# COLLOQUIUM ON COMMERCIAL LAWS FOR HIGH COURT JUSTICES (P-1009)

### TABLE OF CONTENTS

#### SESSION 1 ADDRESSING TAX LAWS RELATED CHALLENGES OF DIGITAL ECONOMY

_ <u>*</u>	ADDRESSING TAX LAWS RELATED CHALLENGES OF DIGITAL ECONOMY				
		Pg. No.			
I.	Legal and Taxation Issues concerning E-Commerce, by Gopal Saxena				
	E-Commerce Business Models	OI			
	Indian Laws on E-Commerce				
	• Taxation Issues				
	• Legal Issues				
	Policy Concerns				
2.	International Taxation in the Digital Economy: Challenge Accepted?, by Marcel				
~.	Olbert & Christoph Spengel	21			
	OECD Views on challenges of Digital Economy	,			
	Proposals to tax Companies in Digital Economy				
	Digital Business Models, Value Creation and Tax challenges				
	Meeting Challenges				
3.	PROPOSAL FOR EQUALIZATION LEVY ON SPECIFIED				
	TRANSACTIONS				
	(Report of the Committee on Taxation of E-Commerce) February, 2016	63			
	Prepared by the Committee on Taxation of E-Commerce formed by the Central Board of Direct Taxes, Department of Revenue, Ministry of Finance, Government of India				
	Digital Economy: Current Status and Growth Prospects				
	Tax Challenges from Digital Economy				
	Broader Tax Challenges related to nexus and characterization of Income from				
	Digital Transaction				
	International Literature on taxation of Digital Economy				
	Options to address broader tax challenges of Digital Economy in the Indian				
	Context				
4.	Landmark International Tax Cases decided by Indian Judiciary-				
	Vodafone and its legacy				
	• Royalty & Fees for Technical/Included Services	137			
	Payment towards provision of International Private Leased Circuit				
	Payment made towards the transfer of right to broadcast live matches				
	Liaison offices  Print Offices				
	Project Office and PE				

		1			
	Branch Office and PE				
	Petition in respect of rulings by AAR				
5.	Judgments on Tax Law Related challenges of Digital Economy by National				
	Judicial Academy	167			
	CHOOLON				
	SESSION 2				
	INTELLECTUAL PROPERTY RIGHTS: GENESIS, BENEFITS, IMPORTANCE	<u>CE</u>			
		Pg. No.			
т	The Universality of Intellectual Property Rights: Origins and Development, by	rg. 140.			
I.	Dr. Peter Drahos	183			
		103			
	Definition of Intellectual Property Rights  Listen of Intellectual Property				
	History of Intellectual Property  The state of the s				
	• Territorial Period				
	International Period				
	Global Period     Thype				
	Post TRIPS				
	Right of Property and Intellectual Property				
	<ul> <li>Intellectual Property Rights: Universally Recognized or Universal Rights?</li> </ul>				
2.	Socio-economic benefits of Intellectual Property Protection in Developing				
	Countries by, Shahid Ali Khan	209			
	Intellectual Property System-A Catalyst of Development				
	• Intellectual Property- Its main branches, Role and Importance in Socio				
	Economic Development				
	Economic Value of effective protection of Intellectual Property				
	SESSION 3				
INT	ELLECTUAL PROPERTY RIGHTS REGIME IN INDIA: GOVERNMENT PO	<u>LICIES</u>			
	AND PRACTICES				
	T. H. ID. DIE DE LETE CO. DE LE L	Pg. No.			
I.	Intellectual Property Rights Regime in India: Government Policies and				
	Practices: Creative India; Innovative India, by Cell for Intellectual Property	261			
	Rights Promotion and Management (CIPAM)				
	SESSION 4				
	ROLE OF JUDICIARY IN EFFECTIVE ENFORCEMENT OF INTELLECTUA	AL			
	PROPERTY RIGHTS				
		Pg. No.			
I.	Role of Judiciary in IPR Development and Adjudication, by Justice R.C. Lahoti	_			
	Definition of Intellectual Property	295			
	Changes in IPR Laws				
	Economic Importance of IPR				
	Duty of Courts				
L	Sury of Source				

