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Research

# Research Paper Compendium

Clickable catalogue  
of publications

2018 – 2022 <sup>07</sup>

Research

# Research Paper Compendium

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Clickable catalogue  
of publications

2018 – 2022 <sup>07</sup>



Asia-Pacific  
Most Innovative Law Firm: 2016  
Second Most Innovative Firm: 2019  
Most Innovative Indian Law Firm: 2019, 2017, 2016, 2015, 2014



Asia Pacific  
Band 1 for Employment, Lifesciences, Tax, TMT:  
2021, 2020, 2019, 2018, 2017, 2016, 2015



Tier 1 for Private Equity, Project Development : Telecommunications Networks:  
2020, 2019, 2018, 2017, 2014  
Deal of the Year: Private Equity, 2020



Asia-Pacific  
Tier 1 for Dispute, Tax, Investment Funds, Labour & Employment, TMT, Corporate M&A:  
2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012



Asia-Pacific  
Tier 1 for Government & Regulatory, Tax: 2020, 2019, 2018



Ranked  
'Outstanding' for Technology, Labour & Employment, Private Equity, Regulatory, Tax:  
2021, 2020, 2019



Global Thought Leader – Vikram Shroff  
Thought Leaders-India – Nishith Desai, Vaibhav Parikh, Dr. Milind Antani  
Arbitration Guide, 2021 – Vyapak Desai, Sahil Kanuga



Fastest growing M&A Law Firm: 2018



Asia Mena Counsel: In-House Community Firms Survey:  
Only Indian Firm for Life Science Practice Sector: 2018

# Welcome to the world of research at Nishith Desai Associates.

As a research-based law firm, we have often found that our approach allows us to discover newer ways thinking, uncover sharper insights across various industries and find solutions to complex problems. All this has resulted in delivering great outcomes for our clients.

We are pleased to bring you a compendium of our research papers. Just click on the QR code beside the thumbnail of any paper, to access your copy of these papers.

We sincerely hope you enjoy reading these papers.

Stay connected.

From all of us at NDA



Nishith Desai

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July 2022

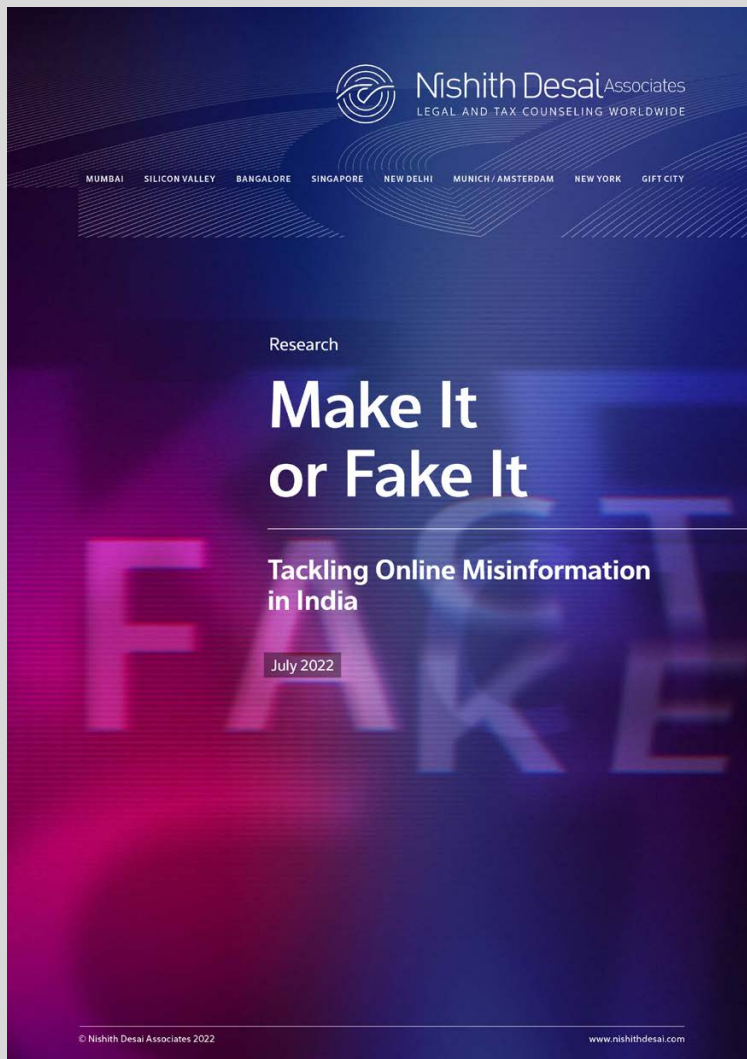
## **Metaverse: A New Universe**

### **Legal, Regulatory and Tax Issues**

This paper analyzes the existing and potential legal and regulatory frameworks which will need to evolve to accommodate the advancements of the Metaverse. It also introduces concepts relating to convergence in the Metaverse and its impact on some industries.





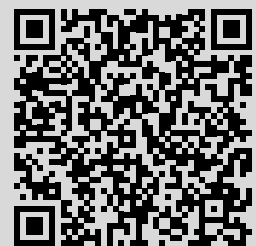


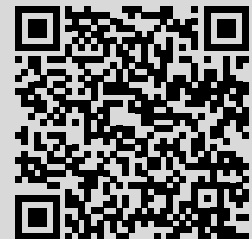
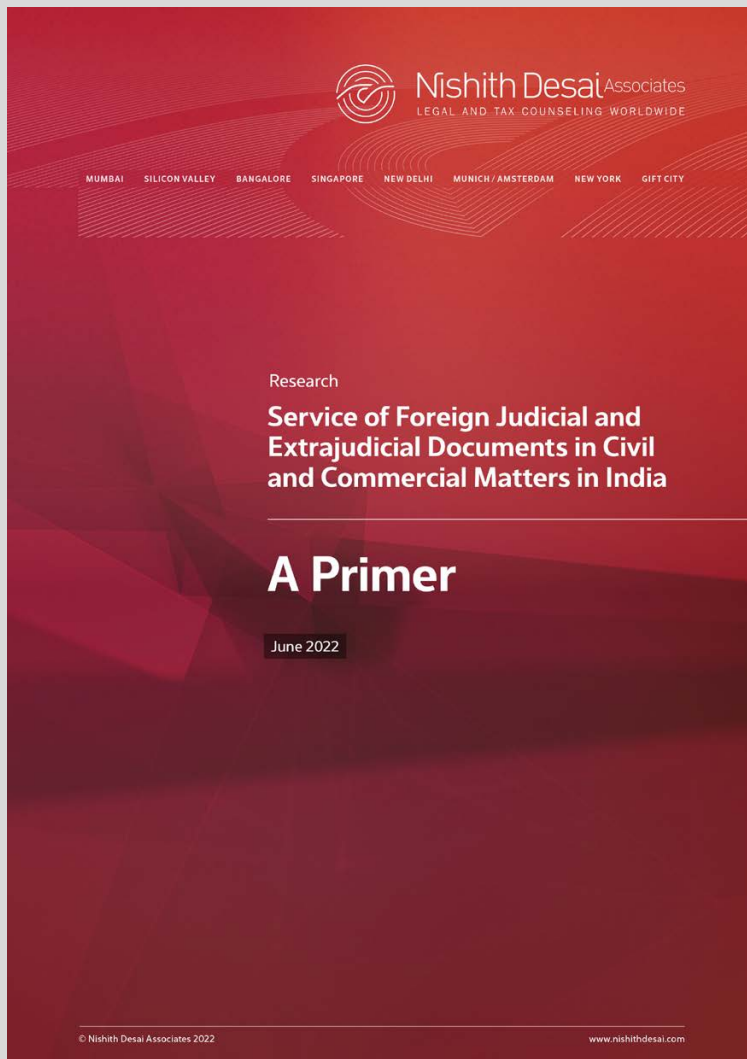
July 2022

## Make It or Fake It

### Tackling Online Misinformation in India

This paper lays out the existing legal and regulatory framework for tackling online misinformation in India. It discusses the way forward and a comparative analysis with the framework in other jurisdictions.



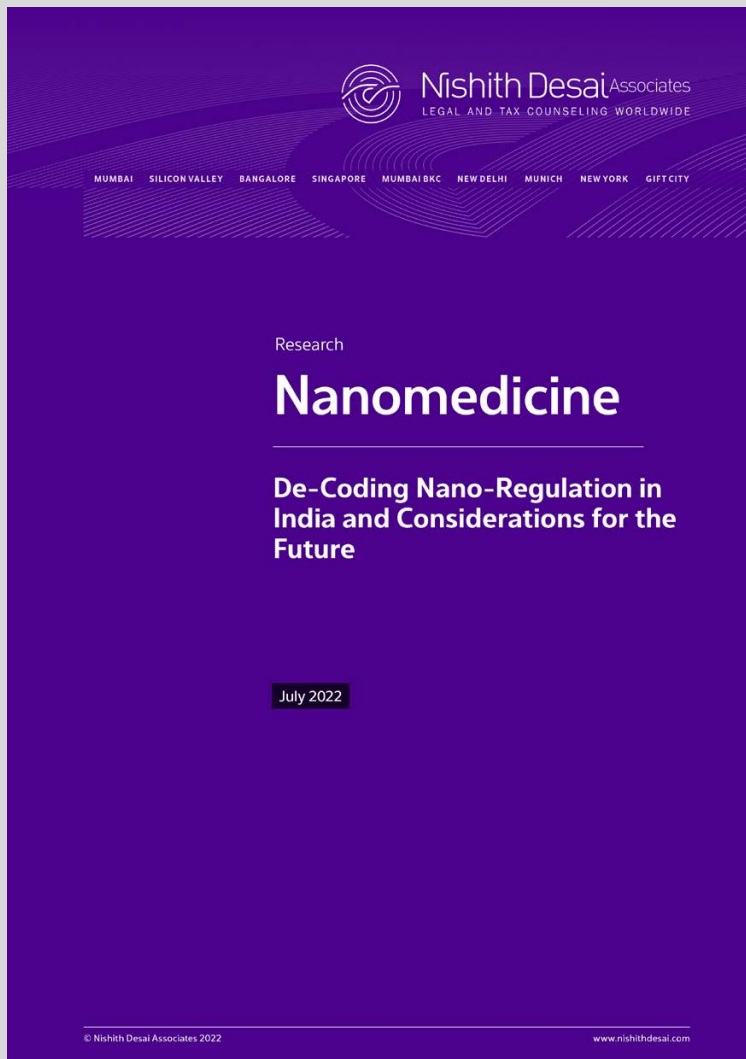


July 2022

## A Primer

### Service of Foreign Judicial and Extrajudicial Documents in Civil and Commercial Matters in India

Increasing globalization has prompted numerous cross-border litigations. Service of process marks the beginning of litigation. This paper discusses the framework and the process governing service of documents to and from India including the Hague Convention on Service.



July 2022

## Nanomedicine

### De-Coding Nano-Regulation in India and Considerations for the Future

This paper is a first of its kind where we have analysed numerous international legislations governing or seeking to govern nanomedicine to understand the possible approach that may be adopted in regulating nanomedicine in India based on their proposed use.





July 2022

## Crypto & Blockchain

### 2021-22 Publications

This paper lays out the legal, regulatory and tax regime for the Crypto and Blockchain industry. There is specific focus on the recent legal developments for virtual digital assets and virtual currency.

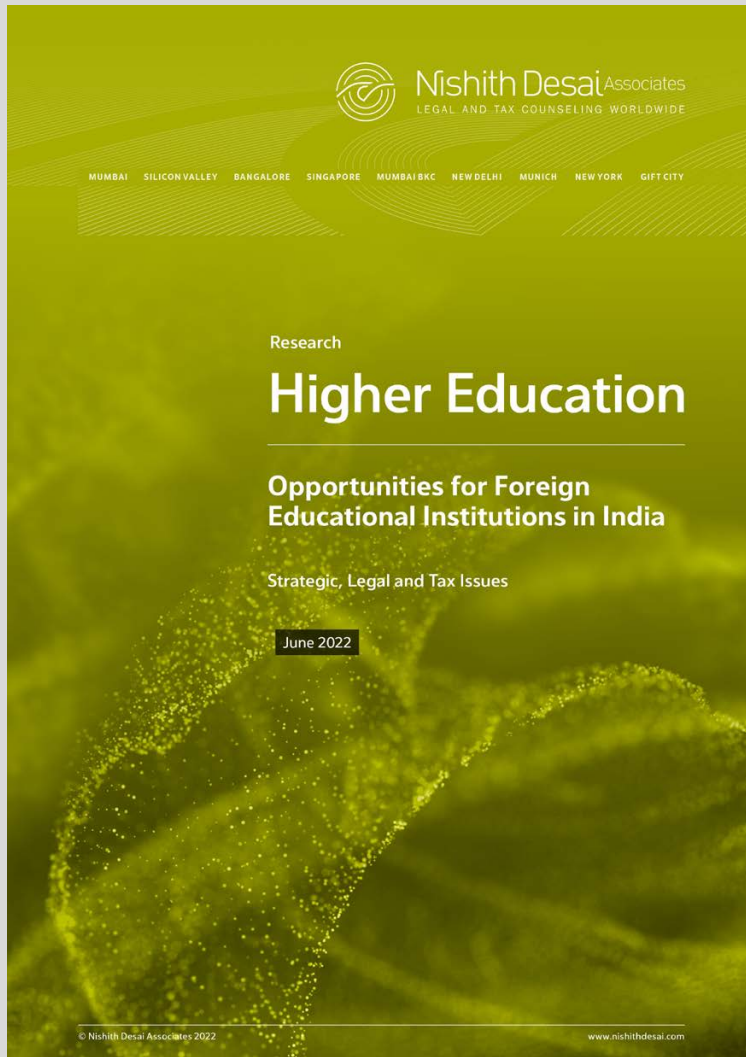


June 2022

## Mergers & Acquisitions

### An India Legal, Regulatory and Tax Perspective

India witnessed a surge with deal values in 2021 and the general M&A activity is near an all-time high. This paper discusses the key corporate, securities law, competition law, exchange control, taxes and duties considerations in M&A transactions.



June 2022

## Higher Education

### Opportunities for Foreign Educational Institutions in India

#### Strategic, Legal and Tax Issues

In this paper, we have analyzed and discussed the regulatory landscape in India with respect to higher education. The various progressive legislations, together with the opportunity that India offers, provide many options for FEIs to consider India.

Our emphasis is on how this landscape provides opportunities to FEIs who are looking for potential collaboration and/or growth opportunities in India.





