



JOHN WILSON PARTNERS GENERAL PROFILE

JOHN WILSON PARTNERS

Attorneys-at-Law & Notaries Public, Industrial Design, Patent and Trademark Attorneys, Domain Name Registration Agents, Foreign Investment Consultants.

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ABOUT US: Founded in 1920 by the late Senator John Wilson, the firm is an established legal practice in Sri Lanka, providing service in the areas of civil litigation, commercial law and notarial practice to corporations, financial institutions and individuals.

John Wilson Partners has an excellent reputation for providing prompt and sound legal advice to which a commercial perspective has been given, delivering innovative yet practical solutions to legal and commercial issues within a fast changing and global environment, to foreign and local clients.

Our collaborative team has a wealth of experience gained in private practice as well as in-house, both locally and abroad, in dealing with major international assignments and transactions while delivering against tight deadlines. Professional and progressive, the team is approachable and quick to respond and communicates in language our clients understand, providing not just technical legal advice, but also strategic value and businesspartnering.

With our strong outreach in the international legal community, we count among our clientele offices of instructing law firms across Europe, the US and Asia, including some of the largest in the world such as White & Case, Allen & Overy, Baker & McKenzie and Eversheds. Additional information and referrals would be provided upon the request from potential clients. Our website (www.srilankalaw.com) contains more detailed information. Names and referrals of instructing law firms can be provided if requested.

Our firm harnesses modern technology to provide an immediate response for client requirements. The Intellectual Property practice division operates with in-house, custom developed docketing and file management software system, enabling the efficient handling of thousands of trademark registrations and related actions for domestic and international clients from across the globe.

OUR MISSION: To provide responsive and practical legal advice, offering solutions to help clients successfully deal with their legal problems and challenges.

The firm acts for a number of diplomatic missions. As such we are: trusted lawyer of the Embassy of the Federal Republic of Germany, Colombo; an official lawyer of the Swiss Embassy, Colombo; and Avocat-conseil auprès de l'ambassade de France à Sri Lanka et aux Maldives (Avocat advisor to the Embassy of France in Sri Lanka and the Maldives).

We have advised various Embassies including the Australian High Commission, the Canadian High Commission, the French Embassy and the Embassy of the Netherlands in regard to Employment Law and other matters.

PRACTICE AREAS:

Corporate

A significant amount of time is spent handling large corporate matters including legal due diligence exercises and the negotiation of share purchase agreements, drafting of Articles of Association.

We also advise on the impact of Sri Lankan law on complex commercial agreements such as franchise and distribution agreements.

We assist numerous foreign enterprises wishing to invest in Sri Lanka to obtain the necessary approvals, including Board of Investment of Sri Lanka approvals and provide company incorporation and company secretarial services.

Advisory

We undertake advisory work and provide legal opinions with regard to all areas of Sri Lankan Law.

Employment law

We provide legal opinions and review of contracts of employment, handbooks and policies for multinationals employing persons in Sri Lanka and provide advice on the impact of Sri Lankan law.

We provide advice in regard to termination of employment issues, compensation, workplace relations, industrial disputes, voluntary settlement agreements, redundancies, industrial relations and the conduct of domestic inquiries.

Compliance

Most recently we have provided comprehensive advice to a large Japanese firm on dealings which persons should not have with public officials – including relevant definitions of the terms, with particular reference to the offences under the Bribery Act.

We undertake compliance work and provided advice in regard to investigations consequent to whistle blowing for two multinationals during the last quarters of 2019.

A few years ago, we assisted Ingram Micro – a Fortune 100 listed U.S. multinational with an internal compliance related investigation.

Litigation

We litigate for clients to recover debts and a significant part of the litigation portfolio we handle includes applications to register and enforce foreign judgments and arbitral awards. Our team frequently represents international clients in handling their court proceedings in Sri Lanka.

Over the years, our firm has earned a strong reputation as a solid contender amongst its peers for handling civil litigation and arbitration matters. Our services include trust disputes, debt recovery litigation and contentious IP issues.

Our Civil Litigation, Dispute Resolution, Arbitration and Employment law practice departments deal with a wide variety of cases.

