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Interview of Yashvardhan Rana: LLM From QMUL, Working at Inttl Advocare, and Career in IP

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Yashvardhan Rana is an associate at Inttl Advocare which is a leading IP law firm of our country. He completed his LLM in Intellectual Property from Queen Mary University, London.

*Yash has authored a book titled **Intellectual Property: Law and Society (2013)** and has been awarded as **Top 50 Emerging IP Players/Professional Award in the world - The IPR Gorilla, 2nd Edition, Dubai.***

Tell us about your law school experience (Both LLB and LLM)

Symbiosis Law School, Pune (2008-13) – Well, I wish I could travel back in time to be with my friends with whom I cherish fond memories. At the risk of stating the obvious, I would say I had the time of my life at this reputed law school – one of a kind in India.

Not only because Symbiosis Law, Pune is a very good academic institution, but especially the manner in which it embodies cultural diversity, an unrestricted environment to propel your thoughts with vigour and the open-mindedness to learn and unlearn that helped us to prosper in any task or activity we undertook, thus, assimilating loads of experience in the process over a period of 5 years.

I was an introvert before college; the place played an important role in shaping my individuality, ethics, and set of values. I particularly savour the amiable camaraderie, especially at display at our condos and college canteen (also the one at yards length from our college); all of us would bond together with our collaborative efforts through the chaos of cooking food, late-night banters, assignment submissions and last minute exam preparations.

I owe a lot of credit to these beautiful people for what I am today. On another note – I was active in sports, especially football. Additionally, I ended up interning with Senior Lawyers at the Delhi High Court and Supreme Court including with my father in addition to learning the ropes of

Intellectual Property Law under the guidance of Mr Amarjit Singh – renowned IP Litigator.

Also, I developed the habit of researching and writing for blogs and legal repositories, made it a point to read case laws and keep myself abreast of the latest developments and undertook various Diploma/Certificate courses to supplement my knowledge.

Queen Mary University of London (2015-16) – I met many people from diverse backgrounds and countries and also developed a deep insight into the workings of various legal regimes in different jurisdictions by interacting and learning from them.

However, I have, and shall always maintain unconditionally, that my year as an LL.M. student at QMUL was easily one of the best years of my life. It gave me a lot more than just a degree.

I had arrived to join a year-long course and to earn an additional qualification with incredible insights, priceless personal growth, lifelong friends, and long-lasting memories – be it starting from the cumberlodge trip, to various dinner receptions and balls, boat parties, fun and interactive study sessions at college libraries, strolling and spending time interacting students from different communities near the cafes in and around Lincoln’s Inn Fields before and after our lectures, spending time with my close buddies near the water canal inside the Mile End campus, learning from the very best of professors an institution can offer, being an Assistant Editor for the Queen Mary Journal of Intellectual Property (QMJIP) – everything was absolutely second to none.

When and why did you decide to pursue LLM from abroad?

After amassing adequate knowledge about the rudiments of IP Law and gaining a limited amount of experience in this area – my aim was to build up a sense of intellectual ability in me and arm myself with varied insights of analysis and develop a sense of multi-disciplinary approach in a diverse environment so as to enable my growth and broaden my perspective.

That is what I yearned to happen and become a part of a university to encounter the best minds engaged in immutable discussions whilst intrigued in understanding, not just the theoretical foundations of law and society but also its new and emerging trends.

Also, since I also had an inclination to pursue a specialization in Intellectual Property Law as this subject was not taught to us at an advanced level.

I applied to **LSE, UCL, Kings College London and QMUL** as I had always wanted to study in London being the commercial hub of the world (and also being familiar with the place since

childhood).

Luckily, I got through all of them, however, I chose to pursue an LL.M. in Intellectual Property Law from the Queen Mary University of London as the IP modules they offered catered to my needs and were being taught by the most renowned IP professors in the world back then.

We also had joint classes for our Trade Mark Law module which was taught by distinguished professors and practising lawyers along with the students from UCL, LSE and Kings at the Centre for Commercial Law Studies, Lincoln Inn Fields (belongs to QMUL) all under one roof.

Also, QMUL has been consistently ranked as one of the best universities in the world for Intellectual Property Law and to corroborate this fact the recently released **QS University Rankings includes QMUL in the Top 30 universities** in the world to study Law as a subject.

How was the application process?

Applying to the best of universities around the world can be a daunting task, however, I was fortunate enough to plan it in advance as it is important to chalk out a plan beforehand. I had always envisioned myself to study abroad and a sense of eagerness helped me to apply early on when the application process started.

