



Sharan H. Jagtiani SA*

Year of call: 2000 | Silk: 2020

Email: sharan.jagtiani@39essex.com

"Sharan Jagtiani enters the rankings in recognition of his thriving practice before the Bombay High Court. He handles a range of commercial work, including securities litigation and real estate disputes." Chambers, Asia-Pacific 2023

"He is one of the busiest Senior Counsels in Bombay and takes on some of the best matters." Chambers, Asia-Pacific 2023

Sharan appears primarily in the Bombay High Court and regularly in domestic and international arbitrations. He also appears before other tribunals such as the National Company Law Tribunal and the Securities Appellate Tribunal. Sharan was designated as a Senior Advocate in 2020 and has achieved this distinction at the very early age of 42.

He has been frequently appointed by the Bombay High Court as amicus curiae to assist in matters of public importance or where substantial questions of law have arisen. Sharan has about 14 amicus curiae appointments on various questions of public / writ law and commercial law to his credit.

As of July 2023, Sharan has close to 140 reported judgments to his credit as arguing counsel and about 252 reported judgments in total (excluding arbitral awards). These span across varying fields of public/constitutional law, civil and commercial laws, personal laws and environmental disputes etc. Sharan also regularly appears as counsel in international arbitrations seated in various jurisdictions.

Sharan has also been appointed as an arbitrator in various commercial disputes by the Supreme Court and the Bombay High Court.

Areas of expertise

Alternative Dispute Resolution – Domestic and International Commercial Arbitration

Commercial Contracts

Indian Company and Insolvency Law

Administrative and Public Law (India)

Intellectual Property Law

Securities Law

Environment Law

Testamentary and Succession Litigation

Intellectual Property Law

Sharan appears in several intellectual property disputes across patent, trademarks, copyright, and design law.

- Appeared in a patent infringement claim made by the proprietor of a patent which rapidly detects and prevents fire in electric transformers used by power generation and transmission companies
- Appeared in a trademark infringement dispute between two financial technology unicorns relating to the mark of their payment gateway services
- Appeared in a trademark infringement dispute between distillers of whiskey
- Appeared in a trademark infringement and passing off dispute between an entertainment services business and a entertainment driven social media networking platform who has adopted a phonetically similar mark
- Appeared in a trade mark dispute concerning a well-known mark of a popular restaurant in South Mumbai
- Appeared in copyright infringement suits filed against lounges and hotels by owners / assignees of public performance rights in songs assigned by various music labels. The larger issue / point of law involved is whether such assignees can conduct such business of issuing licenses without being registered as a copyright society
- Appears in a design infringement claim made by a leading manufacturer of shavers and trimmers against another established Indian brand
- Appeared in various copyright infringement claims filed by authors of copyright in a variety of works against producers of cinematograph films and works on OTT platforms such as Netflix, Hotstar etc.
- Appeared in copyright infringement action filed by the author of the script of a popular cinematograph film against the remake of that work
- Appeared in a copyright infringement action filed by the author of a book challenging the cinematographic adaptation of the work in a Bollywood movie. The judgment analyzes the idea-expression dichotomy, the scènes à faire doctrine
- Appeared in a copyright infringement action filed by the author of a script against the producers of a Bollywood film where the allegation is that the script was shared in confidence and the movie is unauthorizedly based on that script

Recommendations

- *"Sharan Jagtiani enters the rankings in recognition of his thriving practice before the Bombay High Court. He handles a range of commercial work, including securities litigation and real estate disputes."* Chambers, Asia-Pacific 2023
- *"He is one of the busiest Senior Counsels in Bombay and takes on some of the best matters."* Chambers, Asia-Pacific 2023

Additional Informations

Appointments

- 2008 to 2023: Appointed as amicus curiae in 14 matters by the Bombay High Court. 2000 to 2023: Appeared on retainer (till 2010) and thereafter on pro-bono basis in all environment matters, matters

of public importance, and court referred mediations.

- 2000 to 2023: Appointed as Arbitrator in more than 15 references.
- Trustee of an education trust established in the name of Sharan's late maternal grandfather. The trust participates in several educational activities like co-sponsoring an international moot court competition since the year 2000 with the Government Law College, Mumbai.

Language

- English
- Spanish

Judgments

A detailed list of reported / reportable judgments in which Sharan has appeared as arguing counsel or as assisting / junior counsel across all courts and tribunals (excluding arbitration) can be accessed at [here](#).

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

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clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com