

## **SRI RICHGOPINATH**

Intellectual Property Partner  
Patent Agent  
Trademark Agent



### **Contact Details**

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### **Career Summary**

SRI RICHGOPINATH (GOPI) obtained his Bachelor of Laws from the University of London (External). He then obtained his Certificate of Legal Practice in 2010 and was then called to the Malaysian Bar on 18<sup>th</sup> August 2011.

Gopi started his legal career in the esteemed firm of Messrs. Skrine where he was practising in the area of Intellectual Property (IP) law. He was a Senior Legal Associate in the IP Department of Messrs. Skrine before joining Messrs. Joel & Mei as a Partner in April 2017.

He is well versed in matters pertaining to IP including matters relating to trademark applications, patent applications, copyright voluntary notifications, trademark disputes, patent disputes, copyright disputes, industrial design disputes, domain name disputes, IP licensing agreements and administrative enforcement raids with the Ministry of Domestic Trade and Consumers Affairs (MDTCA).

# Joel Mei

Being an IP practitioner, he is also well versed in the procedure of obtaining Anton Piller Orders whereby he has successfully obtained Anton Piller Order from the Court as well as acted as Supervising Solicitor in a number of Anton Piller Order execution.

Gopi is also a registered Trademark Agent and a registered Patent Agent in Malaysia. He is also serving as a member of the Bar Council IP Committee since the year 2017.

Gopi has extensive experience in the area of IP laws and had advised and acted for various foreign and local clients on matters pertaining to IP. He had represented clients as counsel and junior counsel in various trials and hearings before the Courts in Malaysia, some of which are reported in the Malaysian law journals. He also had represented clients in various proceedings before the Intellectual Property Corporation of Malaysia (MyIPO) and in various administrative enforcement raids with the MDTCA. His experiences include:

## **Trademark and/or Passing Off**

- Successfully representing a food manufacturer in a suit to expunge a registered trademark, successfully obtaining an Anton Piller Order, and successfully representing the client in a suit for passing off, unlawful interference with trade and conspiracy to injure;
- Representing a food manufacturer in defending a suit for trademark infringement and counterclaiming for invalidation of the registered trademark on the ground that the registered trademarks are indication of characteristics and not indication of origin as well as a counterclaim for breach of the Competition Act;
- Representing a cistern manufacturer in a suit for trademark infringement and passing off against an importer of infringing cisterns;
- Representing a coffee manufacturer in defending a claim for trademark infringement;
- *Syarikat Faiza Sdn Bhd & Anor v Faiz Rice Sdn Bhd & Anor And Another Case* [2019] 7 MLJ 175; [2017] MLJU 1595; [2017] 1 LNS 1648; [2017] 3 CLJ 346; [2016] MLJU 1046 - Junior counsel successfully representing a rice supplier in a suit for copyright infringement, trademark infringement, passing off and unlawful interference with trade and successfully defending a striking out application to strike out the director as a party to the suit;

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- *Wieland Electric Gmbh v Industrial Automation (M) Sdn Bhd & Anor* [2014] 10 MLJ 445; [2014] MLJU 200; [2014] 7 CLJ 970; [2014] 1 LNS 192 - Junior counsel successfully representing a foreign brand owner to expunge a trademark wrongfully registered by its local licensee;
- *A K Koh Enterprise Sdn Bhd v AI Best One Food Industry Sdn Bhd (Pendaftar Cap Dagangan Malaysia, Interested Party)* [2015] 9 MLJ 715 - Junior counsel in defending an appeal from the Trademark Office against dismissal of an opposition by the plaintiff;
- *In Re: Crystal Triumph Sdn Bhd* [2018] MLJU 1846; [2018] 1 LNS 1959 – Successfully representing a hardware supplier in obtaining a Trade Description Order pursuant to the Trade Description Act;
- Representing a hardware supplier in a suit for trademark infringement and passing off;
- Representing a hardware supplier in applying to register trademarks for colours;
- Representing various clients in submissions and prosecution of trademark applications as a Trademark Agent including attending to office actions and opposition proceedings before the Trademark Office;
- Representing various clients in take down complaints being lodged with e-commerce platforms on the basis of trademark infringement;
- Representing various clients in issuance of cease & desist letters;
- Advising various clients on trademark infringement, trademark invalidation and expungement, trademark licensing agreement, Trademark Registrar’s verification and trademark registration;

## **Administrative Enforcement Raids**

- Representing a hardware supplier in conducting enforcement raid against 10 targets located at 2 different districts simultaneously;
- Representing a hardware supplier in conducting enforcement raid at a warehouse of another hardware supplier;
- Representing a car sound system company in conducting enforcement raid in multiple targets for sale of counterfeit items;
- Representing a multi-level-marketing company in escalating issues relating to availability of products on e-commerce platforms to the Enforcement Division of the MDTCA;

