



**Report On International Webinar On Trade Secretes: A Momentous Asset**

**On 12th December 2020**

**Organized by the DPIIT IPR Chair, WBNUJS**

**Facilitate By: The IPThink Tank**

**Preface**

Trade secrets are a very important part of any IP portfolio. It is no exaggeration to say that virtually every business possesses trade secrets, regardless of whether the business is small-medium, or large. Trade secrets are important, but often an invisible component of a company's IP portfolio of assets. However, trade secrets can also be the crown jewels within the portfolio. The laws governing trade secrets have recently been enhanced in many key jurisdictions. The number of trade secret disputes is increasing. There is growing interest in intangible assets including trade secrets by the tax authorities. By their very nature, collaborative or open forms of innovation involve the sharing of IP. In many instances, this IP is valuable business confidential information (ie, trade secrets).

**Topic and Speakers**

1. Trade Secrets & Trade Secret Asset Management-

Mr. Donal O'Connell, Adjunct Professor, Imperial College, London

2. Protection of Trade Secrets in India-

Mr. Adarsh Ramanujan, Independent Counsel, Supreme Court of India

3. Trade Secret as Capital Asset-

Mr. Subhadip Sarkar, Asian Vice President in Cognizant Technology Solution

4. Trade Secret in FinTech Industry-

Mr. Dinesh Jotwani, Co-managing Partner at Jotwani Associates

**Moderators of the Event**

1. Dr. Pinaki Ghosh, DPIIT IPR Chair Professor, WBNUJS, Kolkata

2. Dr. Jayanta Ghosh, Research Fellow, Centre for Regulatory Studies Governance and Public Policy at WBNUJS, Kolkata

**About the Webinar**

The inaugural speech was delivered by Dr. Pinaki Ghosh, DPIIT IPR Chair, WBNUJS. He highlighted the different aspects of Trade Secrets.

Mr. Donal O'Connell, Adjunct Professor at Imperial College, London, shared his experience on Trade Secrets the requirements of Trade Secret, and the legal challenges associated with it. He also shared some examples where trade secrets were applicable.

Mr. Adarsh Ramanujan, Independent Counsel, Supreme Court of India thought recognition of Trade Secret in India is Quasi the means as a concept it has been recognized in several statutes eg. Tax on sale/ License the real, the recognized exception in Right to Information Act etc. As per his experience, misappropriation of Trade Secret is enforced under equitable jurisdiction and as a breach of the contractual obligation or criminal remedies or under the Information Technology Act, 2000.

Mr. Subhadip Sarkar, Assistant Vice President, in Cognizant Technology Solutions discussed the Accounting Standard (AS) 26 and how it's important for use in the production or supply of goods or services, for rental to others, or for administrative purposes, IP value management of an organization.

Mr. Dinesh Jotwani, Co-managing Partner, at Jotwani Associates, discussed types of financial services industry regarding trade secrets, Epic v TCS, ways to protect trade secrets.

Vote of Thanks by Dr. Pinaki Ghosh, DPIIT IPR Chair, WBNUJS.