Tax and Real Estate

We enjoy a large client base of high net worth individuals who seek specialist tax advice to structure their acquisitions of interests in real estate in Sri Lanka. We also advise foreign investors on the taxation

laws of Sri Lanka and corporates on complicated tax issues.

We carry out examinations of title and handle all aspects of conveyancing, commercial and residential leases.

Examples of some of the cases we dealt with over the past two years:

Acted for the owner and developer of a 20 Million Euros investment in a beach resort hotel in Bentota in regard to the acquisition of the land and verification of the title thereto.

Acted for the Canadian High Commission when it purchased its residence and legal service provided including carrying out title checks and examination and reporting on title.

Acted for a high net worth individual in connection with the sale of a house on Rosmead Place and subsequent purchase of an apartment in a well-known condominium block in Colombo.

Acted for the owner of a valuable property within the Galle Fort in connection with the sale of her property and the repatriation of the proceeds of the sale.

Acted for a religious corporation (Dawat-e-Hadiyah) in connection with the acquisition and clearance of title for a land on which a large community housing scheme was constructed.

Acted for the heirs of a deceased prominent well-known local businessman in connection with the sale of a portfolio of residential properties and apartments in Colombo.

IP

Since 2000 we have expanded our IP practice and as part of this journey we have observed a large increase in instructions received from brand owners who are facing problems in Sri Lanka in connection with their legitimate rights as brand owners/domain name owners.

John Wilson Partners are currently leading the Sri Lanka IP Association – Sri Lanka Group of AIPPI, and will be driving its strategy and plans forward. More details are available at www.aippi.lk.

Pro bono

Provided advice to an international development agency in relation to granting of a loan facility to a Non-Government Organisation, the proceeds of which were to be used by the NGO for on-lending to small-scale rural businesses run by women and women led co-operatives and investments in infrastructure projects for the benefit of small-scale famers. Reviewed the draft loan agreement in view of the Foreign Exchange Regulations, the Micro Finance Act and the Voluntary Social Services Organizations (Registration & Supervision) Act.

OUR LAWYERS: At JOHN WILSON PARTNERS, most Attorneys-at-Law are also Notaries Public and the firm regularly advises clients in regard to leases and verification of title matters.

The team of lawyers at John Wilson Partners are proficient in the following language skills: English, French, German, Spanish, Sinhala and Tamil.

LAWYER PROFILES:



John Wilson (advice@srilankalaw.com). John is the Managing Proprietor of the firm. Besides being at the helm of the firm since 2010, he has also functioned as In House Legal Adviser/Counsel at The European Chamber of Commerce of Sri Lanka. In addition to his day to day practice in the field of Corporate, Commercial and Intellectual Property Law, John manages the firm.

John has expertise in all areas of Sri Lankan Civil Law and has authored on a wide variety of subjects and contributed to numerous publications. He also advises in regard to tax and trust issues and Employment law; reciprocal enforcement of foreign judgment applications and arbitration matters including enforcement of foreign arbitral awards.

John Wilson, representing John Wilson Partners is actively engaged in a number of international associations and committees.

John is a member of the International Bar Association (IBA) and Chair of the IBA's Intellectual Property and Entertainment Law Committee; a member of the AIPPI & President of The Sri Lanka IP Association – Sri Lanka Group of AIPPI; a one-time Officer of the Leisure Industries Section of the IBA; a member of the American Bar Association (Section of International Law) and former Vice Chair of the Asia Pacific Committee; a former member of AIJA and AIJA's former National Representative for Sri Lanka; a member of the Asia Patent Attorneys Association (APAA) in Sri Lanka; a representative on APAA's Patents Committee; a member of FICPI; a member of INTA and a member of INTA's ADR Committee; a member of IPBA and Chair of the Publications Committee; a life member of Law Asia; a one-time contributing Franchising Country Expert for Sri Lanka, IDI. He is also a member of the American Chamber of Commerce in ("AmCham") Sri Lanka. He recently became the Hon. Secretary of the Chartered Institute of Arbitrators (Sri Lanka).