June 2022

## Enforcement of Arbitral Awards and Decrees in India

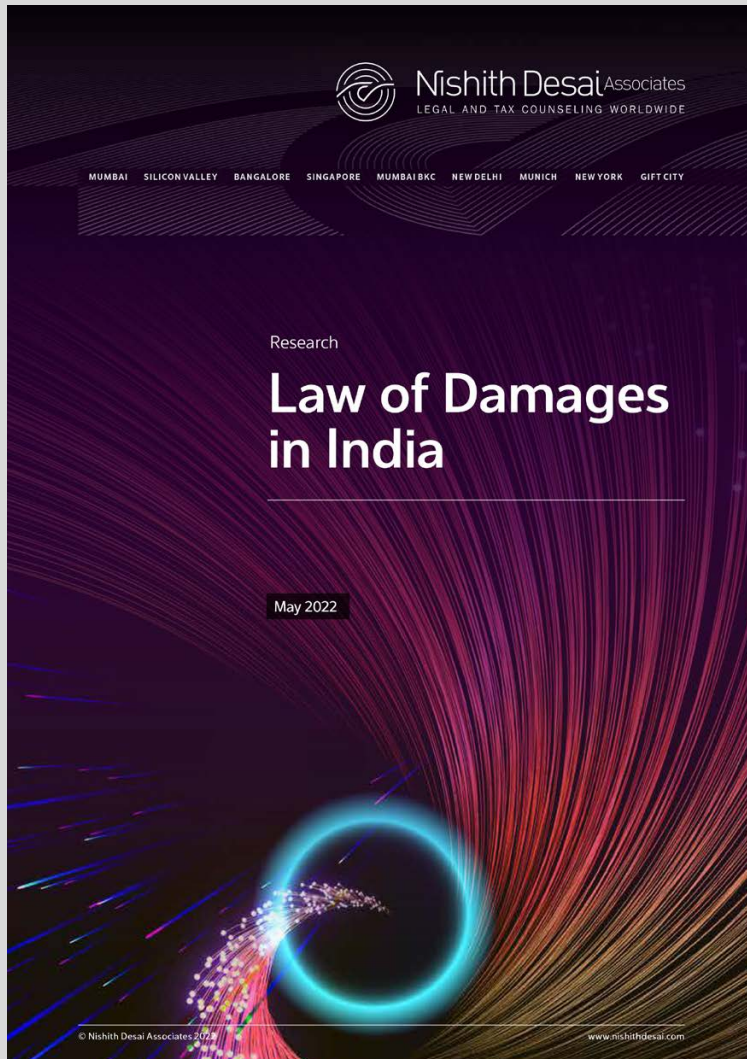
### Domestic and Foreign

We have come across situations where the opposite parties decide to not participate in the arbitral process or abandon it mid-way. The enforcement of these awards/judgments where the party is in absentia is sometimes more complicated than one where the opposite party has participated in the proceedings.

The procedure for enforcement and execution of decrees in India is governed by the Code of Civil Procedure, 1908 ("CPC") while that of arbitral awards in India is primarily governed by the Arbitration & Conciliation Act, 1996 ("Act") as well as the CPC. In this paper, we discuss the various aspects of the Enforcement of Arbitral Award (Domestic & Foreign).







May 2022

## Law of Damages in India



This paper broadly covers damages in cases of contractual breaches in India. It gives a brief overview of claims and grant of damages in cases of torts, indemnity contracts, arbitral proceedings, sale of goods, consumer disputes, intellectual property rights (copyrights, trademarks, and patents) and engineering, procurement, and construction contracts (also known as EPC contracts).



May 2022

## Taxing Offshore Indirect Transfers in India

Under the Indian Income Tax Act, 1961 (“ITA”), an Indian resident is taxed on its global income (residence-based

taxation) whereas a non-resident is taxed only on the income which is derived from a source in India (source based taxation) i.e. income which is received or deemed to be received in India and income which accrues, arises

or is deemed to accrue or arise in India. The subsequent parts of this paper deal with the legislative history of Indirect Transfer in India and are followed by other nuances.



May 2022

## **Fund Formation: Attracting Global Investors**

### **Global, Regulatory and Tax Environment impacting India focused funds**

Fund documentation is critical in ensuring protection for fund managers (GPs) from exposure to legal, tax and regulatory risks. Fund counsels are now required to devise innovative structures and advise investors on terms for meeting investor's (LP) expectations on commercials, governance and maintaining GP discipline on the articulated investment strategy of the fund.

The objective of this compilation is to bring to focus, aspects that need to be considered while setting up India focused funds and some of the recent developments that impact the fund management industry.



May 2022

## Tax issues in M&A Transactions

Our research paper on Tax Issues in M&A Transactions is a comprehensive summary of the various ways (merger, demerger, slump sale, asset sale etc.) of undertaking an M&A transactions and potential tax (direct and indirect), stamp duty implications of such transactions.

This paper also discusses frequently litigated issues in both domestic and international M&A transactions, implications of cross border merger regulations, indirect transfer provisions, taxation of non-compete payments and ESOPs etc.







May 2022

## Privacy & Data in India: Fostering the World's Digital, Innovation and Outsourcing Destination

### Legal, Ethical and Tax Considerations and Comparative Notes to the GDPR

Developments in privacy and data protection are coming fast and thick, the latest being the government's cybersecurity directions. Sectoral regulations continue to be updated, and the draft Data Protection Bill appears to be just beyond the horizon in India.

There are calls for both seamless cross-border data sharing as well as localization of some protected categories of data. In our research paper, the legal, ethical and tax considerations of the latest data privacy developments in India are discussed. We also provide an analysis of the Data Protection Bill, 2021 and comparative notes to the GDPR.



May 2022

## Key Issues & Considerations for IP Centric Transactions

Each IP based transaction has its own set of complexities and nuances. However, there are certain concepts and issues which are common to most of IP transactions. In this such issues are discussed in detail in the Indian context.





May 2022

## India's Flourishing Fintech Flambeau

### Legal, Regulatory and Tax Considerations – Compendium

The Reserve Bank of India (“RBI”), India’s apex bank recently issued a regulatory framework (“Framework”) to be implemented by non-bank payment system operators/providers (“PSPs”) for the outsourcing of payment and settlement-related activities to third-party service providers.

PSPs have been provided with a timeline until March 31, 2022, to ensure that their outsourcing arrangements comply with the Framework. In this research paper, we have discussed and analyzed this regulation and its impact.





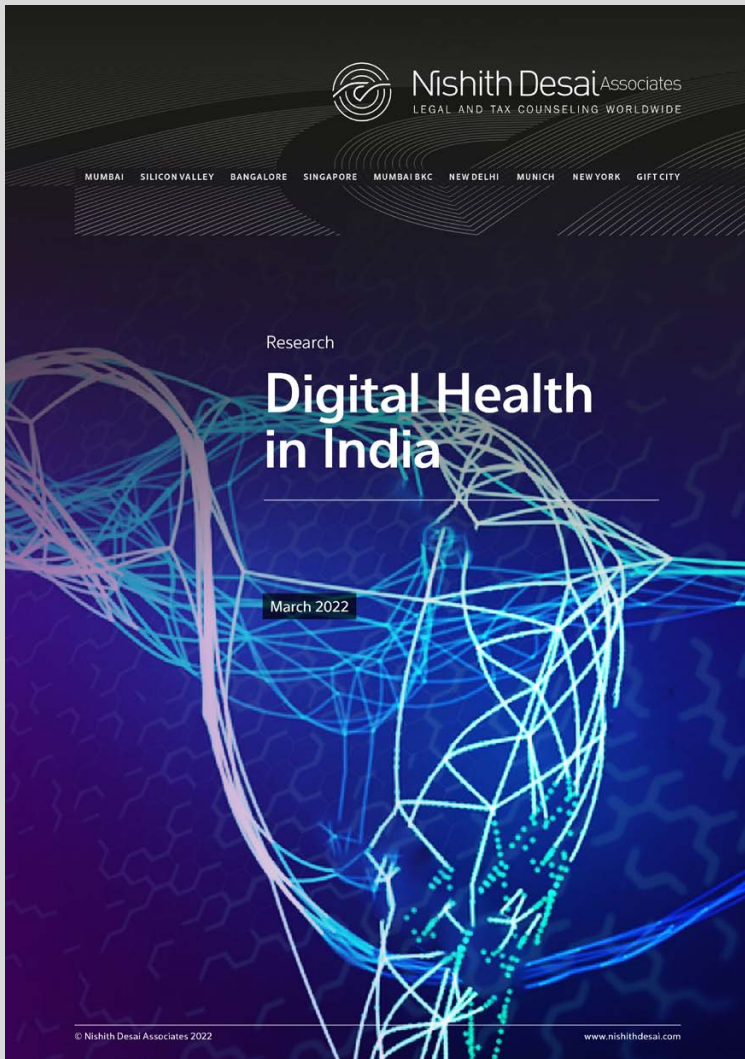
April 2022

## **Private Equity and Private Debt Investments in India**

### **Regulatory, Legal and Tax Overview**

The research paper provides an overview of the Private Equity and the Private Debt Investment in India.

It also discusses tax considerations and evolving structures as well as exits for Private Equity and Private Debt Investments and covers dispute resolution mechanisms as well.

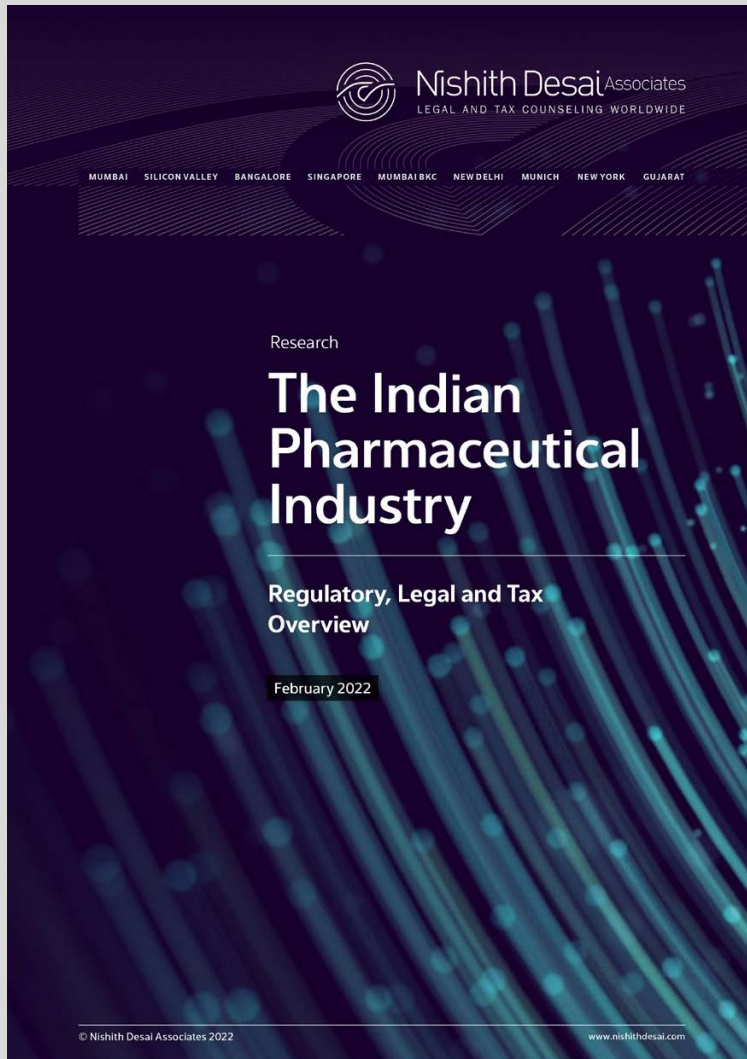


March 2022

## Digital Health in India

This paper gives an overview of the law and regulation applicable to organisations incorporating digital health in their business models. The paper gives various examples of digital health business models such as telemedicine, e-pharmacies etc.





February 2022

## **The Indian Pharmaceutical Industry**

### **Regulatory, Legal and Tax Overview**

This paper has outlined the entity structures and the tax regime in the Indian pharmaceutical and life sciences industry. Discussed are the regulatory aspects and the intellectual property issues that affect the pharmaceutical and life sciences industry.



February 2022

## **Medical Device Industry in India**

### **Regulatory, Legal and Tax Issues**

The paper gives an overview of the Regulatory, Legal and Tax regime that applies to the Medical Device Industry. The paper also discusses some of the major issues and concerns faced by existing players today.





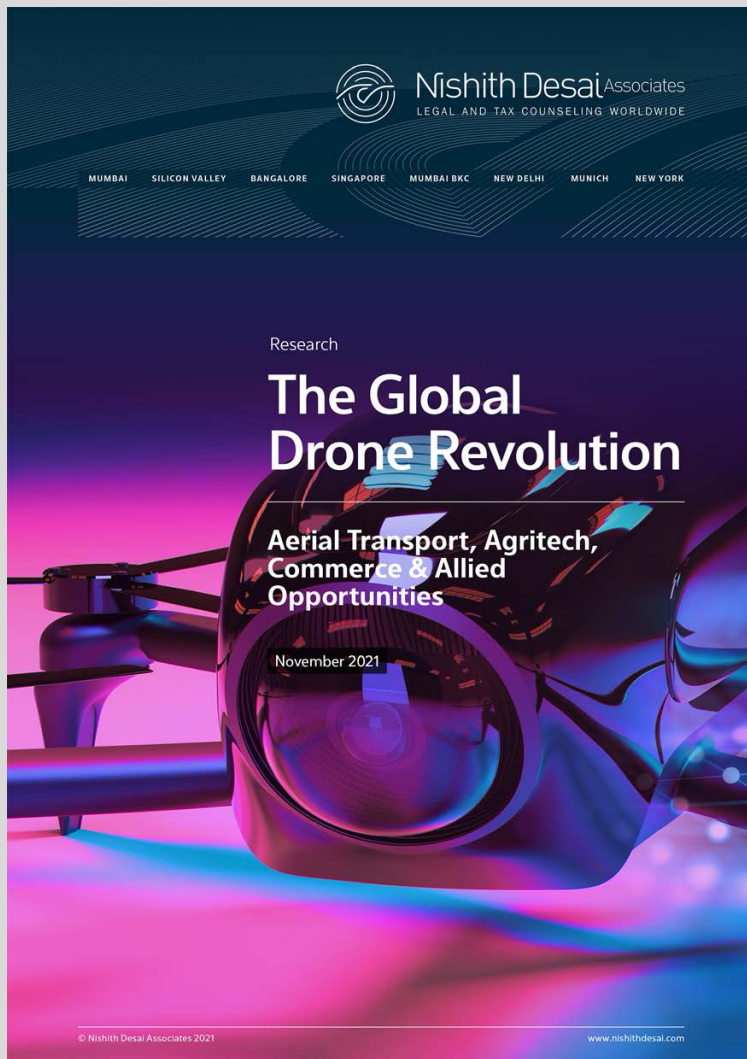
January 2022

## Regulations on E-Wallets, Gift Cards and Vouchers Given a Facelift

### More Liberalization Needed for Revival

In a significant update, the Reserve Bank of India (“RBI”) released the Reserve Bank of India Master Directions on Prepaid Payment Instruments, 2021 (“PPI Regulations”). More commonly referred to as ‘e-wallets’ or ‘gift cards’, PPIs are payment instruments that can be used for the purchase of goods or services against this stored value.

This paper discusses how the PPI Regulations impact products such as e-wallets, gift cards and vouchers, money transfer wallets, meal vouchers, metro/travel rail cards, etc.