I was well prepared with the Letter of Recommendations, finalized my statement of purpose after two-three initial drafts, shortlisted the colleges to apply by referring to trusted sources – both online and offline and making a shortlist of tasks to be completed before I embarked on this priceless journey.

Applying to an LL.M., whether in the UK, the US or elsewhere, requires some amount of dedication to craft and in connecting the dots.

The key is just to start early (by early I mean – at the very beginning) in the admission cycle – get the referees to send in their recommendation letters (from a notable professor, judge or your college principal – would go a long way) and the universities in India to send in the transcripts etc.

After that, it's about writing a solid statement of purpose. I think the SOP requires painting a vision about your future and how well you are aware of how to tread the path of endless opportunities without blinking your eye. Also, writing an SOP requires demonstration of a certain skill set, aptitude and coherence to be able to delineate and sell what you envision for in about 2-3 pages.

Did you take a consultancy service? How can law students navigate the process themselves and what are the benefits of a consultancy?

No, I did not take the help of a consultancy service or a consultant for that matter. I relied solely on my instincts, aptitude and awareness. Law students can make themselves aware by referring to all kinds of information on the internet especially from trusted sources.

Nowadays, everything is online – thus, one should inculcate an attitude of being curious and inquisitive and at the same time have their willingness to learn intact and in turn improve at every point during their law school or otherwise.

Smart workers always find a way to adapt to what's best for them. It's all out there – you should develop the right mind and rigour to navigate what's best for you at an opportune time. Develop the habit of reading, researching and writing from the very beginning and you'll find your way.

How would you compare the law school experience in India and Abroad?

All I can say is there is world of a difference when it comes to the teaching methods adopted by law schools abroad as compared to Indian law schools – they are much more engaging and involve a Socratic way of teaching rather than emphasizing on theoretical based rote learning methods which is sadly the case here in India.

There is much more emphasis on dealing with problems analytically to a situation based real-life practical world problems in foreign law schools which in turn equips the lawyer to face the legal world with much more panache and the required skill set.

Law schools here in India are soon catching up but to be the front runners in this aspect of teaching, a lot has to be achieved before we compete with foreign law schools or call ourselves world-class institutions.

We need to impart/incorporate practical real-life scenario setting/methods of teaching as part of our syllabus so that students can face the real world with much more confidence and in turn develop skill sets that are beneficial in the long run.

You work for one of the finest IP Law firms in the country. Tell us about a normal day at work, how does it look?

Being associated with one of the leading IP firms in the country, it is obviously very demanding — entailing challenging work assignments on a daily basis that push you to your limit.

However, it encourages you to calibrate, augment your skills, adapt and respond to newer challenges and opportunities every day. I am a part of the Trade Mark, Copyright and Design Prosecution team and contribute religiously to this firm practice for multinational corporations based abroad — and Indian clients across the board.

I am responsible for registrability analysis and risk management, providing legal opinion on the use, adoption and registrability of trademarks to be launched by Fortune 500 companies as well as top FMCG's in India.

I also advise on trademark protection strategies, copyright issues and specific assignments relating to Design Law, certain aspects of strategic brand management and advisory, IP auditing and due diligence to portfolio management, transactional advice and agreement drafting, permitted user/registered user records and other procedural compliances.

All this has to be executed in a timely and effective manner & to the satisfaction of our clients. I plan to make a mark here – however, let's see what the future has in store for me.

What are the benefits of working in IP Litigation/Prosecution in India?

There is an unlimited array of avenues concerning IP Litigation/Prosecution out there to gain expertise.

However, one must decide whether they want to go and argue before the court or tribunals almost daily, contribute their sweet time/long hours preparing for a case around the clock, researching various principles of law, analyzing and interpreting case laws on a daily basis.

In short, be on the move at least till 5-6 pm everyday having an all-round immersive experience with the tenets and applicability of law at the very forefront as part of your daily routine.

OR

Choose the transactional/advisory/initial preparation and execution of work ranging from providing legal opinion to clients, daily corresponding with clients, examining contractual disputes pertaining to assignments, licensing, etc., conducting the risk assessment, pre-filing searches and filing of applications, replying to office objections from registries.

Appearing before the registries and tribunals for hearings, preparing user affidavits and researching for evidence of use and case laws, monitoring publication of journals, renewals, preparing for oppositions if the need arises, restoration, rectification, etc.

Both of the options are highly in demand in India at the moment but all in all, it ultimately depends on the area of law that interests you the most and the kind of work you want to undertake which is suitable for you in the long run.

Do you think young advocates are underpaid in India? How can they tackle this barrier?