	Due Regard to International Law	
	Need of a balanced approach	
	Role of Judiciary in Effective Protection of Intellectual Property Right, by	
•	Justice R.K. Abhichandani	301
	Equality: A Constitutional Promise	)-1
	Constitutional Directive to Respect Treaty Obligation	
	Developed Judicial System	
	Recognition of IPR not new to India	
	Court's powers under present IPR Law	
	Statutory Interpretation and Treaties	
	Court's Discretionary Powers	
	Judicial Review	
	• Injunctions	
	• Damages	
	Criminal Procedure	
	Judgments on genesis, benefits & importance of Intellectual Property Rights and	
•		
•	the role of Judiciary in effective enforcement of Intellectual Property Rights by	319
		RWAR
	the role of Judiciary in effective enforcement of Intellectual Property Rights by National Judicial Academy  SESSION 5 ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR	RWAR
DEV	the role of Judiciary in effective enforcement of Intellectual Property Rights by National Judicial Academy  SESSION 5  ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR Salmond and Corporate Theory, by John H Farrar	RWAR) Pg. N
DEV	the role of Judiciary in effective enforcement of Intellectual Property Rights by National Judicial Academy  SESSION 5  ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR Salmond and Corporate Theory, by John H Farrar  • Salmond's views on Corporate Theory	RWAR
DEV	the role of Judiciary in effective enforcement of Intellectual Property Rights by National Judicial Academy  SESSION 5  ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR Salmond and Corporate Theory, by John H Farrar  • Salmond's views on Corporate Theory  • Corporations	RWAR) Pg. N
DEV	the role of Judiciary in effective enforcement of Intellectual Property Rights by National Judicial Academy  SESSION 5  ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR Salmond and Corporate Theory, by John H Farrar  Salmond's views on Corporate Theory Corporations State as Corporation	RWAR) Pg. N
DEV	the role of Judiciary in effective enforcement of Intellectual Property Rights by National Judicial Academy  SESSION 5  ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR Salmond and Corporate Theory, by John H Farrar  • Salmond's views on Corporate Theory  • Corporations	RWAR) Pg. N
DEV	SESSION 5 ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR  Salmond and Corporate Theory, by John H Farrar  Salmond's views on Corporate Theory  Corporations  State as Corporation  Salmond's Judicial views  The Evolution of Corporate Law in Post- Colonial India: From Transplant to	RWAR) Pg. N
DEV	the role of Judiciary in effective enforcement of Intellectual Property Rights by National Judicial Academy  SESSION 5  ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR  Salmond and Corporate Theory, by John H Farrar  Salmond's views on Corporate Theory  Corporations State as Corporation Salmond's Judicial views  The Evolution of Corporate Law in Post- Colonial India: From Transplant to Autochthony, by Umakanth Varottil	RWAR) Pg. N
DEV	the role of Judiciary in effective enforcement of Intellectual Property Rights by National Judicial Academy  SESSION 5  ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR  Salmond and Corporate Theory, by John H Farrar  Salmond's views on Corporate Theory  Corporations Salmond's Judicial views  The Evolution of Corporate Law in Post- Colonial India: From Transplant to Autochthony, by Umakanth Varottil  Historical Evolution of Corporate Law in India	RWAR) Pg. N
DEV	SESSION 5 ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR  Salmond and Corporate Theory, by John H Farrar  Salmond's views on Corporate Theory  Corporations State as Corporation Salmond's Judicial views  The Evolution of Corporate Law in Post-Colonial India: From Transplant to Autochthony, by Umakanth Varottil  Historical Evolution of Corporate Law in India Corporate Law During Colonial Era	Pg. N 361
DEV	SESSION 5 ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR  Salmond and Corporate Theory, by John H Farrar  Salmond's views on Corporate Theory  Corporations  State as Corporation  Salmond's Judicial views  The Evolution of Corporate Law in Post- Colonial India: From Transplant to Autochthony, by Umakanth Varottil  Historical Evolution of Corporate Law in India  Corporate Law During Colonial Era  Effect of decolonization on Corporate Law of India	Pg. N 361
DEV	SESSION 5 ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR  Salmond and Corporate Theory, by John H Farrar  Salmond's views on Corporate Theory  Corporations Salmond's Judicial views  The Evolution of Corporate Law in Post- Colonial India: From Transplant to Autochthony, by Umakanth Varottil  Historical Evolution of Corporate Law in India Corporate Law During Colonial Era  Effect of decolonization on Corporate Law of India Corporate Law following economic liberalization of India	Pg. N 361
DEV	SESSION 5 ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR  Salmond and Corporate Theory, by John H Farrar  Salmond's views on Corporate Theory  Corporations State as Corporation Salmond's Judicial views  The Evolution of Corporate Law in Post- Colonial India: From Transplant to Autochthony, by Umakanth Varottil  Historical Evolution of Corporate Law in India Corporate Law During Colonial Era  Effect of decolonization on Corporate Law of India Corporate Law following economic liberalization of India Current State of Play: The Companies Act, 2013	Pg. N 361
DEV	SESSION 5 ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR  Salmond and Corporate Theory, by John H Farrar  Salmond's views on Corporate Theory  Corporations Salmond's Judicial views  The Evolution of Corporate Law in Post- Colonial India: From Transplant to Autochthony, by Umakanth Varottil  Historical Evolution of Corporate Law in India Corporate Law During Colonial Era  Effect of decolonization on Corporate Law of India Corporate Law following economic liberalization of India	Pg. N 361
DEV	SESSION 5 ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR  Salmond and Corporate Theory, by John H Farrar  Salmond's views on Corporate Theory  Corporations State as Corporation Salmond's Judicial views  The Evolution of Corporate Law in Post- Colonial India: From Transplant to Autochthony, by Umakanth Varottil  Historical Evolution of Corporate Law in India Corporate Law During Colonial Era  Effect of decolonization on Corporate Law of India Corporate Law following economic liberalization of India Current State of Play: The Companies Act, 2013	Pg. N 361
	SESSION 5 ELOPMENT OF CORPORATE JURISPRUDENCE IN INDIA: THE WAY FOR  Salmond and Corporate Theory, by John H Farrar  Salmond's views on Corporate Theory  Corporations Salmond's Judicial views  Salmond's Judicial views  The Evolution of Corporate Law in Post- Colonial India: From Transplant to Autochthony, by Umakanth Varottil  Historical Evolution of Corporate Law in India Corporate Law During Colonial Era  Effect of decolonization on Corporate Law of India Corporate Law following economic liberalization of India Current State of Play: The Companies Act, 2013 Comparative Analysis of Corporate Law: Impact of Decolonization	Pg. N 361