November 2021

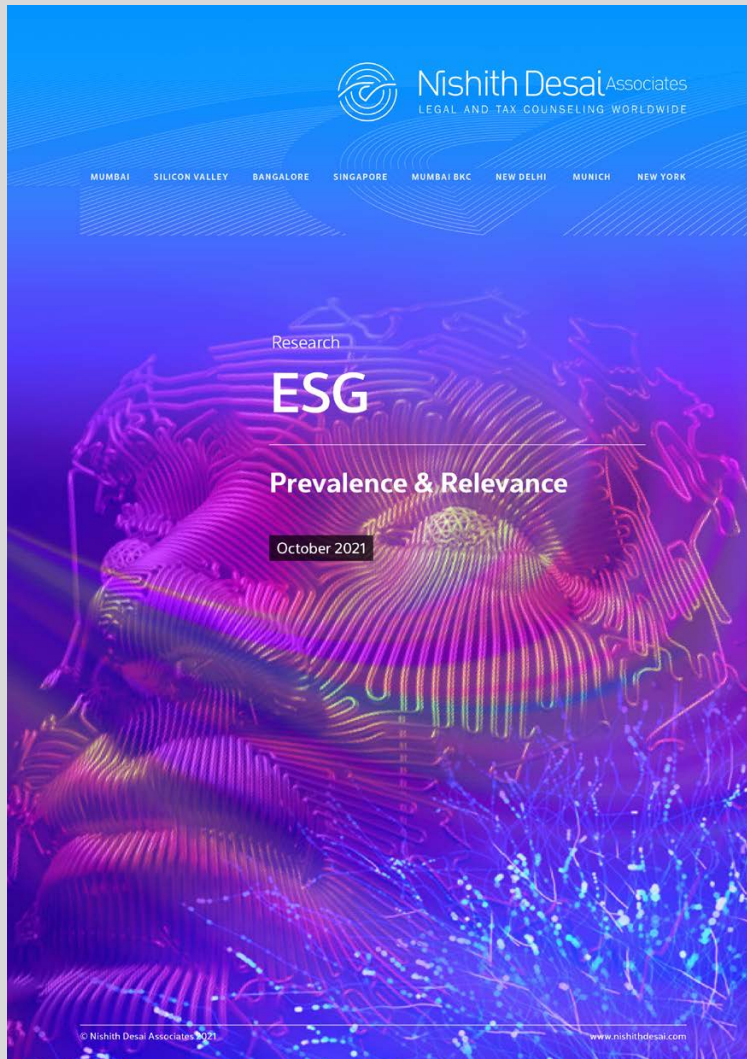
## The Global Drone Revolution

### Aerial Transport, Agritech, Commerce and Allied Opportunities

This paper provides systematically examined the existing trends and regulatory regimes on drones in various countries.

We also look at some of the potential concerns that may arise with an increase in the use of drones and legal lacunae and provides for a way forward to ensure successful regulations which strive for a balance between drone usage and policy making.





October 2021

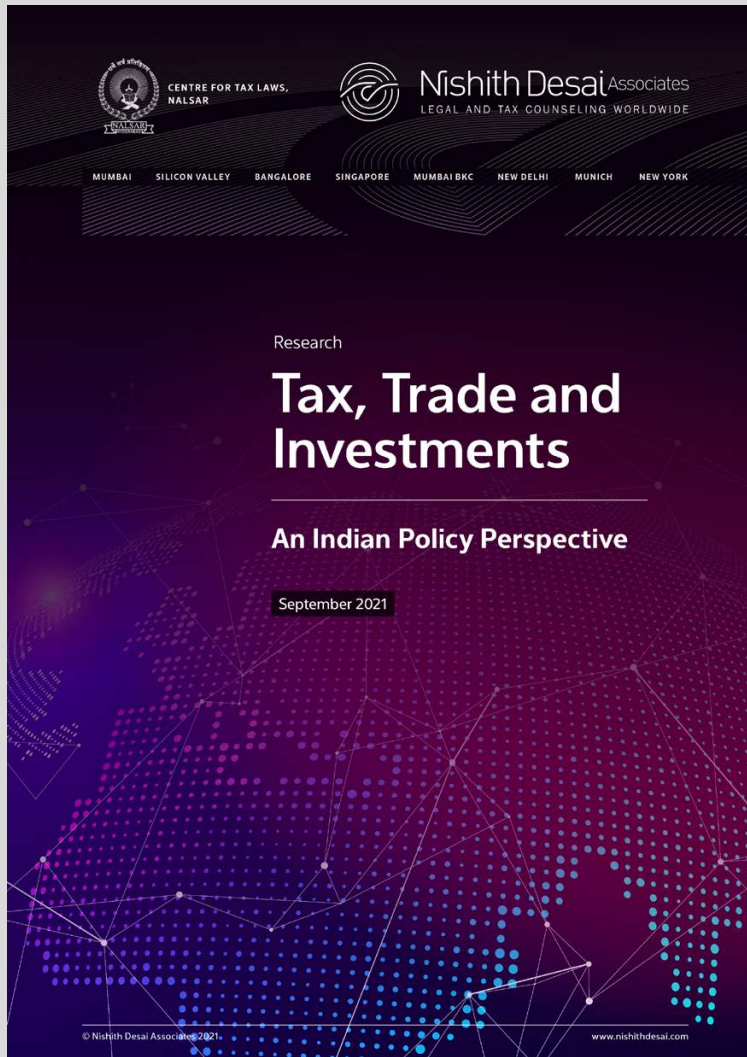
## ESG

### Prevalence and Relevance

The relevance of sustainability as a significant trend in financial markets in the present time cannot be overlooked. The philosophy of corporations being mindful of, and responsive to their impact on society and environment has been growing a strong support.

This paper discusses the future of ESG Reporting and Investments.





September 2021

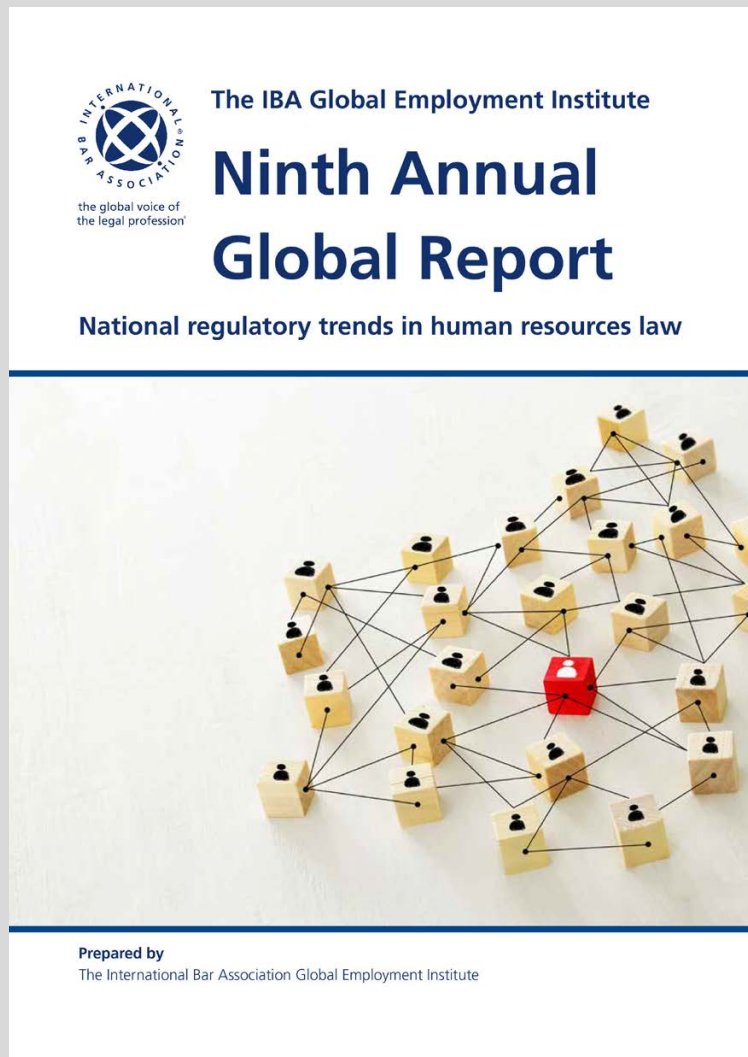
## Tax, Trade and Investments

### An Indian Policy Perspective

This paper sets out different considerations for a cohesive tax, trade and investment policy from an Indian perspective.

It also discusses India's international trade relationship with major economies around the world, India's trade plans amidst COVID-19 while considering the government's tax policy objectives and foreign investment goals.





August 2021

## **Ninth Annual Global Report**

### **National regulatory trends in human resources law**

Our research paper on “Annual Global Report” which is an annual report prepared by the IBA Global Employment Institute (GEI) highlights specific general international trends in human resources law.

This is the ninth AGR and is based on responses from lawyers in 50 countries. It covers trends in human resources law during the calendar year 2019 and, in some cases, the beginning of 2020.



July 2021

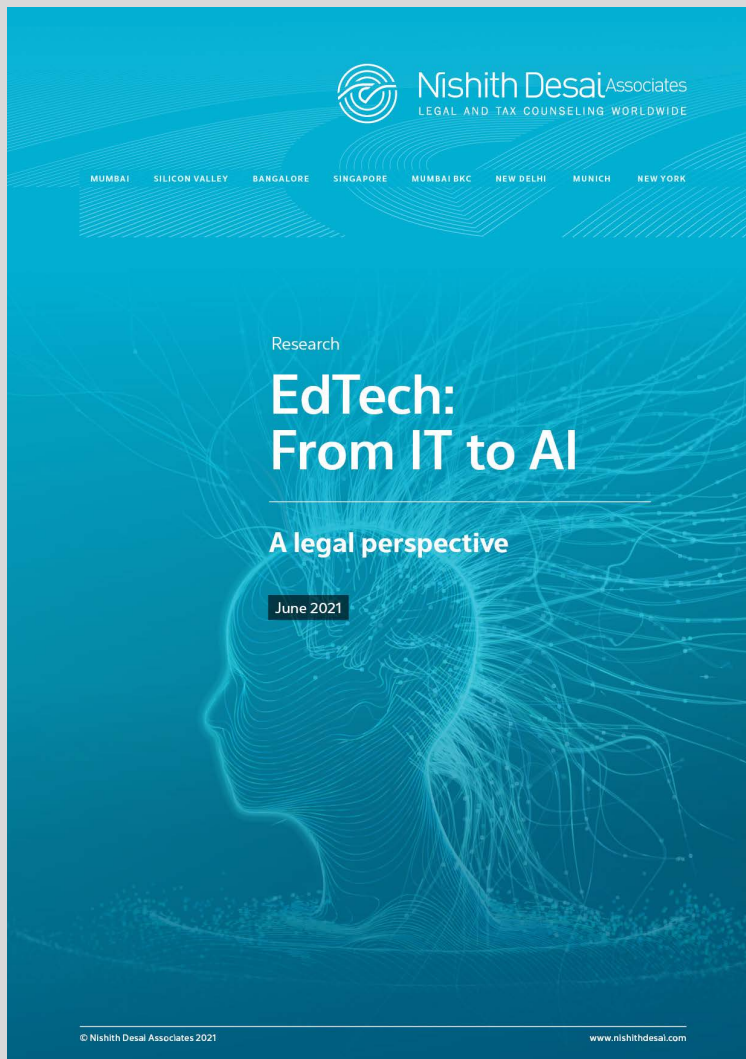
## Patent Litigation in India

### Strategy and Law

The paper discusses the various principles developed by courts surrounding claim construction, establishing infringement of patents involving different types of inventions, role of scientific experts, etc.

We also discuss how these principles are important to understand the approach of Indian courts in patent litigations, and how essential they are for the formulation of an effective litigation strategy to ensure timely and positive results.





June 2021

## EdTech: From IT to AI

### A legal Perspective

This paper discusses how Robots, artificial intelligence (AI) and Deep Learning are fast becoming a reality.

Explored are some of the EdTech businesses and the relevant legal issues which may be considered by such businesses.



April 2021

## **International Commercial Arbitration**

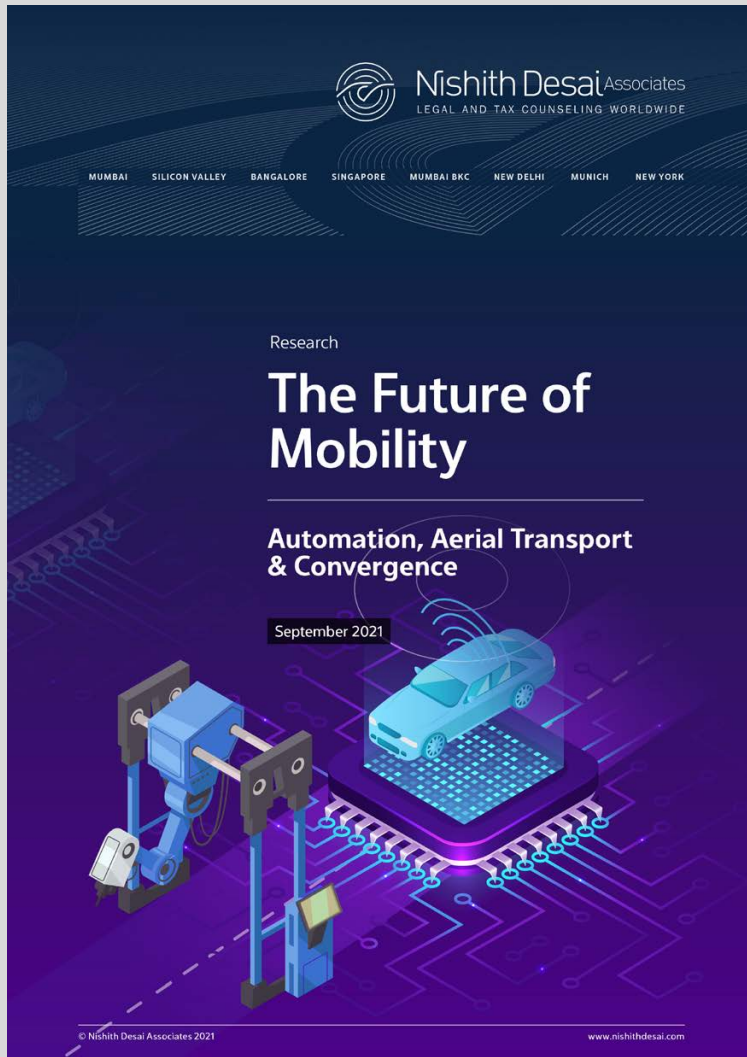
### **Law and Recent Developments in India**

This paper discusses the arbitration regime in India. The paper also discusses the various developments in this regime and the emerging issues in Indian Arbitration Laws.





2021



February 2021

## The Future of Mobility

### Automation, Aerial Transport and Convergence

This paper discusses the future of the mobility industry and the ways in which emerging technologies like 5G, edge computing and block chain are likely to aid to the growth of the sector.

Discussed are the future of mobility and the extent of various legal and regulatory frameworks which will need to evolve to accommodate these advancements.