Yes, they are underpaid at the moment. But the situation is gradually improving considering there is a lot of room to cover. The system especially the big law firms and senior lawyers should make it a point to pay more to their young lawyers/juniors if they have the required skill sets and willingness to learn.

All young lawyers can do is to negotiate their salaries in consonance with the kind of efforts they put in and their smart work/inputs that they bring to the table. Competition is fierce, so one should focus on developing the required skill sets from the very start.

Make it a point to research, read a case law every day, interpret and analyze, be curious, make notes, etc. Do not get in the habit of hoarding for certificates or padding your CV without learning in the process and gaining some knowledge.

Merit, knowledge and your inner conscience will take you far and not shortcut learning or perception building as most young lawyers are up to these days. Start focusing on Legal Drafting, writing research papers, articles, start a blog or something, be innovative and make the most of the time you have been presented now.

Your future job recruiter will emphasize this aspect to see how committed, consistent and disciplined you setting you apart from the rest of the crowd. Act now or be left out.

How can young advocates make a career in IP?

Decide what suits you the most – being your own boss and starting from the very scratch or working in an already organized set up as an employee.

Any which way is suitable, however, it depends completely on the individual and his/her personality traits.

One can switch from Litigation to a corporate practice smoothly, however, it becomes a little cumbersome the other way around as you ought to develop the skills of networking, gain visibility, learn court craft, observe cases and resort to perception building, etc. from the very start if you choose to practice before the courts.

You are one of the Top 50 Emerging IP Players/Professionals in the world according to IPR Gorilla, Dubai. How did you steer your career from the beginning to reach here so early?

It feels good to be awarded alongside stalwarts and young professionals belonging to big law firms and renowned companies from the Intellectual Property law industry and allied fields such as Al Tamimi & Co., Clyde & Co., Reliance Industries, Micro Labs Ltd., Marks & Clerk, Spoor & Fisher, Infosys, Ferrero SpA to name a few.

I received this award based on having met five parameters, namely: Overall Reach, Industry Impact, Spirit of Innovation, Future Readiness and Market Demand. After careful consideration of submitted nomination forms — and extensive research, the awards committee rated me with a high aggregate score, ultimately including me in the final Top 50 list of awardees in the world.

This is just the start in the right direction; let's see what the future holds. I have had many struggles along the way but have overcome them by keeping the right amount of attitude, persistence, compassion and empathy, being curious every day, developing the habit of inculcating smart work in my daily life.

Everyone can learn the ropes of law and work hard, however, what sets you apart is your willingness to learn and improving yourself every day, being absolutely honest to your work, and applying and working upon your skill sets that you've learned in the process of becoming a lawyer.

You have published a book on IP, tell us about your book.

The book was prepared/written as part of a course on certificate course on research methodology I undertook back in the year 2013.

I was awarded a Gold Medal for the same. The book was launched by eminent personalities like Dr. Subramanian Swamy, Shri Prashant Bhushan, Shri Harish Salve, Shri Shailesh Gandhi and His Highness Sheikh Dr. Abdul Aziz bin Ali Al Nuaimi.

The main idea of the book was to provide all the relevant material supplementing to the connotation of a gamut of enlightening facts and varied perspectives about Intellectual Property Law prevalent in the modern developing society reaching out in stipulating the multi-faceted role that individuals or institutions have to play in shaping the untold story of the future in providing the framework to foster new products and cultivate new inventions that are instrumental in creating the next generation of jobs, investments and growth.

You also serve as an Editor of The Trade Mark Reporter, INTA. Please tell us more about this.

My work as an Editor entails peer reviewing and editing (including post-peer review/pre-publication polishing, soliciting and/or developing content, particularly full-length articles, liaising with and encouraging potential authors to contribute with articles, commentaries, book reviews, and more.

Attending sub-committee meetings focused on peer reviewer training and developing content both online and offline (post-COVID 19), writing commentaries and book reviews for publication in The Trademark Reporter has been a very stimulating experience.

What is your message to those looking to work in IP Litigation as a fresher?

It is advisable and not an absolute must – that you try your hand at experiencing Law being associated/working under a lawyer first (how its played out in real-life scenarios) so that you can get hands-on experience in the choice of your field – so plan accordingly and gain real-world experience in district/trial courts first in the area of law you're interested in.

Prepare and choose wisely.

Parting advice to our readers.

Most of them out there know more than me. So I would just like to reach out and use this platform to tell them a few things – **Don't chase people.**

Be yourself, do your own thing and work hard. Everything will follow. Your degree is just a piece of paper, your education is seen in your behaviour. Keep a positive mind and find and surround yourself with the people out there who have the same mission as you.

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