

Minutes

Mumbai MEETING OF THE BOARD OF DIRECTORS

Tuesday, November 18, 2008

3:00 pm – 5:00 pm

I. Call to Order/Representatives Present

PRAC Chairman, Patrick Sherrington (Lovells) called the meeting of the Board of Directors to order.

The following representatives were present during the Board Meeting or participated in the various activities during the conference including the Practice Group and Committee meetings, and other programme events:

Ali Budiardjo Nugroho Reksodiputro
Zacky Hussein

Allende & Brea, Argentina
Pablo Louge

Baker Botts – Houston
Blake Winburne

Brigard Urrutia - Colombia
Not represented

Carey y Cia - Chile
Jorge Carey

Clayton Utz, Australia
John Shirbin

Davis Wright Tremaine LLP – Seattle, Los Angeles U.S.A.
Dave Domansky, Bruce Johnson, Peter Parsons

Fraser Milner Casgrain - Toronto, Canada
Rick Scott; Peter Murphy

Gide Loyrette Nouel – Paris, France
Not represented

Goodsill Anderson Quinn and Stifel – Honolulu, USA
John Lacy

Hogan & Hartson LLP – Washington DC, Los Angeles, USA
Ray Batla

Hoet Pelaez Castillo & Duque - Venezuela
Not Represented

Kim, Chang & Lee, Seoul
Kyung-Joon Choi;

King & Wood - Beijing
Mark Schaub; Mark Schroeder; Wang Ling; Xu Ping

Kochhar & Co., India
Rohit Kochhar; Anjuli Sivaramakrishnan; Devika Singh; Preetam D'Souza; Harish Kumar; Syed Maqvi;
Surender Mann; Rupa Jacob

Lee and Li, Taipei
Joyce Fan

Lovells, Hong Kong
Patrick Sherrington (London); Tim Fletcher; Gabriella Kennedy

Luce, Forward, Hamilton & Scripps LLP – San Diego, Los Angeles, USA
Elizabeth Foster

Morgan, Lewis & Bockius LLP – San Francisco, Palo Alto, Los Angeles USA
Tom Kellerman (Palo Alto)

Mulla Mulla & Craigie Blunt & Caroe, Mumbai (Host Team)
Burjor Antia; Bakhtiar Bhesania Sharpurji; Yazdi Dandiwali; Eruch Byramsha Desai; Eban AK
Faizullahoy; Darius Kakalia; Tushar Mavani; Jehangir Mistry; Hoshang Nanavati; Dharmashinh Morarji
Popat; Shardul Thacker; Hormazdiyaar Vakil

Muniz Ramirez Perez-Taiman & Luna Victoria, Peru
Jorge Perez-Taiman; Mario Larrea (Ecuador)

NautaDutilh, The Netherlands, Belgium, Luxembourg
Chris Warner ; Jaap Stoop

Nishimura & Asahi – Tokyo
Takemi Hiramatsu

Pacific Rim Advisory Council, Toronto
Susan Iannetta

Richards Buell Sutton, Vancouver, Canada
Jeffrey Lowe

Rodyk & Davidson, Singapore
S. Sivanesan; Christopher Chong

Santamarina y Steta, Mexico
Not Represented

Simpson Grierson, New Zealand
Denis McNamara

Skrine, Malaysia
Chen Kah Leng; Wai Hong Leong; Vinayaga Rajaratnam

Sycip Salazar Hernandez & Gatmaitan, Philippines
Llewellyn Llanillo; Andres Sta Maria

Tilleke & Gibbins International Ltd, Thailand
Not represented

Tozzini Freire Teixeira e Silva, Brazil
Marcio Baptista

Wilmer Cutler Pickering Hale and Dorr, Boston USA
Richard Johnston

II. Approval of Agenda. The Chairman sought approval of the agenda for the meeting. Upon motion duly made, seconded, and unanimously carried, the agenda set forth in the conference materials was approved.

III. Approval of Minutes of Paris Conference

Upon motion duly made, seconded and unanimously carried, the Minutes of Paris 2008 meeting of the Board of Directors as set forth in the conference materials were approved.

IV. Chairman's Report

The Chairman commented generally on the strengths of PRAC, of its attractive membership size and relative intimacy of the membership and the high level of participation by delegates in the conference proceedings.

1. Mulla & Mulla & Craigie Blunt & Caroe

The Chairman reported on the comments he had received with respect to the Paris Conference and the professional contributions by the Host Firm to every aspect of the Conference.