February 2021

## Doing Business in India

### The Guide for US Businesses and Organizations entering and expanding into India

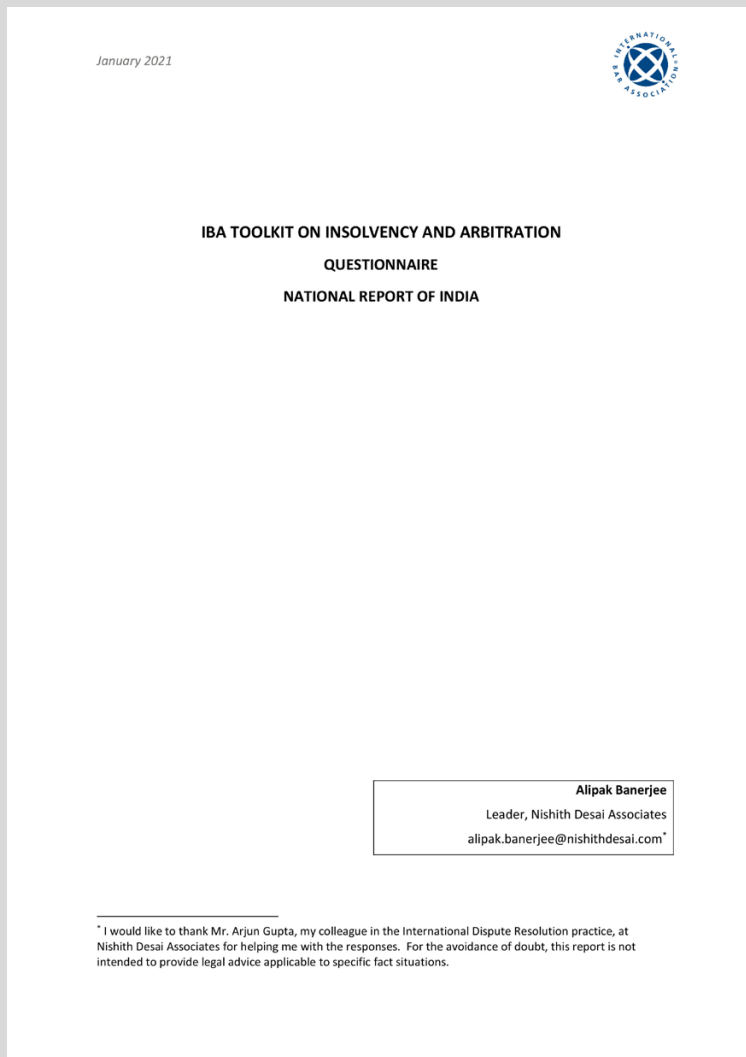
This paper discusses the basic legal regime regarding the conduct of business in India. It provides guidance on commonly raised questions by overseas investors when contemplating to invest in India.

The implications of the reforms presented in the 2021 Union budget are also pointed out, and practical tips are given.





2021



January 2021

## IBA Toolkit on Insolvency and Arbitration

### Questionnaire

### National Report of India



This Research Paper discusses the questions related to the effects that insolvency proceedings initiated in India produce on arbitration commitments (foreign as well as national/local) involving the insolvent party.



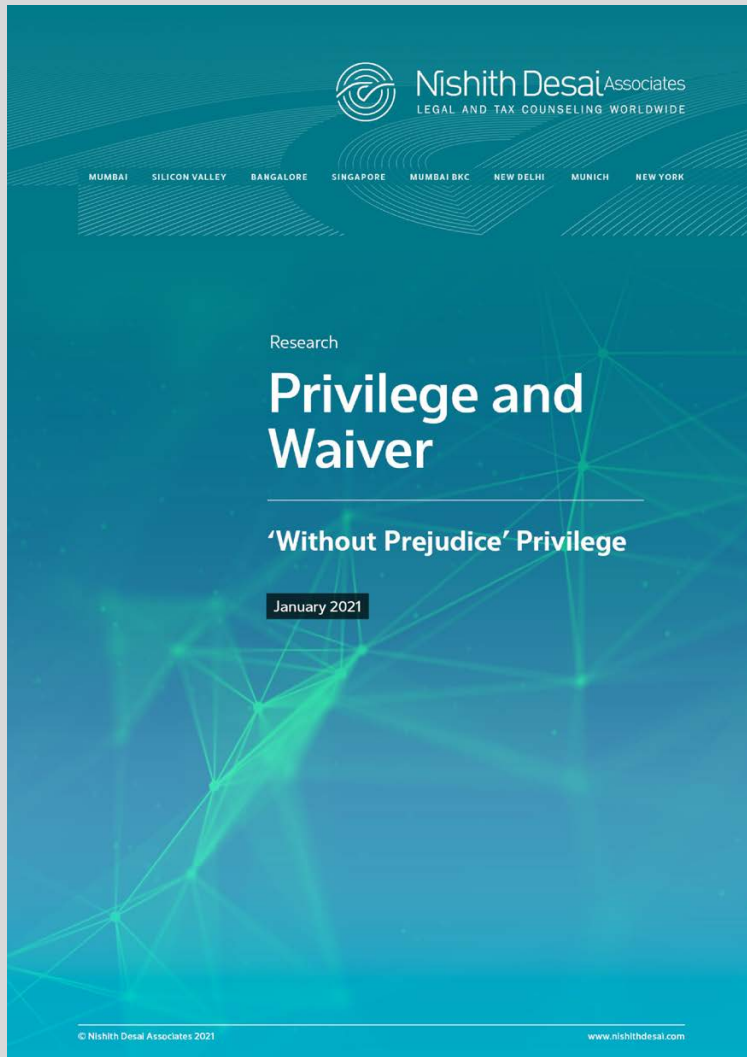
January 2021

## Killer Acquisitions in Indian Pharma

### Emerging Trends

The paper discusses how killer acquisitions are a topical issue in the pharmaceutical and life sciences sector in India and provides an insight into the competition regulations surrounding killer acquisitions in India.





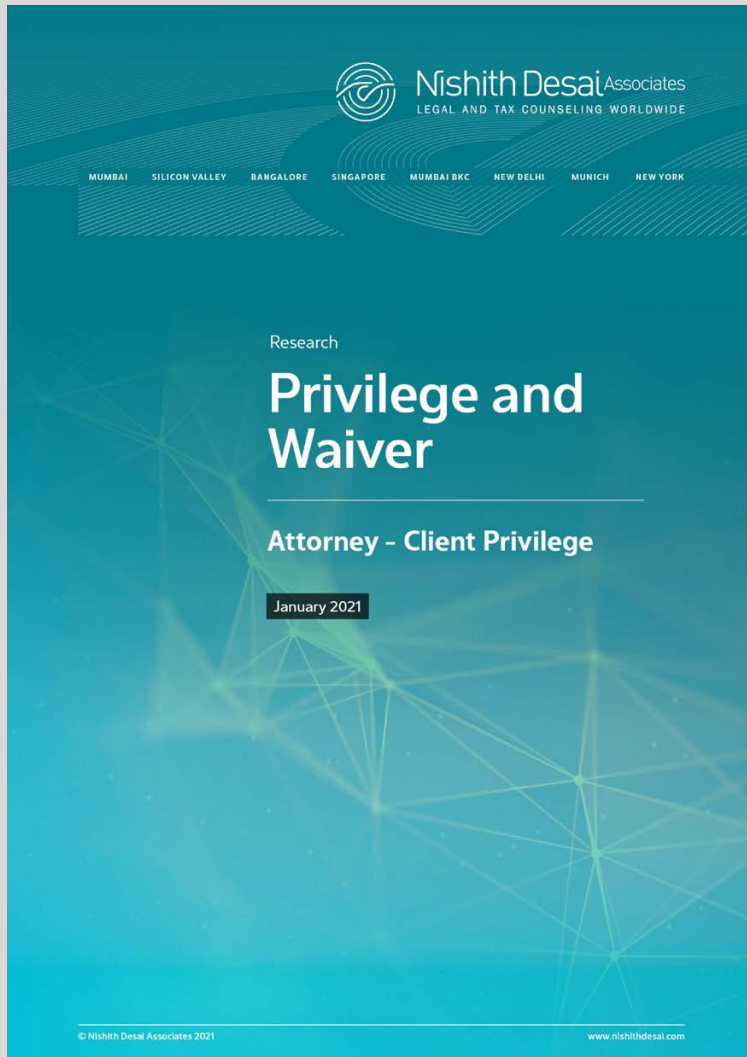
January 2021

## Privilege and Waiver

### 'Without Prejudice' Privilege

This paper explores the contours of the waiver of 'without prejudice' privilege whilst drawing references from common law jurisdictions such as the UK and Singapore.





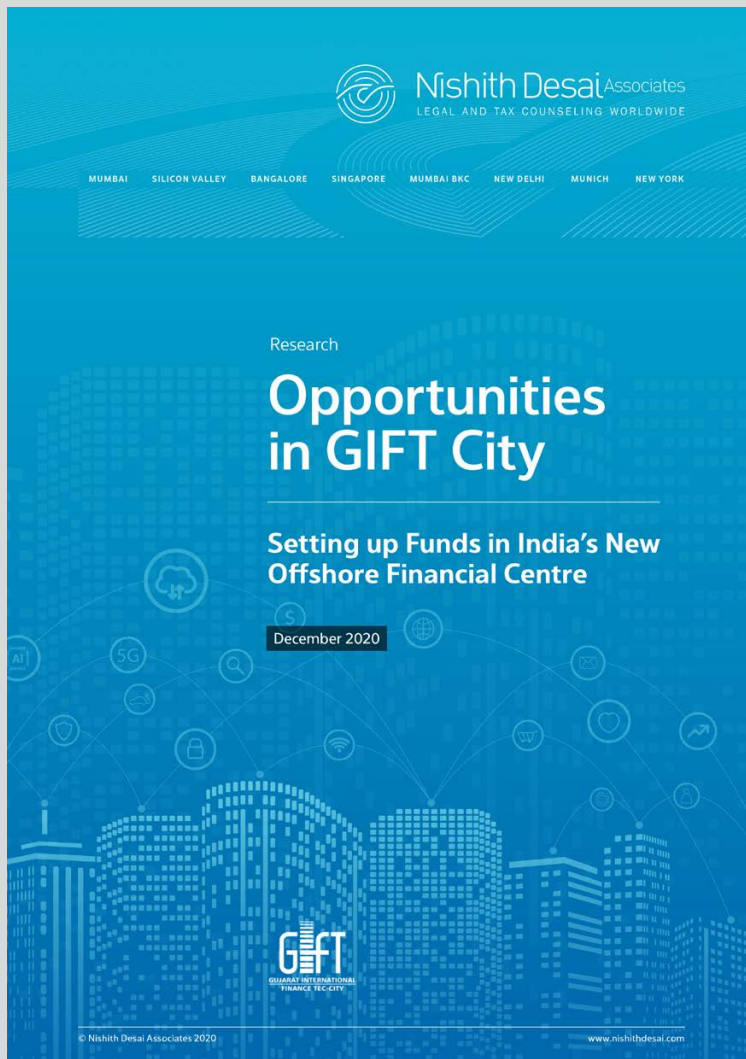
January 2021

## **Privilege and Waiver**

### **Attorney-Client Privilege**

The paper discusses the Indian jurisprudence in the context of legal privilege and waivers while comparing it with UK, USA, and Singapore. This paper also reviews the distinction between express and implied waiver of legal privilege in India.





December 2020

## Opportunities in GIFT City

### Setting up Funds in India's New Offshore Financial Centre

This paper discusses the regulatory regime for GIFT City and also mentions some structures that may be explored in GIFT City.

It further discusses the direct and indirect tax benefits extended to units established in IFSC to promote their growth.



December 2020

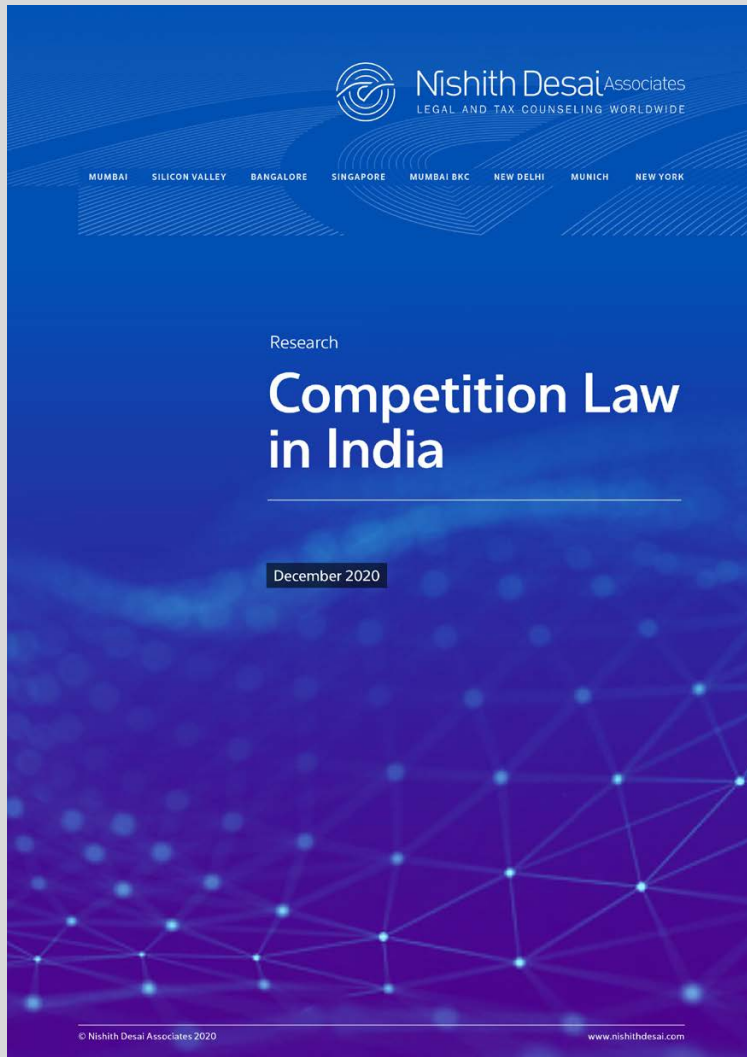
## Prevention of Sexual Harassment at the Workplace (POSH)

### Legal and HR Considerations

This paper discusses the POSH Act and other relevant laws in India pertaining to workplace sexual harassment. It also discusses the importance of 'prevention' as the best tool for elimination of sexual harassment in a multi-cultural society as ours.





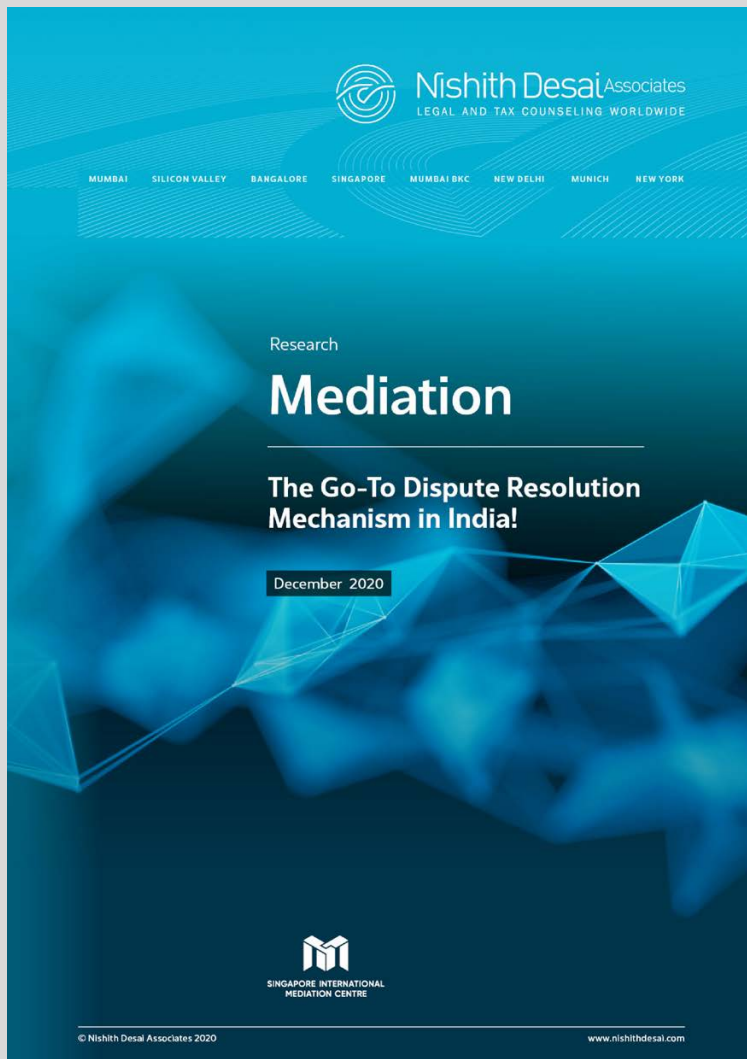


December 2020

## Competition Law in India

This paper discusses the development of the Competition Law framework in India. The paper also reviews the developments that have been pronounced and effectuated by the CCI and the NCLAT, in regulating the market practices in India.





