



# **Cyberjure Legal Consulting**

**Simplifying Cyber Law**



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# Our Specializations



## **1. Intellectual Property Rights in Cyberspace and Digital media**

- a. Trademark issues and Domain name disputes in cyberspace
- b. Copyright issues of digital content and software
- c. Intellectual Property Rights Enforcement by litigation and Raids to forfeit infringing material.
- d. Metatagging issues in cyberspace
- e. Cybersquatting issues in Cyberspace
- f. Linking issues in Cyberspace

## **2. Cyber Crime Cases**

- a. Cyber Crime Litigation before Adjudicating Officer, Cyber Appellate Tribunal and High Court (Appeal matters).
- b. Information Technology Law compliance Advice and GAP Analysis
- c. Intermediary Guidelines Compliance
- d. Reasonable Security Practices Compliance
- e. Pre-litigation handling of Digital evidence and preparation of the same for production in Court of Law
- f. Digital Evidence

## **3. E-Commerce Cases**

- a. Drafting of Terms and Conditions, Privacy Policy, Disclaimer, Vendor Agreements, Technology Transfer Agreements, Data Transfer Agreements and Intellectual Property Rights Assignment Agreements.
- b. E-Commerce Compliance with respect to Section 43A of Information Technology Act.
- c. Legal Advice with respect to Taxation and legality of Business Strategy in cyberspace.

## **4. Online Gaming Laws**

## **5. Online Pornography Laws**

## **6. Cryptocurrency & Blockchains**

## **7. Smart City Cyber security legal compliance**

## **8. IoT legal compliance**

## **9. Privacy Law Compliance**

## **10. Digital Entertainment Legal Compliance**

## OUR FOUNDER

Advocate Puneet Bhasin is a Cyber Law Expert practicing in Mumbai in matters involving Cyber Crimes, E-Commerce and Intellectual Property disputes in cyber space along with advising Online Gaming companies/ Content based Mobile Apps and Set Top boxes, Payment on Demand Video providers about the legalities of the same.



A major part of her practice consists of advising Movie Producers and other Online Content broadcasters with respect to legalities with respect to cyber laws and Intellectual Property laws involved in content dissemination, and drafting agreements and compliance structuring for International data dissemination along with data/ content dissemination through various digital media within Indian jurisdiction like mobile apps disseminating movies, songs and television serials. A substantial part of her practice consists of advising with respect to Information Technology Law compliance and drafting the Privacy Policies, Terms & Conditions, etc. of E-Commerce Companies, and she is a retainer with a diverse variety of E-commerce companies. She represents major Nationalized banks in Cyber Crime complaints filed against them and regularly assist them in dealing with online financial scams, and is on the Panel of Punjab National Bank for all their cyber security, data privacy and cyber crime matters. She also has vast experience in formulation and drafting of Information Security Policies and Bring Your Own Device Policies for Companies. Have conducted Information Technology Law Compliance Audits, Privacy Law Compliance Audits, IoT Privacy compliance Audits for MNCs and Major Government organizations. She had the opportunity to advice the Rajya Sabha Committee on reforms in Cyber Pornography Laws in India and has thereby helped formulate the current law in India on Online Pornography.

Also, in recent times she has advised nationalized Banks with whom I am empanelled on various legal aspects and implementation of Cryptocurrency and Blockchains. Advised many Cryptocurrency start ups and Fintech Companies on the nuances of Technology laws in India.



# Cyber Crime Cases

We handle the pre-litigation in-house company investigation and also litigation involved in Cyber crime matters. Recent Statistics Recent statistics have shown a 207% rise in Cyber Crimes in India in 2014-15 and in Online Banking Scams, India has an estimated 48 million victims proving India to be the third largest target for Cyber Criminals.

- Cyber Defamation
- Online Matrimonial Scams
- Credit Card Frauds
- Fake Social Media Profiles
- Unauthorized Access
- Email Bombing
- Cyber Pornography
- Fake Social Media Profiles
- Unauthorized Access
- Email Bombing
- Cyber Pornography
- Key logger Attacks
- Web defacement
- Cyber Squatting
- Cyber Stalking
- fishing Scams
- Online Bank Fraud
- Hacking
- Cyber Bullying
- Email Scams
- Phishing
- Denial of Service Attack
- Trojan Attacks
- Web jacking
- Virus/Worm Attacks
- Social Engineering
- Intellectual Property Crimes



# Internet Of Things (IoT) Laws

With the advent of Smart Technology and Machine-to-Machine Communication which is nothing but the Internet of Things, there are a large number of legal issues which have to be addressed by the IoT Companies and multiple compliances needed from their end. Within the ambit of IoT Companies both Data Controllers and Data Processors. We are the only Law firm in India practicing in this new-age area. We have Prominent IoT Engineers on our Panel who plays a key role with our legal team to ensure complete IoT Legal Compliance from the stage of design to manufacture.

## The main legal issues for IoT Companies are:

1. Liabilities of Data Processors because of Non-compliance of Privacy laws and Information Technology laws and Rules.
2. Liability for acts of Sub-processors appointed by Data Processors.
3. Liability of Suppliers in handling Personal Data and Compliance with Privacy Regulations.

**We enable IoT Companies to comply with the laws and address all above mentioned legal by enabling them to implement the following:**

1. Privacy Impact Assessment
2. Information Technology Law Compliance Audit
3. Implementation of Privacy by Design and a Privacy by Default.
4. Adoption of Security by Design Methodology.



