

インド／India

裁判所／Court



Prathiba M. Singh

Justice , High Court of Delhi

バンガロール大学を5年の法律課程修了後に首席で卒業し、米国シカゴにおけるジュサップ国際法模擬裁判大会にインド代表として参加した。ケンブリッジ連邦基金の奨学金を得て、ケンブリッジ大学で法学修士課程を履修した。1991年に弁護士登録をした。

裁判官に任命される以前、インドにおける代表的な知的財産の弁護士として、特許権、商標権、意匠権、著作権、植物品種保護権、インターネット法など知財法の全ての分野で画期的な問題を取り扱い、優れた仕事ぶりを見せた。シン&シン法律事務所の経営パートナーとして、商取引に係る紛争、仲裁、電気通信、放送法、マスコミ法、令状、規制問題、教育などに関する事件に取り組んできた。インド最高裁判所、デリー高等裁判所、TDSAT、IPABや商標特許庁に定期的に出向き、著作権庁業務効率化のためにデリー高等裁判所の法廷助言者に指名され、特許審査業務効率化を目的とする上級委員会委員にも指名された。

2002年の特許法改正、2012年の著作権法改正や地理的表示法などを検討する議会の委員会に招かれ、専門家として意見を述べた。

2013年12月、デリー高等裁判所から上級弁護士の指定を受けた。

法学修士課程のインド人学生のためのプラティバ・M・シン奨学金が、2013年、ケンブリッジ大学に創設された。2015年5月公表のインド初の「国家知財政策」の立案を任された知財シンクタンクのメンバーであった。

「India - Look behind the headlines」、 「India is a game-changer in Patent laws」、 「Implementation of the Commercial Courts Act」、 「CRI guidelines」、 「Expedited trials in patent cases」などの論稿が代表的な国内外の出版物に掲載された。

アジア弁理士協会（インド部会）の会長時代には、IPABの設立や IPAB のためのデリー法廷複合施設の建設を求める請願書の提出など、いくつかの重要な活動を主導した。国内外の知財関連のワークショップ、セミナーその他さまざまな行事で、レギュラー・スピーカーの役割を担い、インド産業連合の知的財産権運営委員会の委員も務めた。

「IP Litigator of the Year, 2012」、訴訟の功績に対し Managing IP により授与される「Asia women in Business Law Awards」、Legal Era の「IP Lawyer of the Year, 2013」及び「Best IP Senior Counsel of the Year - 2014」並びにインド国民弁護士の「Woman Lawyer of the year, 2015」など、さまざまな賞を受賞している。SCBA、DHCBA、INTA、APAA、AIPPI、IPAA、IPLPA、電気通信法律家協会など、いくつもの専門家団体のメンバーであった。

2017年5月15日、デリー高等裁判所の永久裁判官に任命された。デリー高等裁判所の判事に任命されて以降、税、民事控訴事件、商事紛争、知財紛争、仲裁事件など各種の事件を取り扱っている。

また、ハイデラバードで開催された世界起業家サミット 2018 にパネリストとして招かれ、「Grassroots Grows: Women in Emerging Markets」と題する講演を行い、2018年、代表的刊行物であるビジネストゥデイ誌で、インドで最も影響力がある女性実業家30人にも選ばれた。現在、デリー高等裁判所の第一審の判事として、知財紛争を含め商事の紛争を取り扱っている。

Justice Prathiba M. Singh completed her 5- year law course from University Law College, Bangalore. She graduated as the 1st Rank holder from Bangalore University and also represented India at the Philip C Jessup Moot Court competition in Chicago, USA. She was offered the ODASSS scholarship by the Cambridge Commonwealth Trust to study LL.M at the University of Cambridge (U.K.). She enrolled with the Bar in 1991.

Before being elevated to the Bench, she was a leading Intellectual Property lawyer in India. She had the distinction of handling landmark matters in all areas of IPR laws including patents, trademarks, designs, copyright, plant varieties, internet laws, etc. As Managing Partner of Singh & Singh, she advised clients and handled cases relating to commercial disputes, arbitration, telecom, broadcasting laws, media laws, writs, regulatory issues, education etc. She has regularly appeared before the Hon'ble Supreme Court of India, High Court of Delhi, TDSAT, IPAB, Trademark and Patent Offices. She was appointed as Amicus Curiae by the High Court of Delhi to streamline the working of the Copyright Office. She was also appointed on a High Level Committee for streamlining of Patent examinations.

She was invited as an expert to present views to the Parliamentary Committees considering amendments to the Patents Act in 2002, Copyright Amendment Act, 2012, Geographical Indications Act etc. Mrs Singh was designated as a Senior Advocate by the Delhi High Court in December 2013.

The Prathiba M. Singh Scholarship for LL.M. students was instituted at the University of Cambridge in 2013. Scholarships are granted to Indian students who have secured admission at Cambridge, for pursuing their LL.M course.

She was a member of the IPR Think Tank, which was entrusted with the momentous task of drafting India's first 'National IPR Policy' which was released in May, 2015.

Her articles 'India - Look behind the headlines', 'India is a game-changer in Patent laws', 'Implementation of the Commercial Courts Act', 'CRI guidelines', 'Expedited trials in patent cases' etc., have been published in leading international and national publications.

During her tenure as the President of APAA (Indian Group), several important initiatives were taken including filing of a writ petition seeking constitution of the IPAB as also the creation of the Delhi court-room complex for the IPAB. She has been a regular Speaker at various National and International IP related workshops, seminars and events. She was also a member of the CII National Steering Committee on IPRs.

Various awards given to her include, 'IP Litigator of the Year, 2012', the 'Asia women in Business Law Awards' given by Managing IP for excellence in Litigation, 'IP Lawyer of the Year, 2013' by Legal Era, 'Best IP Senior Counsel of the Year - 2014' by Legal Era and 'Woman Lawyer of the year, 2015' by the Indian National Bar Association.

She was a Member of various professional bodies including SCBA, DHCBA, INTA, APAA, AIPPI, IPAA, IPLPA, and Telecom Lawyers Association.

She was elevated as a Permanent Judge of the High Court of Delhi on 15th May 2017.

Since her elevation to the Delhi High Court, Justice Singh has dealt with varied kinds of disputes including taxation, civil appeals, commercial disputes, intellectual property disputes, arbitration cases, etc.

Justice Singh was also invited as a panelist to the Global Entrepreneurship Summit, 2018 held in Hyderabad wherein she spoke on "Grassroots Grows: Women in Emerging Markets". She was also awarded in 2018 as one amongst the 30 Most Powerful Business Women in India by the Business Today Magazine - a