December 2020

## Mediation

### The Go-To Dispute Resolution Mechanism in India!

This paper discusses Mediation in the Indian Perspective and the recent trends pertinent to Mediation in India. It also discusses the potential future of Mediation in India.



2020



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LEGAL AND TAX COUNSELING WORLDWIDE

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Research

# Vodafone Holdings B.V. versus Republic of India

## International Investment Treaty Arbitration

Case Analysis & Implications for Foreign Investors

With a helpful recap of the Indian investment  
arbitration landscape in 2019 and 2018

October 2020

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October 2020

## Vodafone Holdings B.V. versus Republic of India

### International Investment Treaty Arbitration

The paper provides a detailed analysis of the impact of the Vodafone award on foreign investors. It provides a background to the dispute and examines the prominent issues arising out of the Vodafone award.

This paper also provides an excerpt of the award.



October 2020

## Telemedicine in India

### The Future of Medical Practice?

The paper outlines the legal and regulatory framework regulating telemedicine and provides inputs on how this space is evolving. This paper focuses on the practice of telemedicine by allopathic practitioners.





October 2020

## **5G Technology in India**

### **Strategic, Legal and Regulatory Considerations**

This paper provides a primer on 5G technology in non-technical terms. It gives an overview of extended 5G applications for various sectors, the regulatory landscape for 5G in India.

Various important strategic, policy, regulatory, technical and behavioral considerations are also outlined in this paper.



**Mutual termination agreement and release (employment)  
Q&A: India**

by Sayantani Saha and Preetha Soman, Nishith Desai Associates

Status: Law stated as at 30-Sep-2020 | Jurisdiction: India

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India specific information concerning the key legal and commercial issues to be considered when drafting mutual termination agreements for use internationally.

This Q&A provides country-specific commentary on [Practice note, Mutual termination agreements \(employment\): International](#), and forms part of [Cross-border employment](#).

See also [Standard document, Mutual termination agreement \(employment\): International](#), with country specific drafting notes.

**Form of settlement****1. In your jurisdiction, how can parties record a mutual termination agreement between them?**

In India, mutual termination is achieved by executing a mutual separation agreement between the parties.

**2. What is the name used for the type of agreement that records the termination of employment where a current or former employee agrees to waive or settle a claim (or more usually, all possible claims) against the employer in return for a payment?**

The agreement that records a mutual termination of employment and a waiver and release of claims (in consideration of receipt of an ex gratia payment) is known as a mutual separation agreement.

For former employees, a waiver and release of claims letter is typically used instead of a mutual separation agreement. This letter may also serve as a reminder of the ex-employee's post-termination obligations towards the company (for example, non-disclosure of confidential information, among other things). (It should be noted that it is unlikely that an employee whose contract is being terminated against their will, will agree to sign a waiver and release letter.)

However, it should be noted that a waiver of one's statutory rights (that is, the right to sue or right to enforce one's statutory claims) through a contract or otherwise is void in India. Therefore, while it is common to include a waiver of statutory claims clauses in the

separation documents, as a deterrent, such a provision is not in fact be enforceable.

**Statutory obligations****3. Are there any legal requirements for employment termination agreements in your jurisdiction?**

No, there are no specific legal requirements for employment termination agreements in India.

In India, the most common form of employment separation is either:

- An employee resignation (at the behest of the employee).
- Termination of employment (at the behest of the employer).

While there is legislation governing termination of employment, it does not cover the scenario of mutual separations very clearly. Mutual termination of employment is typically achieved in India through mutual separation agreements executed between the employer and employee, and such agreements remain largely untested in Indian courts.

**Scope of settlement****4. Are there any restrictions on the type of disputes which can be settled by parties in an agreement on termination of employment?**

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September 2020

**Mutual termination agreement  
and release (employment)**

Q&amp;A: India

Practical Law

Our research paper in the questionnaire format discusses the India-specific information concerning the key legal and commercial issues to be considered when drafting mutual termination agreements for use internationally.



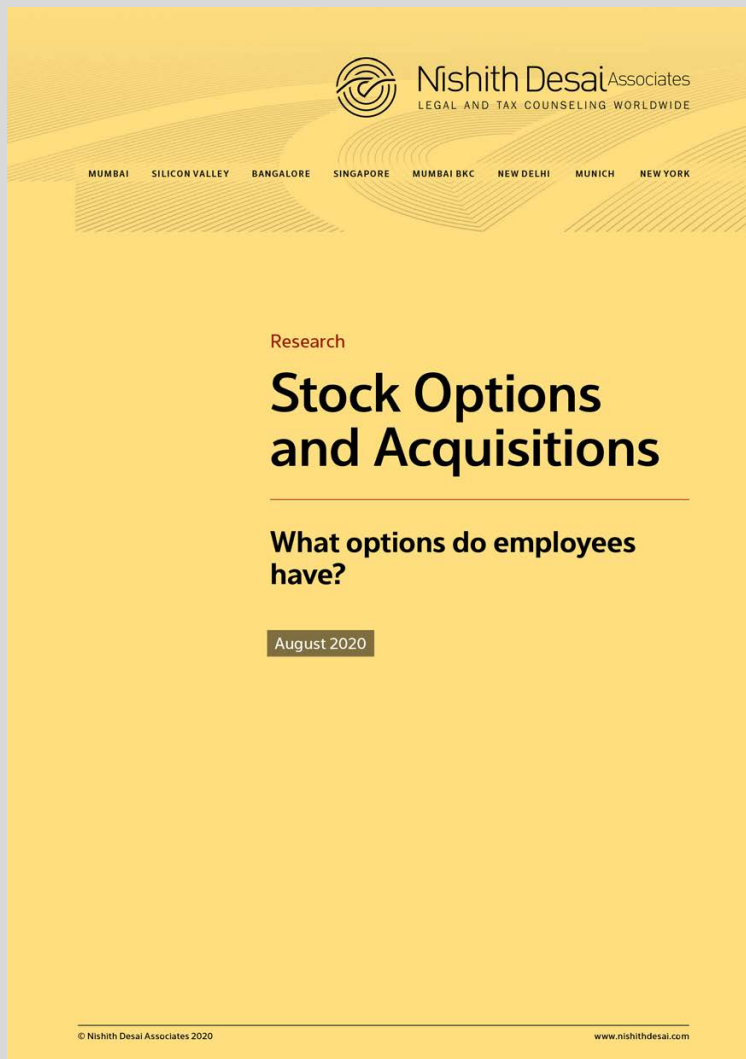
August 2020

## Tax Issues in M&A Transactions

The paper discusses the various ways in which M&A transactions can be undertaken, taking into account tax issues in cross border M&A and domestic M&A.

Provisions for indirect transfers and the taxation of earn-out arrangements are also discussed.



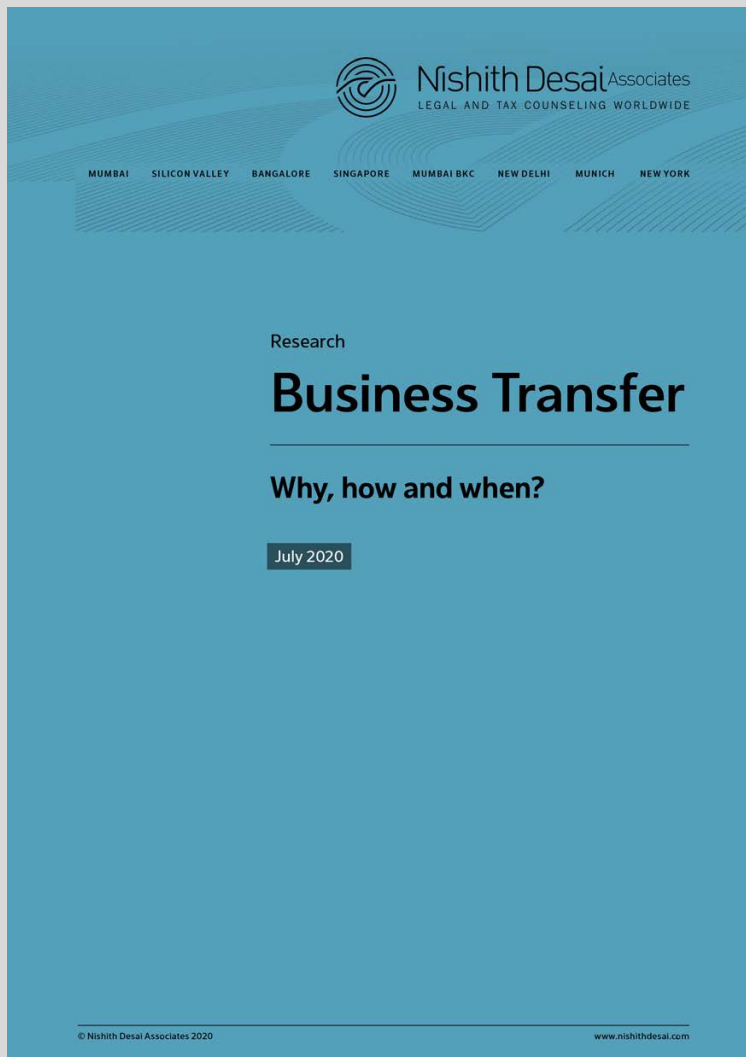


August 2020

## Stock Options and Acquisitions

### What options do employees have?

The paper discusses the legal framework surrounding the issuance of ESOPs in India. It also discusses the ESOPs in share acquisitions.



July 2020

## Business Transfer

### Why, how and when?

This paper examines, basic structure of a 'business transfer', how it differs from other modes of asset sale and the merits and demerits over other modes of acquisition.

It explains the legal, tax and regulatory implications of a 'business transfer' and also discusses 'share transfer' in detail.

2020



July 2020

## **Privacy & Data: India's Turn to Bat on the World Stage**

### **Legal, Ethical and Tax Considerations**

The paper discusses the existing legal framework for data protection and the new laws that have been proposed in India.

Tax considerations on the draft of data protection law are also discussed.



2020



June 2020

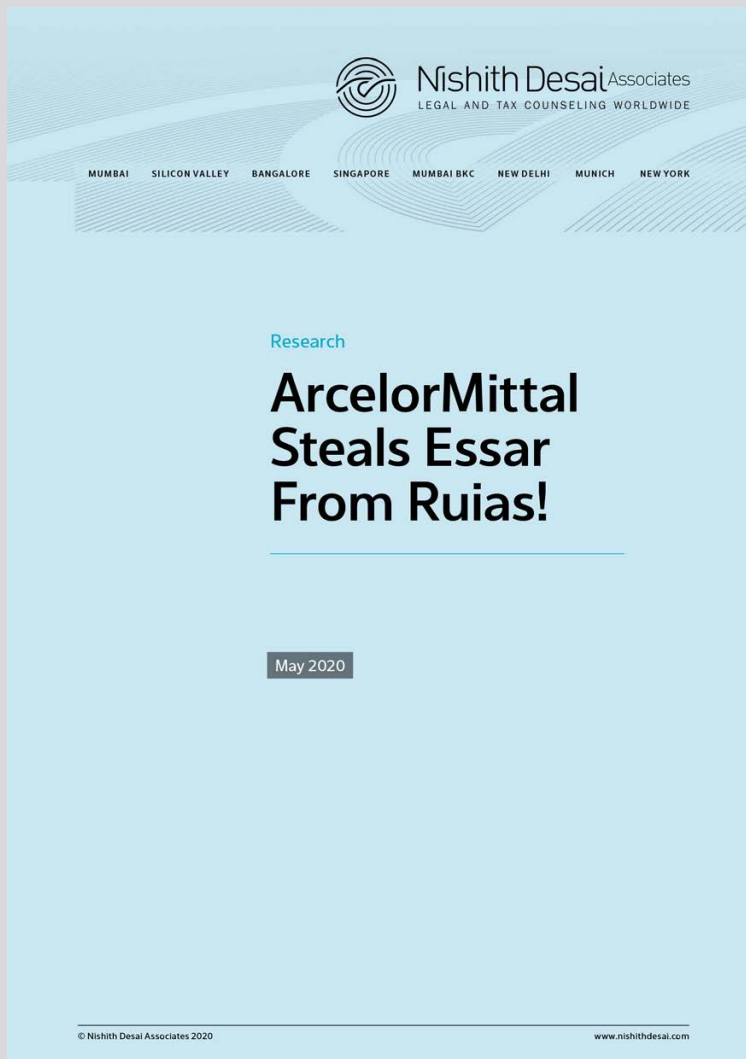
## Technology and Tax Series

### Indian Equalization Levy Expanded – A Surprise Move!

A Bloomberg Publication

This paper discusses the several issues and open points related to the provisions of the E-com EL. The practicable and workable situations for E-com EL are also examined.

2020



May 2020

## ArcelorMittal Steals Essar From Ruia's!

This paper discusses the acquisition of Essar Steel from a legal, commercial, financing and tax perspective.

The interpretation taken by various courts to clarify certain ambiguities under the Insolvency and Bankruptcy Code 2016 is also discussed.



May 2020

## Investment in Healthcare

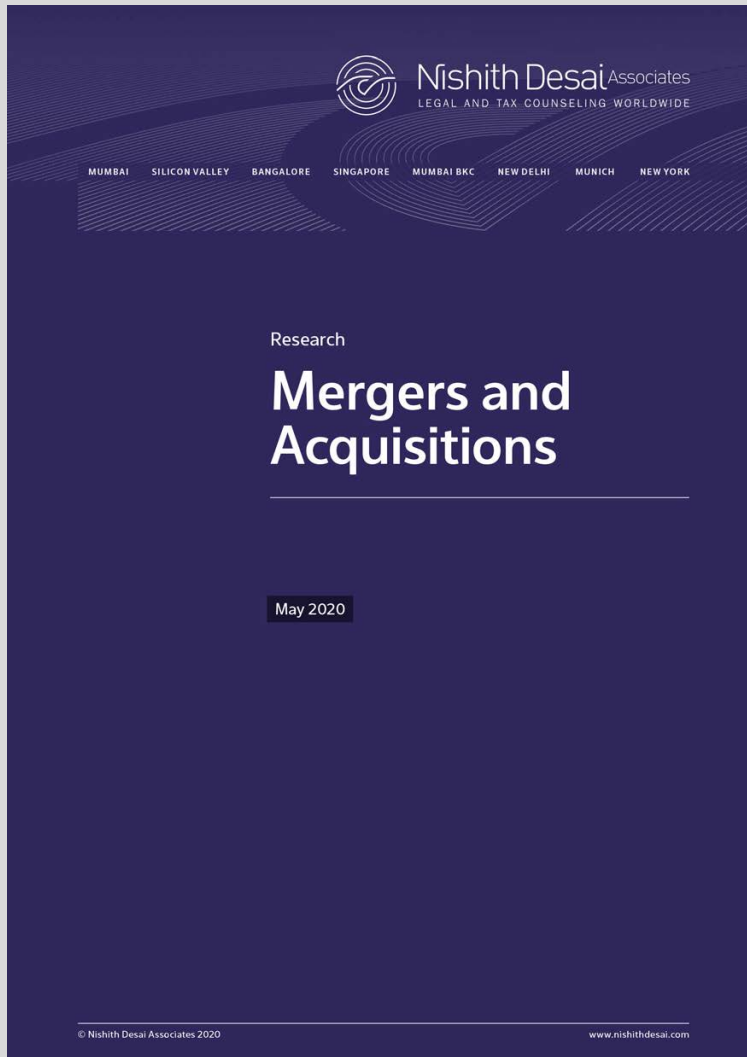
### Legal, Regulatory and Tax Overview

This paper discusses the implications of foreign investment in hospitals and other healthcare services especially medical device, diagnostics, and e-Health.

