Mumbai, India

Jonathan S. Kallmer
Crowell & Moring LLP

Satinder Kapur
Satinder Kapur & Associates, New Delhi, India

James T. Parkinson
BuckleySandler, LLP

Dharmendra Rautray
Kachwaha & Partners, New Delhi, India

Sajai Singh
J. Sagar Associates, Bangalore, India

Sponsoring Association Committees:
Asian Affairs, Jaipat S. Jain, Chair

In Cooperation with:

The ABA Section on International Law & The South Asian Bar Association of New York (SABNY)



Supporting Partner:

The US-India Business Council (USIBC)



AGENDA

- 9:00-9:10 a.m. **Introduction of subject, speakers and agenda**
- 9:10-9:40 a.m. **Practice Pointers from a Review of India's Legal Framework**
- Constitution and the Dominance of the Executive
 - Judiciary; Why Not to Litigate Against Government
 - Delegated Legislation and Working With the System
 - Risks and Rewards of Doing Business in India
 - Working with Lawyers and Negotiating in India
 - Access to Legal Information
- Jaipat S. Jain*
- 9:40-10:40 a.m. **Organizing and Operating Various Businesses**
- Branch office or subsidiary?
 - Forming private or public companies, private equity funds, venture capital funds, mutual funds, others
 - Required regulatory approvals: Foreign Investment Promotion Board, Securities and Exchange Board, Competition Commission, Reserve Bank, others
 - Obligation under the Companies Act
 - Case Study of U.S. company in India
 - Practice Pointers
 - Q & A
- H. Jayesh & Amy Hariani*
- 10:40-10:50 a.m. **Break**
- 10:50-11:30 a.m. **Making Contracts in India**
- Law of contracts and specific performance
 - Role of registration and Stamping
 - Contracts for the sale of goods, real estate, M & A, employment, licensing, others
 - Q & A
- Satinder Kapur*
- 11:30-12:10 p.m. **Protecting Confidential Information and IP**
- Law of Copyright, Industrial Designs, Patents, Trademarks generally
 - Law of privacy and protection of confidential information
 - Q & A
- Sajai Singh*

- 12:10-1:10 p.m. **Lunch**
- 1:10-2:15 p.m. **Dispute Resolution: Law and Practice Pointers**
- Law of arbitration, litigation and mediation
 - Judicial process in courts and civil procedure
 - Choice of law, venue and seat
 - Practice Pointers
 - Case study of U.S. company engaged in dispute
 - Typical concerns of U.S. general counsel
 - Q & A
- Dharmendra Rautray & Louis Epstein*
- 2:15-3:15 p.m. **Ethics and Case Study on Dealing with Corruption**
- FCPA and Prevention of Corruption Act
 - Case study of U.S. company doing business in India
 - How to deal with FCPA issues
 - Ethics concerns and practice pointers
 - Q & A
- James T. Paterson & Michael J. Cicero*
- 3:15-3:25 p.m. **Break**
- 3:25-4:10 p.m. **Salient Tax Issues in Doing Business in India**
- Tax regime applicable to foreign-owned businesses
 - Taxes on exit, and choice of jurisdiction for routing investments into India
 - Making remittances
 - Permanent establishment issues
- H. Jayesh*
- 4:10-5:00 p.m. **Interactive Session – Insights and Practice Pointers**
- Jonathan S. Kallmer, H. Jayesh, Dharmendra Rautray, Satinder Kapur, James T. Parkinson, Sajai Singh & Jaipat S. Jain (Moderator)*
- 5:00-6:00 p.m. **Networking Reception**
- Wine & Cheese served
- Speakers, attendees and Members of Asian Affairs Committee*

New York Credit: 6.5 professional practice, 1.0 Ethics
For California, Illinois, New Jersey & Pennsylvania Credit, please
 visit our website www.nycbar.org/cle
 For **webcast**, please visit www.nycbar.org/cleonline

Doing Business In India

Friday, March 1, 2013 / 9:00 a.m. to 5:00 p.m.

Live Program - (includes materials):

☐ \$465 Member ☐ \$575 Nonmember

Walk-in Registration - (includes materials):

☐ \$490 Member ☐ \$600 Nonmember

Materials Only (no CLE credit):

☐ \$155 Member ☐ \$235 Nonmember

Save \$\$ on CDs & DVDs

CDs (includes materials):

☐ \$405 Member ☐ \$585 Nonmember

DVDs (includes materials):

☐ \$495 Member ☐ \$645 Nonmember

SOURCE CODE: EFL-IND030113

Please check if you are interested in a

☐ Download of the Materials (pre-registrants only) ☐ Hard Book Copy

☐ Both (Additional \$25- call or fax to receive this offer)

Please check if you are interested in receiving CLE credit for:

☐ California ☐ Illinois ☐ New Jersey ☐ Pennsylvania

For AV products, if you select the download of materials on a CD
you will receive a 10% discount.

For older program downloads may not be available but CDs will be

Name _____

Firm _____

Address _____ Floor/Suite _____

City _____ State _____ Zip _____ E-mail _____

Phone _____ Fax _____

Please specify your area of practice _____

☐ Enclosed is my check for _____, payable to the New York City Bar.

☐ AMEX Card Number _____ - _____ - _____ Exp. Date _____

☐ Visa ☐ MC Card Number _____ - _____ - _____ Exp. Date _____

Amount to charge _____ Signature _____

How did you hear about this program? Please check one:

☐ Email ☐ Web ☐ Mail ☐ Other (please specify) _____

Registration Information

Program Location:

All programs & video replays are held at:

New York City Bar

42 West 44th Street, New York, NY 10036

Registration: Call 212.382.6663, fax 212.869.4451, mail registration form with payment to the City Bar Center for CLE, 42 West 44th Street, New York, NY 10036, or register online at www.nycbar.org.

Advance registration is advised. An additional fee of \$25 will be charged for "walk-in" registrations—those received later than 3:00 p.m. one business day prior to the program.

Please allow 3–5 weeks for delivery of CDs, DVDs and course materials. International orders will be sent by traceable means, and an additional charge for shipping will be named by the recipient.

Scholarships & Discounts: Financial scholarships are available; please call 212.382.6663 for an application. All applications must be submitted three weeks prior to the program. *50% discounts off of member and nonmember prices are available for government and public interest attorneys, students, and full time academics.* A 20% discount off of member and nonmember prices is available for firms and corporations that register four or more people for a combination of programs or video replays.

**Non-legal professionals receive the member rate.*

Cancellations & Refunds: For live programs and video replays, refunds and program credits are available provided cancellation is made in writing and received by the City Bar Center prior to the program. A \$45 administrative fee will be charged for all refunds. The cancellation fee will be deducted directly from the refund. For program credits no administrative fee will be charged. Program credits must be used within one year of the original program date. Cancellations must be in writing and faxed to the City Bar Center at 212.869.4451. Refunds and program credits are not available for the purchase of CDs, DVDs, course materials, or online programs.

CLE Certificates: Certificates for attending a program are given out at the end of the program. You are responsible for keeping a copy of the CLE certificate for your own records. An administrative fee of \$15 will be charged for replacement CLE certificates.

Illinois ethics credits cannot be awarded until the MCLE Board of Illinois approves an ethics component per individual program. For programs that provide ethics credit, *Illinois ethics credits are pending.*

All information is subject to change.

