I N T E R N A T I O N A L  T R A D E ( W T O )  L A W S
A N D  P O L I C Y & A D V I S O R Y  P R A C T I C E
International Trade (WTO) Laws and Policy & Advisory Practice

Luthra & Luthra Law Offices is a ‘full service’ premier national law firm with 54 partners and over 250 counsels, and offices in New Delhi, Mumbai, Bengaluru and Hyderabad in India. The Firm has been consistently rated in Tier 1.

The International Trade (WTO) Laws and Policy & Advisory practice group at Luthra & Luthra Law Offices is recognized by Chambers and Partners and The Legal 500 as one of the leading practice groups in India in this area. As quoted in Chambers Asia Pacific, “Luthra & Luthra is a well respected firm and its international trade practice has excellent performance”. The services offered by this team include the practices of the International Trade (WTO) group and the Policy & Advisory group.

The International Trade (WTO) group provides assistance in trade remedial investigations such as anti-dumping, safeguard and countervailing duties, and appears regularly before different fora such as the Directorate General of Anti-dumping, Directorate General of Safeguards, the CESTAT, High Courts and Supreme Court of India. It has also successfully represented Indian exporters in trade remedial investigations before the European Commission. The practice group has also represented the Government of India in the capacity of exclusive legal counsel in international trade disputes before the WTO Panel and Appellate Body, and regularly advises various departments of the Government of India on WTO policy matters.

The Policy & Advisory Group specialises in areas where the regulatory framework is still developing or is fast-changing, and works across industry sectors including Information and Communications Technology and Electronics, Environment and Energy. The services provided span both legal and policy advisory, and include watch and monitoring services; assistance with regulatory interactions such as stakeholder consultations, public hearings, open houses, and policy discussions; strategic policy advisory and risk mitigation; alliance and consensus building, representation at industry associations/ chambers. It also addresses internal policy adaptation requirements of the client, focused on understanding existing public policy positions of the client in other markets, and modifying such policies for Indian requirements. It assists in outreach management, and also provides support in preparing concept notes, commissioned whitepapers, drafting media briefs on policy matters, organising workshops and seminars, and in conducting in-house training on government affairs and public policy.
Santanu Mukherjee is a Partner in Luthra & Luthra Law Offices and leads the practice in International Trade / WTO laws and Policy Advisory of the firm. The team addresses different trade remedies and trade policy issues, environment regulatory matters and public policy advisory.

Before joining Luthra and Luthra Law Offices, he was associated with the Legal and Government Affairs department of Qualcomm, a California-based fortune 500 company, based at their Delhi office. Earlier he worked on Policy Research at the Max Planck Institute for IPR & Competition Laws in Munich, Germany and also at the South Centre Secretariat, Geneva on Policy Research and Advocacy. He started his career as an advocate at the Calcutta High Court working with some of the leading Law firms and Intellectual Property law firms in Kolkata. As the consulting legal advisor to ITAG Business Solutions Ltd., he helped the promoters to institutionalise and operationalise the knowledge process outsourcing (KPO) company based in Kolkata.

With two decades of experience, the last 15 years, Santanu has been actively involved in different Trade, IPR and Regulatory Policy issues, working both on research and strategic advocacy at the global and national level. His recent works in the WTO domain focused on critical analysis and advisory on GATT, GATS, TRIPS, TBT addressing market access issues, standards and technical regulations, intellectual property rights (IPR), including specific market access and compliance issues. His previous works also dealt in TRIPS and pharmaceutical patents, parallel imports and geographical indications.

As a legal practitioner, he was engaged in brand protection and
technology licensing. Later, on IPR policy work, he played a significant role on addressing patent protection for computer related inventions in India. He has also contributed actively to the technology-transfer negotiations at different Climate Change conferences as a lead member of the business delegation of the World Business Council of Sustainable Energy (WBCSE). Recently he has been involved in IPR Policy debate on Standards Essential Patents (SEP) and was one of the lead IPR Policy negotiators at the Telecom Development Society, India (TSDSI), a Standards Development Organisation (SDO).

Santanu contributes extensively in Legislative and Regulatory Policy making in India with diverse focus that includes issues like Competition (Antitrust), Standards, Technical Regulations and Conformity assessment, Clean energy issues involving E-waste, Hazardous waste, treatment of refurbished imports, etc., Information and Communication Technology (ICT) issues including Privacy, Encryption, Cloud-computing, Security testing and CCRA compliance; Internet governance.

He obtained his LL.B. from Calcutta University and Masters in International Law and Economics (M.I.L.E.) from the World Trade Institute, Switzerland. He had been a British Chevening Scholar for Young Indian Corporate and Commercial Lawyers at The College of Law, York, UK. He was also attached to Littleton Chambers, Inner Temple, London UK as a visiting lawyer in 2000 and interned with the IPR & Competition Division of the WTO Secretariat in Geneva, Switzerland in 2001.