The paper also discusses the India's flagship healthcare program the Prime Minister Jan Arogya Yojana, popularly known as Ayushman Bharat and how it can aid in the growth of the healthcare sector in India.



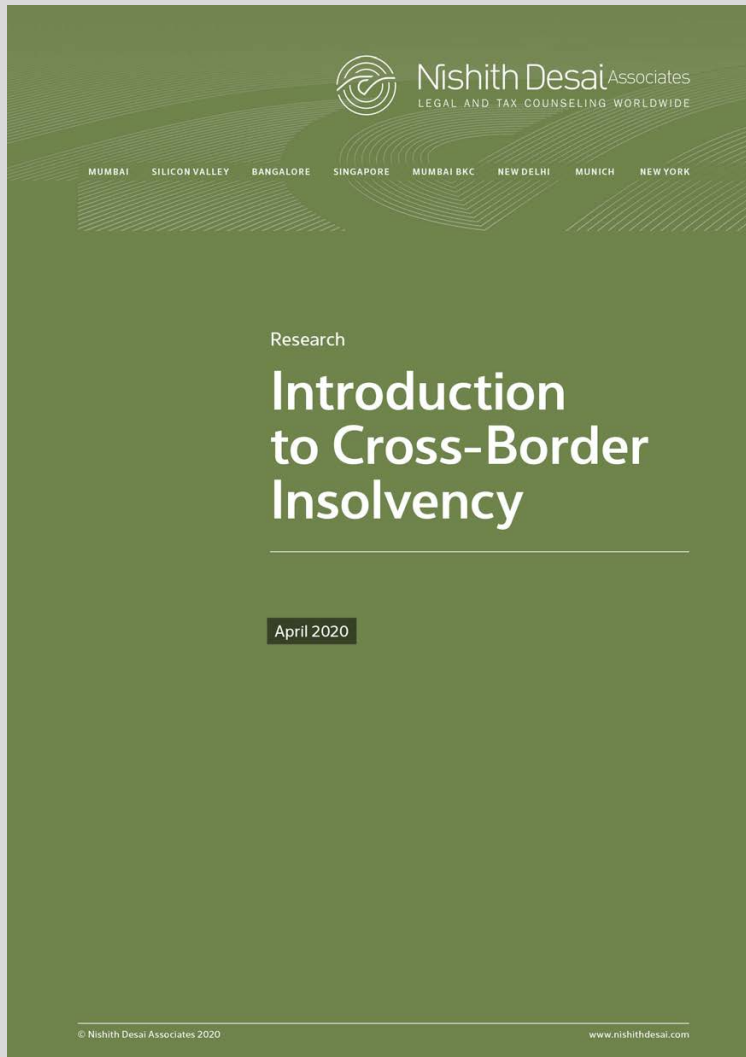
2020



May 2020

## Mergers and Acquisitions

This paper discusses the different types of M&As and the M&A regime in India. Also discussed are the various legal implications and challenges corporates face while corporate restructuring.



April 2020

## Introduction to Cross-Border Insolvency

The paper discusses the concept of cross border insolvency. It covers the insolvency law in context of various countries including USA and Singapore. Also the future of Cross Border Insolvency in India is discussed in this paper.





April 2020

## Construction Disputes in India

The paper discusses the remedies for breach in Construction Projects in India. It also discusses the various dispute resolution mechanisms.



2020



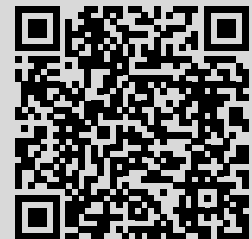
April 2020

## Digital Health in India

### Legal, Regulatory and Tax Overview

In the absence of a specific Digital Health law, this research paper seeks to knit together existing laws and regulations into what may be called an “ad-hoc” legal framework for Digital Health in India.

It is being written for those who are already invested in Digital Health as workforce or capital contributors as well as those who are still testing the waters.



April 2020

## 3D Printing: Ctrl+P the Future

### A Multi-Industry Strategic, Legal, Tax & Ethical Analysis

The paper discusses how the regulation of 3D printing is a challenge that lawmakers, and regulators across sectors will have to contend with. The paper also discusses how the regulation should be comprehensive enough to apply in different instances while still having room for evolving with the technology.



April 2020

## Dispute Resolution in India

### An Introduction

This paper attempts to provide an introduction to the Indian legal and judicial system. It also discusses the key provisions applicable to certain cases.





March 2020

## Impact of Covid-19 on Contracts

### Indian Law Essentials

This paper attempts to focus on the impact of Covid-19 on performance of contracts, governed by Indian law. It also sets out practical considerations that could help businesses in these tough times.





March 2020

## **An Overview of AntiCorruption Laws in India**

### **A Legal, Regulatory, Tax and Strategic Perspective**

This paper discusses the regulatory framework and law in relation to anticorruption laws and risks associated with noncompliance, in particular reference to possibility of a change in the anti-corruption landscape with the passing of the POCA Amendment Act.

Opportunities for companies to design preventive and compliance mechanisms are also discussed.





March 2020

## **The Indian Medical Device Industry Regulatory, Legal and Tax Overview**

All multinationals looking to invest in the Indian medical device sector must strategise their entry on the basis of certain key factors which will influence the profitability of the investment. This research paper will act as a guide to everyone who is interested in doing business of medical devices in India.



February 2020

## The Contours of Conducting Internal Investigations in India

The paper examines the guidelines for conducting Investigation in India. It also discusses the sequel to Internal Investigations in India.





February 2020

## Investment in Education

The paper discusses the various challenges faced by Investors in the education sector and the latest reforms in the education industry.

It also discusses how the education industry might see considerable growth in the future.



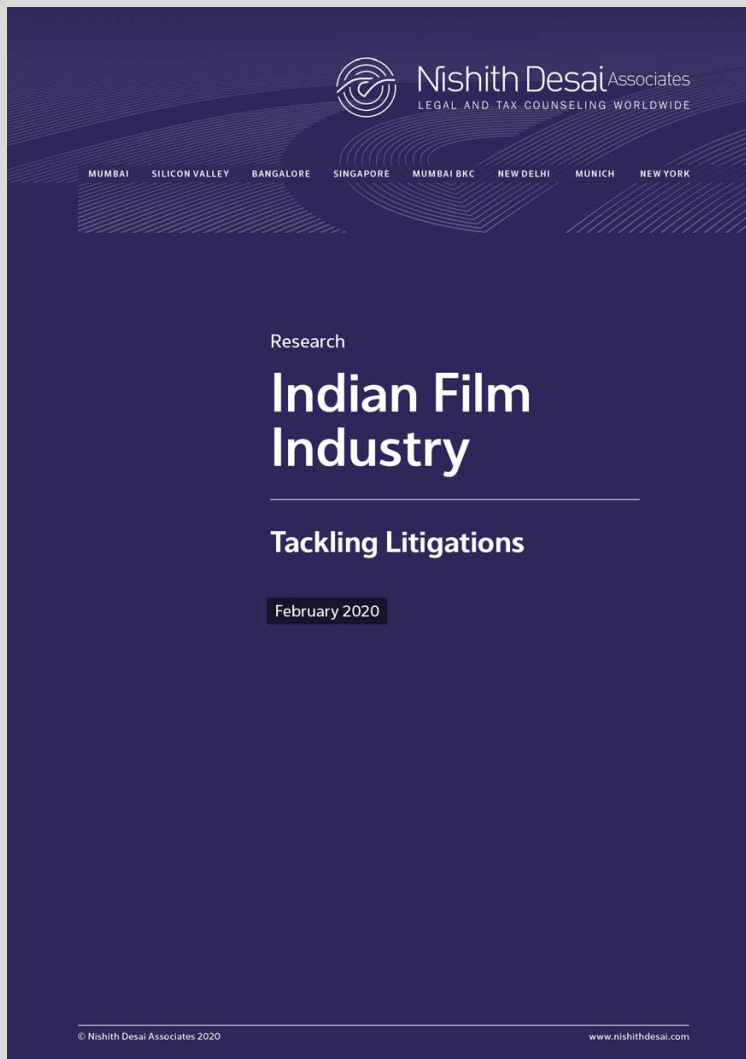
February 2020

## International Commercial Arbitration

### Law and Recent Developments in India

The paper discusses the legal regime of Arbitration in India and the recent developments in Arbitration in India. Furthermore, the paper gives an analysis on the future of arbitration in India.





February 2020

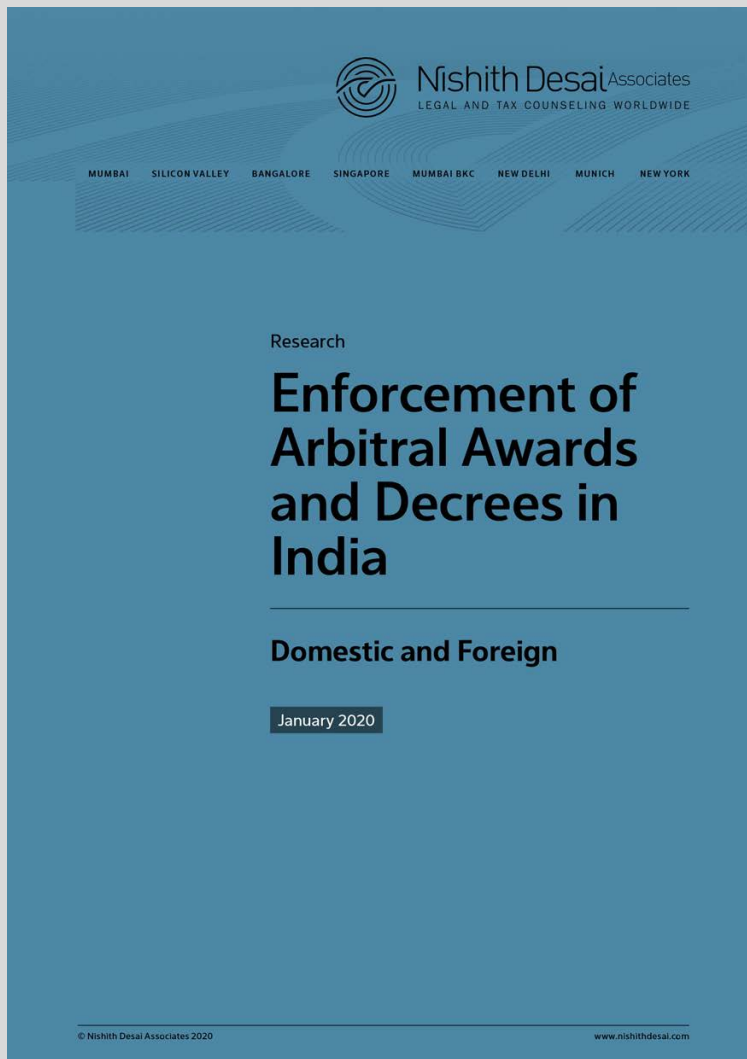
## Indian Film Industry Tackling Litigations

This paper gives an overview of the Copyright Law in India. It discusses the best practices and strategies to be adopted vis-a-vis litigation that may arise at each stage of the film making process.





2020



January 2020

## **Enforcement of Arbitral Awards and Decrees in India**

### **Domestic and Foreign**

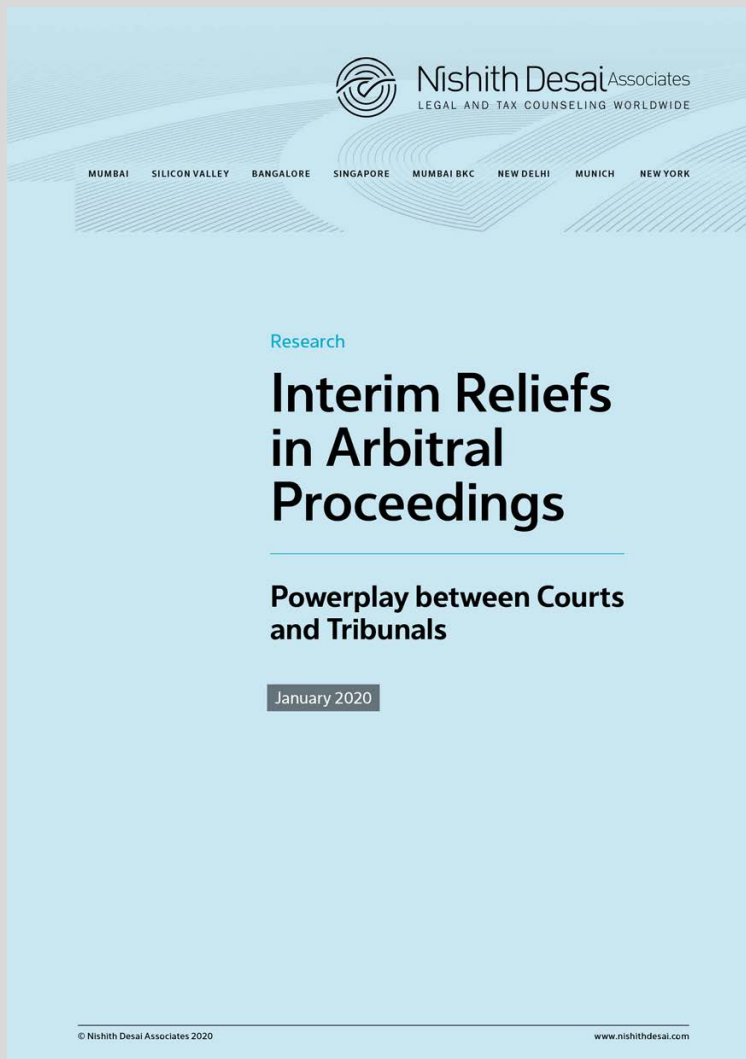
The paper discusses the conditions, appropriate forums and limitation of enforcement of arbitral awards in India.



January 2020

## Enforcing U.S. Arbitral Awards and Judgments in India

This paper provides practical insight to US parties looking to enforce awards and judgments emanating from the U.S. in India.