#### SESSION 6

## SOME CONTEMPORARY ISSUES PERTAINING TO COMMERCIAL LAWS FOR EFFECTIVE ADJUDICATION OF COMMERCIAL DISPUTES

(Insider Trading, Securities Market Frauds & Investor Protection)		
	(misider Trading, occurries Market Trades & mivestor Frotection)	Pg. No.
I.	SEBI'S Regulation of the Indian Securities Market: A critical Review of the	
	Major Developments, by G. Sabarinathan	469
	Primary Market and Issuance of Securities	
	• Disclosure	
	Corporate Governance	
	Market for Corporate Control	
	Trading Mechanism	
	Settlement System	
	Institutionalization of Trading and ownership of Securities	
	Market Integrity and Insider Trading	
	Compliance Enforcement	
2.	The Elusive Retail Investor: How Deep can (and should) India's stock markets	
	be?, by C.P. Chandrasekhar, Sarat Malik & Akriti	483
	Retail Investors in Global Market	
	Objectives of Regulation	
	SEBI's strategy	
	Regulatory Measures	
	Retail Investor Behaviour	
3.	Investor Protection Measures by SEBI, by KVSN Jawahar Babu & Damodahr	
	Naidu	509
	Objectives of SEBI	
	Investor Protection Measures by SEBI	
	SEBI Reforms on Stock Exchanges	
	Grievances Addressed by SEBI	
	Compensation from Investor Protection Fund	
	Awareness Campaign	
4.	Judgments on Contemporary Issues Pertaining to Commercial Laws for	
	Effective Adjudication of Commercial Disputes (Insider Trading, Securities	519
	Market Frauds and Investor Protection) by National Judicial Academy	