Following discussion and upon motion duly made, seconded and unanimously carried, the following resolution was adopted:

WHEREAS the law firm **Mulla & Mulla & Craigie Blunt & Caroe** is a founding member of the Pacific Rim Advisory Council; and

WHEREAS, the success of the 44th^d International Conference of the Pacific Rim Advisory Council has been specifically due to the efforts and enthusiasm of the entire **Mulla & Mulla & Craigie Blunt & Caroe** firm who have dealt patiently with the countless details and complexities of hosting an International Conference and, in particular the Host Committee Members:

EAK Faizullahoy
BS Bheshania
YP Dandiwalla
Shardul Thacker
Hormazdiyaar Vakil
Cecelia D'Mello
Nilesh Parekh
Dhwani Shroff
Abhinav Bhushan

RESOLVED that the Pacific Rim Advisory Council extends **Mulla & Mulla & Craigie Blunt & Caroe** its deepest gratitude for planning and hosting the 43rd International Conference in Paris.

RESOLVED that the Pacific Rim Advisory Council extends to **Mulla & Mulla & Craigie Blunt & Caroe** its best wishes for continued success; and that the original of this resolution be presented to **Mulla & Mulla & Craigie Blunt & Caroe** with commendation and honours; and that a copy of this resolution be maintained in the archives of the Pacific Rim Advisory Council.

V. Practice Group Recommendations.

1. Banking & Workouts
2. Corporate Commercial - Business Investment & International Trade Practice Group
3. Intellectual Property & Licensing
4. Dispute Resolution Practice Group (covering Litigation, Arbitration & Alternative Dispute Resolution)

Members were invited to contribute to future conferences by way of speaker participation and also to provide comments/feedback/suggestions in the Post Conference Survey..

VI. Financial

Finance Chair Ray Batla reported on the 2008 Estimated 4th Quarter and Proposed 2009 Budget. Upon motion duly made, seconded and unanimously carried, it was:

RESOLVED that the Board of Directors approve the 2008 Estimated 4th Quarter and Proposed 2009 Budget.

VII. Membership Committee (as reported by Patrick Sherrington for Membership Chair Jorge Carey) Patrick Sherrington reported that the Committee had received inquiry for consideration of a member from Central America and that following the committee's further deliberations, will report on its activities at the next Board Meeting.

VIII. Policy & Planning Committee – Chair, Ray Batla

Chair Ray Batla commented on the positive comments by members on the Mumbai Conference and in particular, that our Host Firm was well represented at all times, allowing for many of us to meet most, if not all members of the Mulla law firm.

Members were also reminded to continue submitting contributions to the ongoing Referral Initiative and database. Referrals in this instance include secondments; office visits; invitations or phone calls regarding events, introductions, client referrals and /or contacts made between member firms.

IX. Conference Committee

2009 April 25-28 Boston (as reported by Patrick Sherrington for WilmerHale's Richard Johnston). Patrick Sherrington reported on the initial undertakings of WilmerHale and referenced the Formal Invitation Packages distributed as part of the Delegate Materials. Registration is now open and Delegates were asked to visit the Conference link at the PRAC website. The Business Agenda will include a Public Seminar and is expected to feature a special PRACTice Management Session facilitated by Harvard Law School's Leadership for Law Firms education series.

2009 October 17-20 Beijing. King and Wood will host in Beijing next October. Preliminary information and an Invitation Package will be available at the PRAC web site prior to and distributed at Boston's Conference.

Mexico City (April-May 2010) and Kuala Lumpur (Oct-Nov 2010) have been provisionally added to the Suggested Future Conference Schedule. Further dates will be reviewed with a view to incorporating newly admitted member firms and in keeping with the hosting rotation of all member firms.

XI. Adjournment.

There being no further business to discuss the Board Meeting then adjourned and the Mumbai 2008 Conference closed.

Attest:

Patrick Sherrington
PRAC Chairman – Lovells

Susan Iannetta
Director, Pacific Rim Advisory Council - Toronto

Minutes

Intellectual Property and Licensing Practice Group Meeting Held November 17, 2008, Trident Hotel, Nariman Point, Mumbai, India

Jeffrey Lowe (Richards Buell Sutton) and **Takemi Hiramatsu** (Nishimura & Asahi) co-chaired this meeting.

The panel discussed IP related issues in connection with outsourcing of developments of IT assets. Following the introductory and opening remarks made by Takemi Hiramatsu, the following three speakers made their respective presentations from different perspectives:

- **Jeffrey Lowe** (Richards Buell Sutton) who made a presentation, addressing IP/IT concerns from the hiring side perspective and discussing various means of protecting IPs and interests of the hiring side in IT outsourcing.
- **Mr. Rohas Nagpal** (President, Asian Schools of Cyber Law) who made a presentation, especially focusing on the Information Technology Act of India as a means of coping with IP related issues involved in IT outsourcing.
- **Yazdi Dandiwala** (Mulla & Mulla & Craig Blunt & Caroe) who made a presentation, focusing on enforcement issues as also on the concerns of the Indian IT companies and the options under Indian law as they related to IT outsourcing.

In relation to the presentations, some interactive discussions were made with a number of questions and comments from the attendees being answered or commented by the speakers.

Finally, the session was concluded with the speakers being thanked by the co-chairs.