January 2020

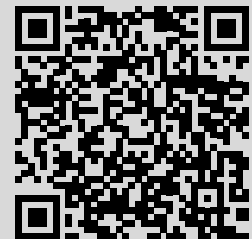
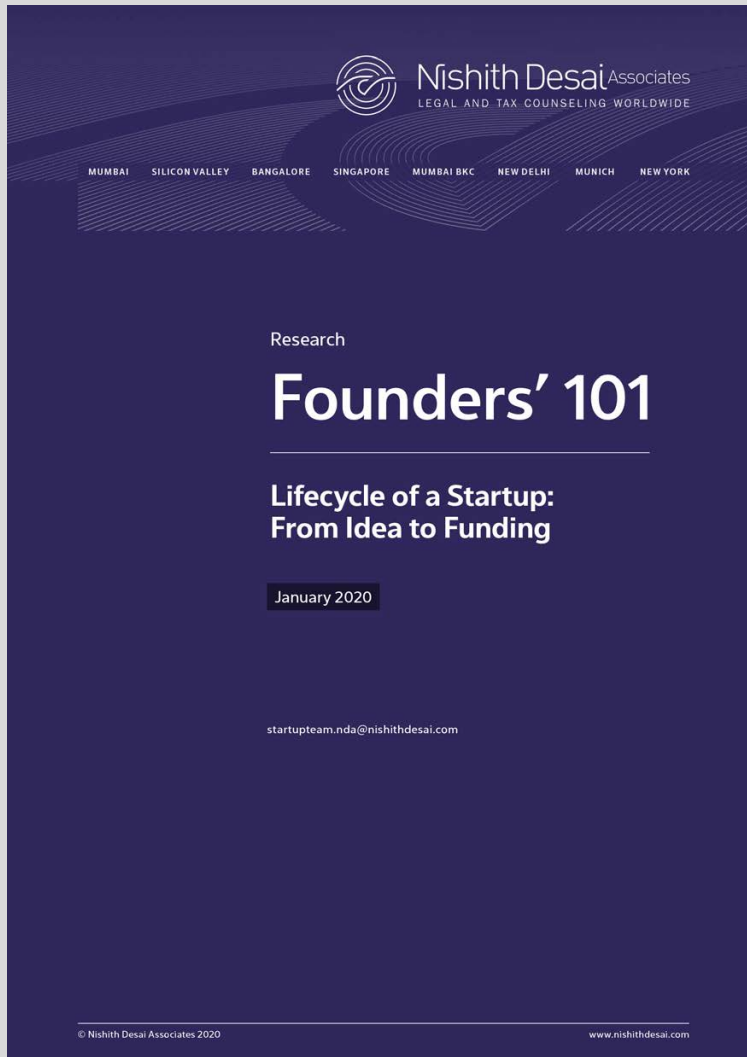
## **Interim Reliefs in Arbitral Proceedings**

### **Powerplay between Courts and Tribunals**

This paper discusses the nature of interim reliefs which can be granted by courts and arbitral tribunals and their respective limitations.

It also provides a comparative analysis of the interim reliefs granted by tribunals in India, United Kingdom and Singapore.

2020

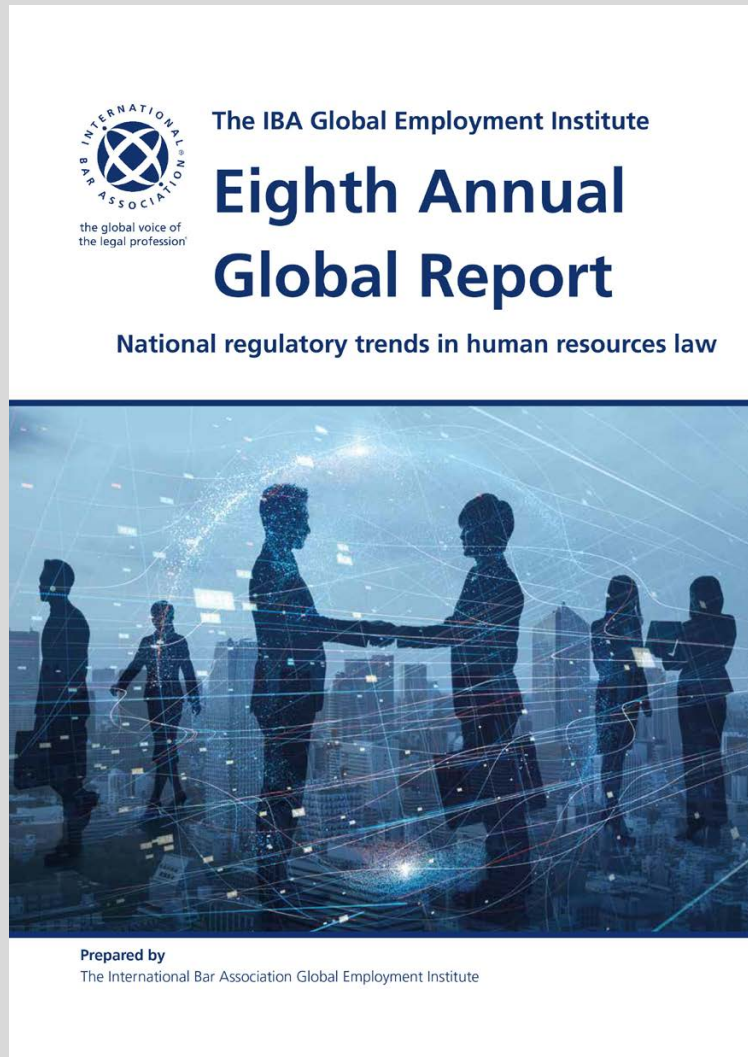


January 2020

## Founders' 101

### Lifecycle of a Startup: From Idea to Funding

The paper discusses the various stages in the lifecycle of a start-up from its incorporation to funding rounds.



December 2019

## **Eighth Annual Global Report**

### **National regulatory trends in human resources law**

The Annual Global Report (AGR) is an annual report prepared by the IBA Global Employment Institute (GEI) highlighting certain general international trends in human resources law.



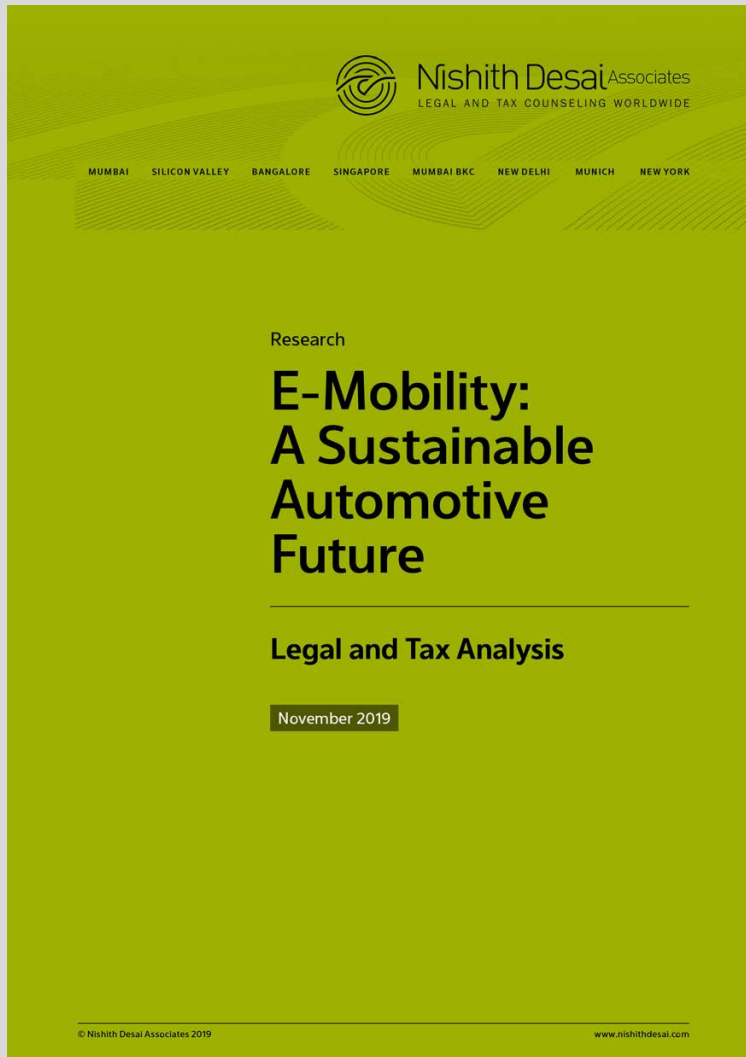
November 2019

## India: Trade Unions and Collective Bargaining

The paper discusses the history of trade unions in India and the potential for growth in trade union represented workers is huge. The paper also discusses certain recent developments and their implications.







November 2019

## **E-Mobility: A Sustainable Automotive Future**

### **Legal and Tax Analysis**

Our research paper analyses the challenges in the adoption of electric vehicles, from a regulatory, commercial and socio-economic perspective. Policy reports, regulations, state initiatives as well as comparative analyses of EV policies from leading jurisdictions have been considered in this paper.



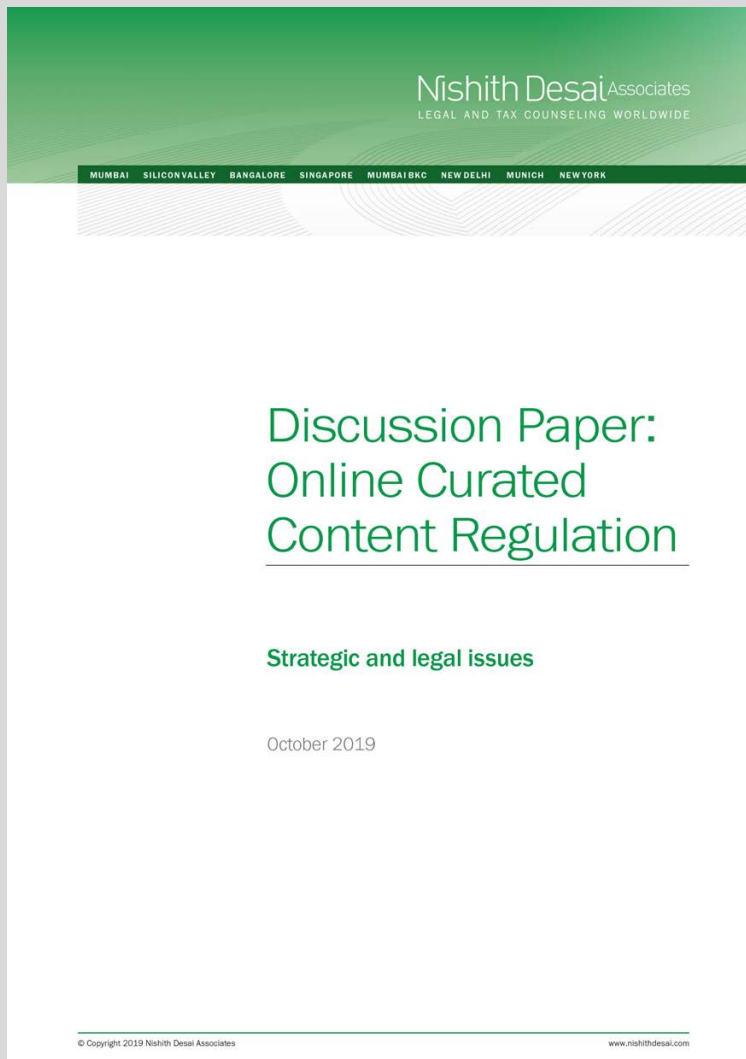
April 2019

## International Investment Treaty Arbitration and India

With special focus on India Model BIT, 2016

This paper discusses the landscape of international investment treaty law and its connect with India. It addresses the challenges that for India distinct from the global landscape of BITs, and views India through a prism of dispute resolution mechanism.



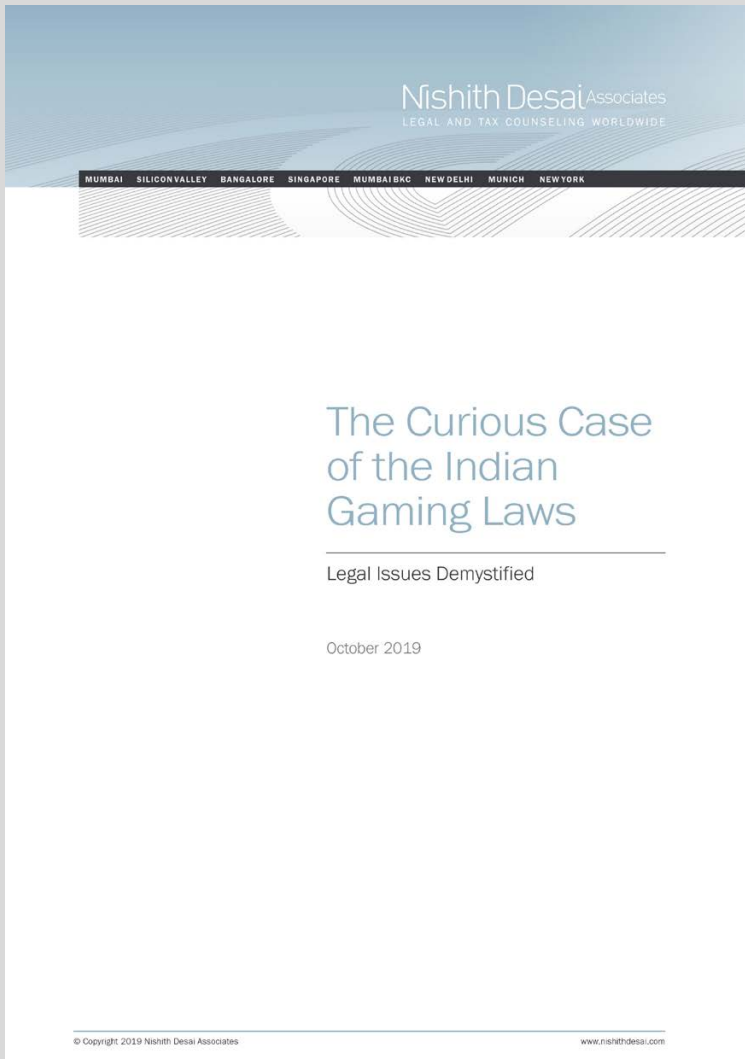


October 2019

## **Discussion Paper: Online Curated Content Regulation**

### **Strategic and Legal Issues**

The paper discusses online curated content platform. The paper also analysis the reasons for which these platforms need certain regulations.