Santanu is a regular speaker at national and international forums on different policy issues and has held leadership positions in different professional and industry bodies. He is the IPR Chair of Indian National Bar Association (INBA) and has been the immediate past chairman of the National Committee of WTO and International Trade at the Associated Chambers of Commerce (ASSOCHAM) of India. He is also a member of the International Bar Association.
Nawneet VIBHAW
Managing Associate

Nawneet Vibhaw is a Managing Associate in Luthra & Luthra Law Offices. He specializes in environmental and regulatory practice and advises clients on diverse environmental issues in various sectors like automobile, pharmaceutical, real estate and oil and gas regularly. He also provides legal assistance concerning environment impact assessment, forest clearance and consents from the pollution control boards and has been representing the clients in environment-related disputes at the National Green Tribunal.

Before joining Luthra & Luthra Law Offices, he worked with AZB & Partners, and Trilegal at their Mumbai offices. He has been actively involved with projects, research and capacity building initiatives in Environmental Law and Energy Law and Policy in India. Nawneet has also been consulted by the Central Pollution Control Board, New Delhi as an expert and served as a legal advisor to Envirta, a prominent environmental consultancy firm in New Delhi.

A distinguished academic, Nawneet is an alumnus of NALSAR University of Law, Hyderabad. He received the Environmental Ambassador Scholarship for the LL.M. and specialised in Environmental Laws at Lewis & Clark Law School, Portland, USA, which is ranked consistently as the best Environment and Natural Resources Law Programme in the United States. He taught Environmental and Energy Law and Policy at National Law University Delhi and Jindal Global Law School for five years. He also delivered lectures on environmental mediation and negotiation at National Law University Bangalore.

He has spoken on environmental issues at global fora in USA, Germany, Belgium, Australia, Philippines, Spain and authored a book on Energy and Policy in India by LexisNexis. He is a member of the International Union for Conservation of Nature (IUCN) World Commission on Environmental Law and received fellowships from BELSPO, UKIERI, Robert Bosch Foundation and MoEF. In March 2015, he received the Asian Development Bank’s Environmental Law Champions Development Award in Manila.
Vinay Kesari is a Senior Associate in the Policy & Advisory practice at Luthra & Luthra, where he specialises in Information and Communications Technology (ICT) law and policy, and advises on a range of cyber, telecom and other issues. The Policy & Advisory practice at Luthra & Luthra works on cutting edge issues across a range of sectors where regulatory frameworks are still evolving, and is one of the first teams of its kind in India.

Among other clients, he has advised 2 out of the top 5 global internet companies on issues including intermediary liability, online content regulation, media and broadcasting laws, lawful interception and monitoring (LIM), telecom licensing and regulation, net neutrality, and privacy & data protection. He has also advised major Indian and foreign telecom companies on cutting edge issues such as M2M policy, VoIP and encryption.

He has specific expertise in global internet governance issues, and has experience with multi-stakeholder processes at ICANN and the UN Internet Governance Forum. He was a panelist on the issue of ‘Technologies and Policies to Connect the Next Five Billion’ at the 2014 IGF in Istanbul. He helped found the Indian chapter of Society of Satellite Professionals International (SSPI), and has advised on Indian space and SATCOM laws/policy.

In the past, he has worked with the General Corporate and Structuring team, dealing with both transactional and regulatory matters. On the transactional side, he worked primarily on PE transactions, as well as listed M&A transactions. His experience includes a USD 300 million investment by Blackstone Group in the power sector.

On the advisory side, his previous experience spans areas including securities laws, anti-corruption laws, and foreign investment laws. He has interacted with regulators including the RBI and SEBI, and his experience includes FCPA investigations.
Ashish CHANDRA
Senior Associate

Ashish Chandra is a Senior Associate in the International Trade (WTO) practice group of the Firm where he specializes in laws related to World Trade Organization (WTO) agreements and other trade related issues.

Ashish most recently represented the Government of India as a lead counsel before the WTO Appellate Body in an appeal against the Panel report in the WTO dispute India-Agricultural Products (WT/DS430) and had earlier represented India before the WTO Panel in this dispute.

Mr. Chandra’s policy experience includes advising the Government of India, Ministry of New and Renewable Energy on India’s renewable energy policies and Ministry of Commerce on different trade matters. He has also advised the Ministry of Information and Communication Technology on WTO compatibility of policies on government procurement of high end electronics products. He was part of the team which advised the Ministry of Commerce on WTO compatibility on agricultural subsidies maintained by various countries.

He regularly represents clients on antidumping and safeguard duty investigations before the DGAD and DG Safeguards and has also appeared before the appellate forum including the Hon’ble CESTAT and Hon’ble Supreme Court of India. Some of his recent representations include a leading exporter of carbon black from Korea RP along with the Indian importers, before the DGAD in anti dumping investigation resulting in termination of investigation. He has recently advised the Government of India on a countervailing duty investigation initiated by the European Commission against import of Ductile Iron pipes from India. He also regularly advises embassies of different governments based in India on trade remedial investigation initiated by India against other countries.

Ashish has taught courses on Indian trade laws and remedies at the Institute of Chartered Accountants, Noida. He is also a jurist member and sits on panels of Trade Law moots on international trade law subjects in India.
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