



CASE STUDY
TECHNOLOGY TRANSFER
AGREEMENTS

BACKGROUND OF THE CASE

Our client is an Italian Company specialised in the manufacturing of dry offset and silk-screen printing machines for the decoration of plastic objects and containers. They established contacts with a potential partner in India, a private limited company engaged in the same industry, who were interested in acquiring our Client's technology and know-how with the purpose to manufacture machines in India. Both the Parties desired to enter into a comprehensive and detailed Technology License Agreement and sought Octagona's assistance for the same.

HOW DID OCTAGONA INDIA HELP?

Octagona India in collaboration with head office in Italy understood clients' requirements thoroughly and assisted and advised the client in the following manner:

- Octagona India drafted a detailed Technology License Agreement taking into consideration the interest of both the Parties. We incorporated the relevant clauses in accordance with the applicable laws in India and advised our client appropriately on various important clauses like Dispute Resolution Mechanism, Jurisdiction, Governing Law, Confidentiality, Branding etc.
- Octagona also acted and advised as a neutral mediator during negotiations between the Parties and provided most suitable solutions for payment of License Fees and Royalty in such a manner as to maintain the competitiveness of the client's product in the Indian Market.
- Also, we advised the client on the FEMA (Foreign Exchange Management Act) and RBI guidelines for IPR related outward remittances from India like royalty payments and advised on the proper usage and protection of client's trademark to be used on the final product

FINAL OUTCOME

We served our client throughout the process of drafting, negotiation and finalisation of terms and conditions of the Agreement and as a result Parties are now in the final stage of discussions and soon shall reach the execution stage of the Agreement.



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