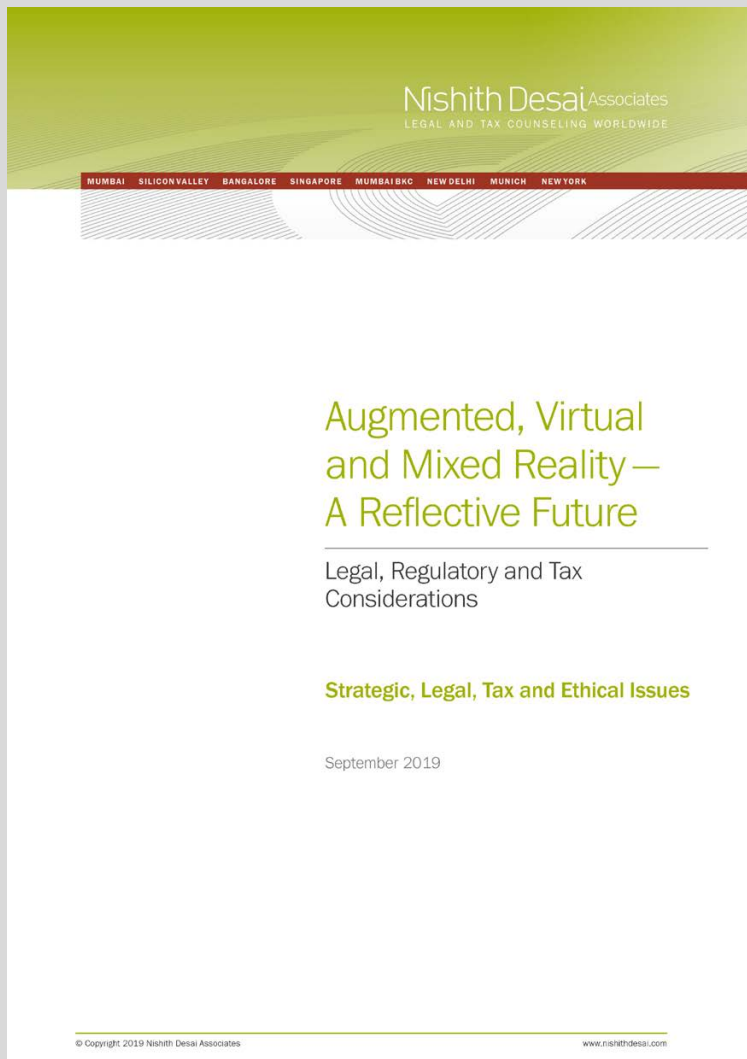


October 2019

## The Curious Case of the Indian Gaming Laws

### Legal Issues Demystified

This paper discusses the scope of gambling/gaming laws and the evolution of the gambling/gaming industry in India.



September 2019

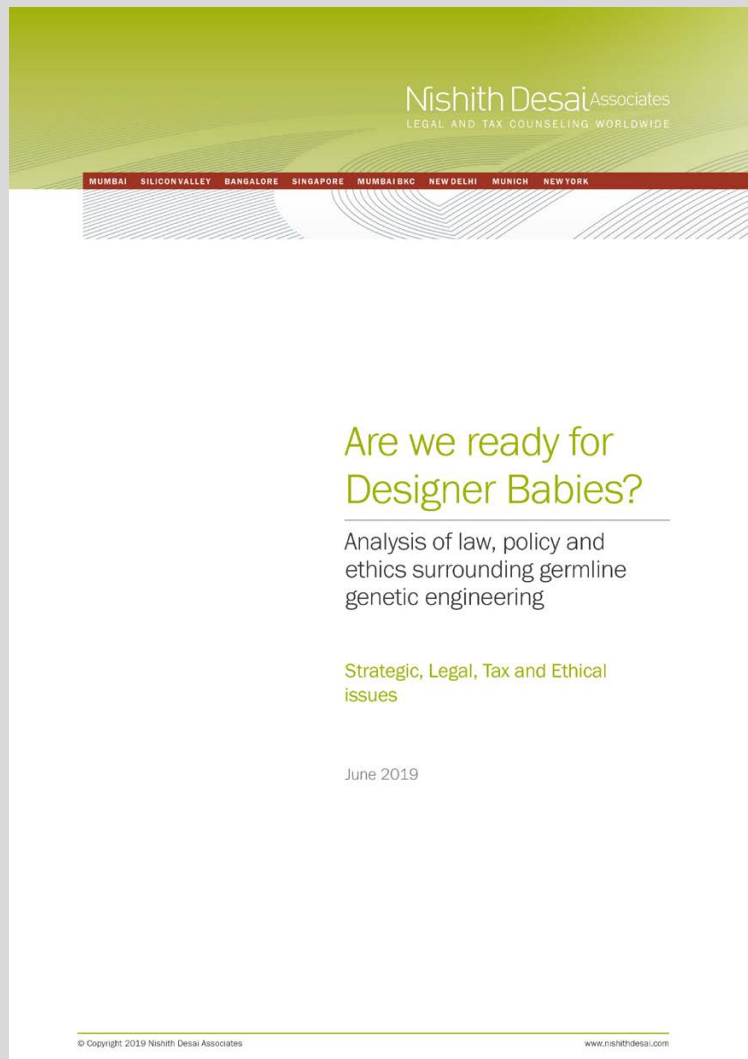
## **Augmented, Virtual and Mixed Reality – A Reflective Future**

**Legal, Regulatory and Tax Considerations**

**Strategic, Legal, Tax and Ethical Issues**

This paper discusses the uncharted legal and tax territories of augmented reality and virtual reality technologies'. It also discusses how these technologies have merged into our daily lives.





June 2019

## Are we ready for Designer Babies?

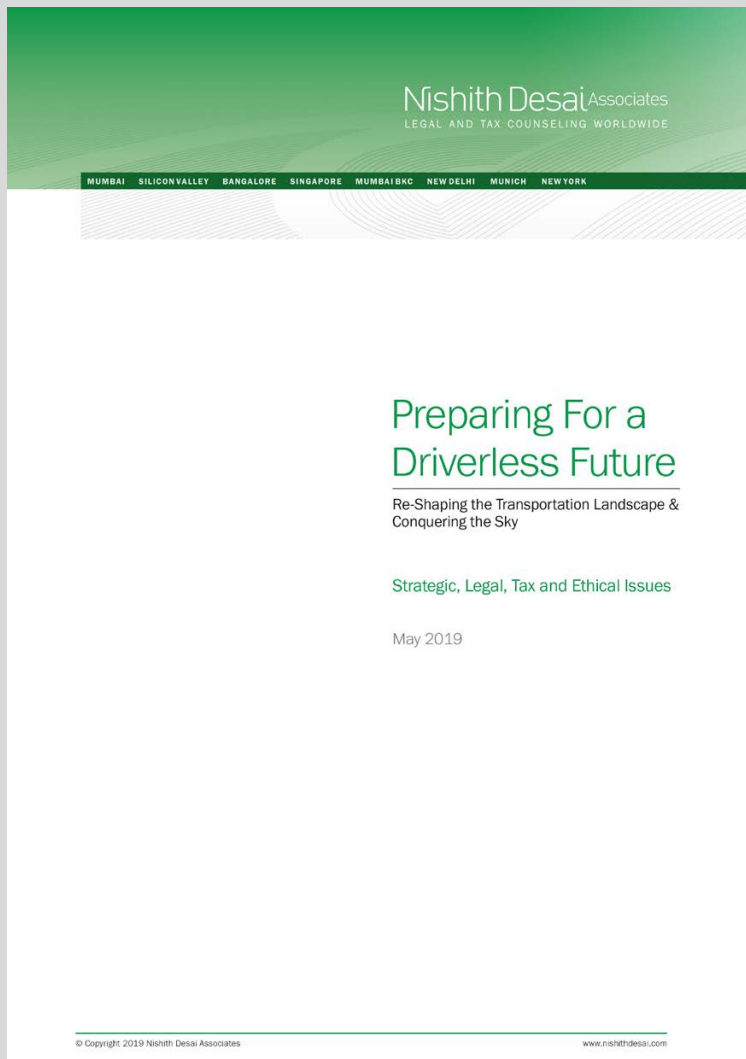
Analysis of Law, Policy and Ethics surrounding Germline Genetic Engineering

Strategic, Legal, Tax and Ethical Issues

The paper discusses the legal and regulatory framework applicable to germ line gene editing, with specific emphasis on its application to produce designer babies.

It also discusses some of the pressing ethical and social issues that surface in context of producing designer babies. The paper also provides a comparative analysis of the legal position on germ line gene editing adopted by USA, UK, China and Japan has also been undertaken.





May 2019

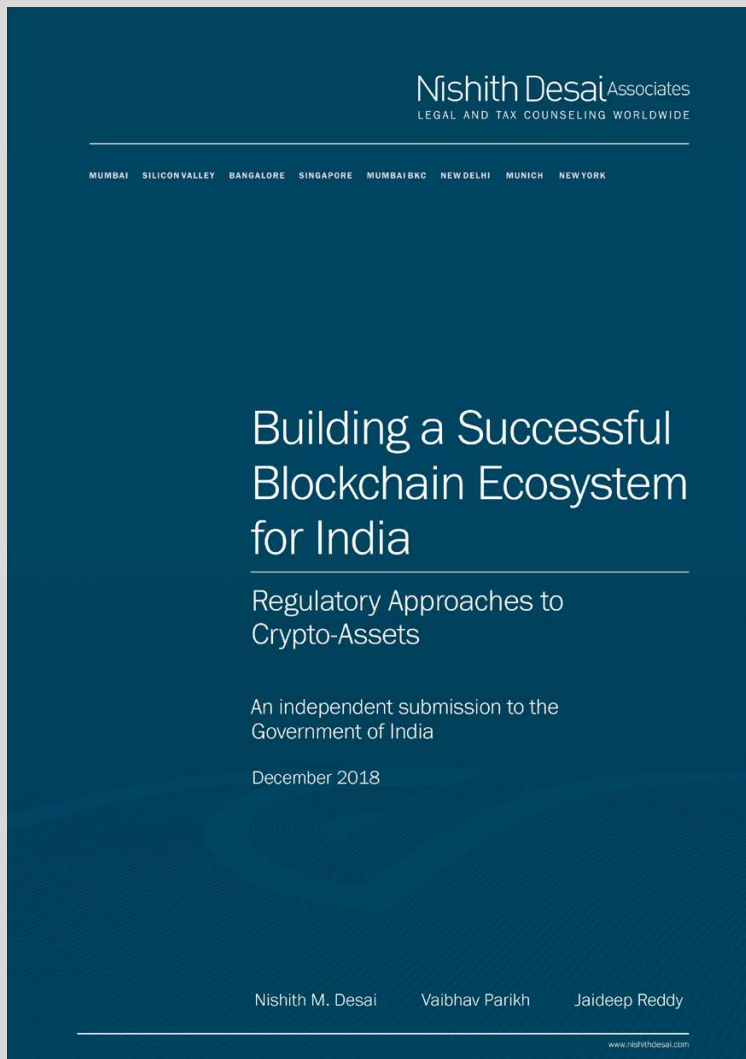
## Preparing For a Driverless Future

Re-Shaping the Transportation Landscape  
and Conquering the Sky

Strategic, Legal, Tax and Ethical Issues

This paper analyzes the effects of the driverless future, and the economic, social, environmental and legal ramifications arising thereof.

It also provides a detailed analysis of publicly available reports, research studies, and media articles as well as opinions of government organizations and industry leaders related to the subject matter.



December 2018

## **Building a Successful Blockchain Ecosystem for India**

### **Regulatory Approaches to Crypto-Assets**

#### **An Independent Submission to the Government of India**

The paper discusses the various laws in India that should be actively enforced with regard to crypto-asset business activity. It also addresses the reasons for which an outright ban on crypto asset activity should not be considered.

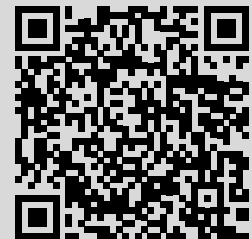


November 2018

## **The Blockchain**

### **Industry Applications and Legal Perspectives**

The paper discusses the working of blockchain technology and the current state of the art in industry. It provides a legal and regulatory perspective, and concludes with a list of challenges and the way forward.



2018



May 2018

## **The Future is here: Artificial Intelligence and Robotics**

The paper discusses the future of entities and individuals dependency on AI systems. It also covers the several issues that need to be addressed in order to safeguard the development and integration of AI systems with the industrial and social sector.





## About NDA

At Nishith Desai Associates, we have earned the reputation of being Asia's most Innovative Law Firm – and the go-to specialists for companies around the world, looking to conduct businesses in India and for Indian companies considering business expansion abroad. In fact, we have conceptualized and created a state-of-the-art Blue Sky Thinking and Research Campus, Imaginarium Aligunjan, an international institution dedicated to designing a premeditated future with an embedded strategic foresight capability.

We are a research and strategy driven international firm with offices in Mumbai, Palo Alto (Silicon Valley), Bangalore, Singapore, New Delhi, Munich, and New York. Our team comprises of specialists who provide strategic advice on legal, regulatory, and tax related matters in an integrated manner basis key insights carefully culled from the allied industries.

As an active participant in shaping India's regulatory environment, we at NDA, have the expertise and more importantly – the VISION – to navigate its complexities. Our ongoing endeavors in conducting and facilitating original research in emerging areas of law has helped us develop unparalleled proficiency to anticipate legal obstacles, mitigate potential risks and identify new opportunities for our clients on a global scale. Simply put, for conglomerates looking to conduct business in the subcontinent, NDA takes the uncertainty out of new frontiers.

As a firm of doyens, we pride ourselves in working with select clients within select verticals on complex matters. Our forte lies in providing innovative and strategic advice in futuristic areas of law such as those relating to Blockchain and virtual currencies, Internet of Things (IOT), Aviation, Artificial Intelligence, Privatization of Outer Space, Drones, Robotics, Virtual Reality, Ed-Tech, Med-Tech and Medical Devices and Nanotechnology with our key clientele comprising of marquee Fortune 500 corporations.

The firm has been consistently ranked as one of the Most Innovative Law Firms, across the globe. In fact, NDA has been the proud recipient of the Financial Times – RSG award 4 times in a row, (2014-2017) as the Most Innovative Indian Law Firm.

We are a trust based, non-hierarchical, democratic organization that leverages research and knowledge to deliver extraordinary value to our clients. Datum, our unique employer proposition has been developed into a global case study, aptly titled 'Management by Trust in a Democratic Enterprise,' published by John Wiley & Sons, USA.



## Research@NDA

Research is the DNA of NDA. In early 1980s, our firm emerged from an extensive, and then pioneering, research by Nishith M. Desai on the taxation of cross-border transactions. The research book written by him provided the foundation for our international tax practice. Since then, we have relied upon research to be the cornerstone of our practice development. Today, research is fully ingrained in the firm's culture.

Over the years, we have produced some outstanding research papers, reports and articles. Almost on a daily basis, we analyze and offer our perspective on latest legal developments through our "Hotlines". These Hotlines provide immediate awareness and quick reference, and have been eagerly received. We also provide expanded commentary on issues through detailed articles for publication in newspapers and periodicals for dissemination to wider audience. Our NDA Labs dissect and analyze a published, distinctive legal transaction using multiple lenses and offer various perspectives, including some even overlooked by the executors of the transaction. We regularly write extensive research papers and disseminate them through our website. Our ThinkTank discourses on Taxation of eCommerce, Arbitration, and Direct Tax Code have been widely acknowledged.

As we continue to grow through our research-based approach, we now have established an exclusive four-acre, state-of-the-art research center, just a 45-minute ferry ride from Mumbai but in the middle of verdant hills of reclusive Alibaug-Raigadh district. Imaginarium AliGunjan is a platform for creative thinking; an apolitical ecosystem that connects multi-disciplinary threads of ideas, innovation and imagination. Designed to inspire 'blue sky' thinking, research, exploration and synthesis, reflections and communication, it aims to bring in wholeness – that leads to answers to the biggest challenges of our time and beyond. It seeks to be a bridge that connects the futuristic advancements of diverse disciplines. It offers a space, both virtually and literally, for integration and synthesis of knowhow and innovation from various streams and serves as a dais to internationally renowned professionals to share their expertise and experience with our associates and select clients.

We would love to hear from you about any suggestions you may have on our research publications. Please feel free to contact us at [research@nishithdesai.com](mailto:research@nishithdesai.com).

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