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- Representing high-end fashion goods company in conducting enforcement raid in multiple outlets within a mall simultaneously;
- Representing a high-end hotelier company in conducting enforcement raid in multiple stalls within a street close to the client's premises simultaneously
- Representing a hockey stick manufacturer in conducting an enforcement raid in an outlet selling counterfeit hockey sticks;
- Advising various clients on enforcement of IP rights using the administrative enforcement route;

## **Patent & Industrial Design**

- Representing a subsidiary of a Malaysian public listed company in a patent infringement suit against a Malaysian subsidiary of a well-known multinational technology company;
- Representing a Malaysian green technology company in a patent invalidation suit against a foreign entity on various grounds including fraud committed on the Patent Registry;
- Representing a state government linked company in advising and filing of patent applications;
- *SKB Shutters Manufacturing Sdn Bhd v Seng Kong Shutter Industries Sdn Bhd & Anor* [2015] 6 MLJ 293; [2015] 9 CLJ 405 - Junior counsel in an appeal before the Federal Court in relation to invalidation of patent;
- Junior counsel in a patent infringement suit relating to a mobile network technology;
- Advising various clients on patent infringement, patent invalidation, technology licensing agreement and patent registration;
- Representing a cistern manufacturer in an office action before the Industrial Design Office;
- Advising a headscarf designer on enforcement of industrial design rights;
- Advising various clients on industrial design infringement, industrial design invalidation, industrial design licensing agreement and industrial design registration;

## **Copyright**

- Representing a publishing company in a copyright infringement suit in relation to derivative works, among others;

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- Representing a publishing company in defending a copyright infringement claim initiated by the Government of Malaysia and its licensee where one of the main defence put forward is the defence of fair dealing;
- Representing a local company in a copyright infringement, passing off and breach of confidence suit against various defendants, local and foreign;
- Representing a multi-level-marketing company in a copyright infringement, trademark infringement, passing off and unlawful interference with trade suit against an e-commerce platform;
- Representing an auctioneer company in a copyright infringement and passing off suit in relation to the unlawful grabbing of database owned by the client and the use of a similar mark to describe the auctioneering services provided by the defendants;
- Representing a state government linked company in affirmation of statutory declarations pursuant to Copyright Act to establish ownership of the copyright subsisting in software developed by the client;
- Representing an individual client in defending a criminal action brought under the offences provisions of the Copyright Act;
- Representing various clients in submissions of copyright voluntary notifications with the Copyright Office;
- Representing various clients in take down complaints being lodged with e-commerce platforms on the basis of copyright infringement for use of images taken from clients' websites;
- Advising various clients on copyright infringement, copyright voluntary notifications, copyright subsistence and copyright ownership

## **Other matters**

- Representing a fitness company in drafting trademark, copyright and know-how licensing agreement;
- Representing a food & beverages company in drafting trademark, copyright and know-how licensing agreement;
- Representing a pharmaceutical services company in drafting website terms & conditions, vendor agreement, end user agreement and data protection notice;

# Joel & Mei

- Representing a jewellery manufacturer in drafting website terms & conditions, vendor agreement, end user agreement and data protection notice;
- *Shabiru (1990) Sdn Bhd v Goh Aik Chin & Anor And Another Appeal* [2019] MLJU 1023; [2019] 1 LNS 1380 – successfully representing the individual client in a negligence claim against the owners of a neighbouring property for damages caused to the client’s property and successfully defending the appeal to the High Court;
- Representing a smart home integrator in defending a suit for negligence;
- Representing a landlord in a tenancy dispute defending the tenant’s claim to recover deposit paid;
- Representing a landlord in a lease dispute to recover outstanding rental and defending a counterclaim for wrongful termination;
- Acting as supervising solicitor in an Anton Piller execution against Labuan entities;
- Acting as supervising solicitor in an Anton Piller execution against employees alleged to be committing fraud on the plaintiff.

## **The Firm**

Website: [www.joelmei.com](http://www.joelmei.com)

*JOEL & MEI is a boutique law firm specialising in Dispute Resolution, Intellectual Property, Corporate, Commercial and Family law.*

*The firm was established in 2012 with the sole purpose of providing customised and professional services to our clients, mainly in relation to Corporate, Commercial, Intellectual Property, Corporate Real Estate & Family Law. Our partners are previously from prestigious law firms in Malaysia with specialised skill and knowledge in their respective areas of law.*

*OUR FIRM has a professional indemnity coverage of up to RM5.0 million and the coverage maybe increased from time to time in corresponding to the nature and quantum involved in our works.*

## *Practice Areas*

- *General Litigation*

# Joel Mei

- *Corporate and Commercial Litigation*
- *Construction Litigation*
- *Corporate and Commercial Advisory*
- *Intellectual Property Litigation*
- *Intellectual Property Advisory and Registration*
- *Property and Conveyancing*
- *Family Law*