## DATA PRIVACY AND COMPLIANCE

We conduct Data Privacy Compliance audits for Companies handling personal information and sensitive personal information of customers or employees. The Information Technology Act imposes heavy penalties on Corporate Companies in the event of failure to protect sensitive personal data of customers and employees. We advice in this domain and have assisted many Corporate Companies in formulating their data privacy policies. We have also

worked extensively in protection of Employee privacy along with protection of confidential Corporate data through BYOD (Bring Your Own Device) Policies and MDM (Mobile Device Management) Policies.

Under the Information Technology Law, a Company is exposed to liability over Rs. 5 Crores in case of a data breach and we help mitigate this risk through Privacy Law Compliance Audit and Compliance advice.





# SMART CITY LEGAL COMPLIANCE

We are the only Law Firm in India with Capabilities and Vast Experience in the Specialized domain of Legal compliance for Smart Cities. We enable Companies in Implementation, Design or Strategy of Smart Cities be fully Legal Compliant. Companies in this space face conflict of competence with as well as legal restrictions in areas that are strictly regulated such as Energy market, Competition, Procurement and State Aid Rules.

Smart Cities are connected with usage of vast amount of data in keeping with development of technology and innovations. We enable these Companies to comply with laws on protection of personal data along with the Intellectual Property Laws. From basic stages of drafting the Agreements between the Stakeholders to actual Cyber security

implementation with Cyber law Compliance for these Companies, we provide Comprehensive legal services covering every aspect of Smart City implementation. We also have on our Panel prominent

## **We Provide the following Legal Services for Smart Cities:**

1. Regulations pertaining to Innovation and Communication Technologies.
2. Data Protection Laws and Compliance.
3. Privacy Laws
4. Cyber Security and Information Technology Law Compliance.
5. Environment Protection Legislation.
6. Intellectual Property Rights Compliance and Licensing.
7. Banking and Finance Laws.
8. Procurement Rules.
9. Laws regulating Energy.

## SMART CITY BACKGROUND



# INFORMATION TECHNOLOGY LAW COMPLIANCE AUDIT & CYBER RISK ASSESSMENT WITH CYBER DISASTER MANAGEMENT

We are the only organization in India offering a comprehensive Information Technology Law Compliance Audit. This audit would enable you to know the level of risk and compliance your organization currently has. Post the audit we also give recommendations for complete compliance and risk mitigation. We provide Cyber Threat Intelligence services for our corporate clients to enable them to combat the growing cyber crime threats.

We also provide the service of drafting of Cyber Disaster Management Plans after Cyber Risk Assessment along with the implementation of this plan in case of such inadvertent situation. As a part of such plan we also undertake basic Cyber Forensic and Preservation of Digital Evidence Training for key employee of our clients to enable them to effectively handle such a disaster.



# E-COMMERCE LEGAL COMPLIANCE

We are legal advisors to many leading E-commerce companies in India and the scope of services provided by us in this domain encompasses:

## 1). Structuring Your E-commerce Business

We advice you as to the best structuring of Your E-commerce business with due consideration to the Exit strategy You have in mind and the investors You wish to attract.

## 2). Privacy Policy

We draft the Privacy Policy based on the nature of Your E-commerce Business and the nature of User data collected by your portal.. You need to have a well drafted privacy policy to prevent you from being sued under Section 43A of the Information Technology Act, 2000 where the penalty that can be awarded against an E-commerce portal is upto Rs. 5 Crores.



## 3) Vendor Agreement

This is the foundation of the Vendor–Portal relationship in a Market place E-commerce model. It has well-defined clauses to deal with default, delivery, quality, termination and commission among the many other major provisions which are drafted by us keeping in mind the business model of Your E-commerce venture.

## 4) Terms and Conditions

This is the Bible of Your E-commerce portals and its clauses have to reduce your liability in every way for vendor non-performance. It has to be comprehensive and cover every aspect of the contractual relationship existing between You and the Customer.

## 5) User Agreement

A user agreement is drafted by us in a manner to ensure that a User's rights are preserved and also, the liability of the E-commerce portal is restricted due to its status of being an Intermediary under Information Technology Act, 2000.

## 6) Data Security

We advise and implement data security mechanisms for E-commerce portals to ensure compliance with Data Security Rules, failure on the part of an E-commerce portal to comply with the same renders them liable to pay penalty upto Rs. 5 Crores.

## 7) Taxation in E-Commerce

Depending on the business model, the founders of an E-commerce venture should focus on the taxation aspect too. Though, this is still a developing area of law in India, but still there are certain taxation compliance that apply to E-commerce ventures and non-compliance renders them liable.





## TRAINING MODULES

Our Company is actively involved in training endeavors in the Technology law space and we have conducted training sessions for Banks, C-Suite executives of leading MNCs and Indian Corporate Companies.

**We have Training Modules in the following subjects:**

- 1) E-commerce Laws/Compliance
- 2) Cyber Crime Laws in India
- 3) Technology Laws in India
- 4) FinTech Laws
- 5) Artificial Intelligence Laws
- 6) Privacy Law and Compliance
- 7) Online Gaming Laws
- 8) Social Media Laws
- 9) Healthcare in Cyberspace Laws
- 10) Smart City Legal Compliance
- 11) IoT Laws



## **Contact Us**

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