Jayantha Gunasekara (jayantha@srilankalaw.com). Jayantha handles Employment and Labour Law matters at John Wilson Partners and has been practicing law since 1973. Having witnessed the growth of new age industries and radical shifts in working cultures and workforce management techniques, Jayantha has acquired expertise in addressing the challenges faced by organizations in complying with the applicable laws. In the recent past, he has advised and represented key clients and has conducted litigation before the Supreme Court, High Courts and Labour Courts of Sri Lanka. His expert advice is

sought after by clients on urgent and sensitive matters relating to their employees.

He advises both domestic and international clients on complex regulatory and legal aspects of Employment and Labour Law and enables our clients to be legally compliant. He is actively involved in drafting and/or reviewing employment documentation and advising on a wide range of Labour Law issues, transfer of employees, employment termination and restrictive covenants in employment arrangements. He has advised companies who have been accused of wrongfully terminating the services of ex-employees. He advises clients on secondment contracts, social security benefits, working hours and wages for employees and employee privacy rights in Sri Lanka.



Sameendra Perera (sameendra@srilankalaw.com). Sameendra manages the day-to-day operations of the Intellectual Property Department of John Wilson Partners and is a qualified Intellectual Property Agent. Sameendra is involved in the preparation and filing of trademark applications, industrial design applications and patent applications in Sri Lanka, the filing of PCT national phase entry applications and, in collaboration with her team in the IP team, responds to all client related IP inquiries/matters. Her responsibilities include the drafting of written submissions against the refusal of trademarks in the first instance by the Director-General of Intellectual Property as well as drafting of grounds of opposition and observations on grounds of opposition in the course of third party objections to the registration of the trademarks of clients. In addition, Sameendra is a member of the AIPPI and currently serves as the Secretary of the Sri Lanka IP Association – Sri Lanka Group of AIPPI.



Benazir Hassan (benazir@srilankalaw.com). Benazir is a Junior Associate at John Wilson Partners, and works in the IP Department. Her day to day work in the IP Department includes the preparation and filing of trademark, patent and industrial design applications at the National Intellectual Property Office (NIPO), Sri Lanka. She also conducts searches at NIPO and corresponds with clients regarding their IP related queries in collaboration with the other lawyers in the IP team. Her responsibilities also include the drafting of written submissions against the refusals in the first instance by the Director General of Intellectual Property to accept trademarks for registration as well as drafting grounds of opposition in the course of third party objections to applications for the registration of trademarks. Prior to joining John Wilson Partners, Benazir gained her experience by handling a number of legal matters in relation to

Intellectual Property which also included liaising with the National Intellectual Property Office at a previous firm.



Mohanlal Rupesinghe (mohan@srilankalaw.com). Mohan is the Head of Litigation at John Wilson Partners. Mohan, having taken oaths in 2001 worked at the Associated Newspapers of Ceylon Limited as its Legal Officer for 11 Years and then joined SEEDS (Gte.) Ltd. as its Company Secretary and Chief Manager / Legal and then joined Sarvodaya Development Finance Limited and served as Chief Manager / Legal and later as its Head of Litigation before joining John Wilson Partners in January 2020 as its Head of Litigation. He has 18+ years of experience in running and acting as lead litigator in many areas of civil litigation including defamation, labour, commercial and money recovery litigation. Mohan is also proficient with Company Secretarial related matters and advising in regard to Voluntary Retirement Schemes. He has also handled numerous and acquisitions and mergers of Companies. Mohan, a Notary Public, is also experienced in all aspects of examination of title and conveyancing of immovable property.



Usha R. Saraniya (usher@srilankalaw.com). Usha is a Junior Associate at our firm. She is an Attorney-at-Law and works in the Corporate Division. She is an all-rounder and with experience in various aspect of the law, especially those pertaining to Business, intellectual property, Corporate and Commercial Laws, Capital Market Regulation, Private International Law, Foreign Investment Law and Regulations and Tax Law. Usha plays an active part in legal research for the purposes of answering international legal questionnaires which John Wilson Partners has agreed to contribute answers to from a Sri Lankan perspective and is a contributor in authoring of articles on topics of current legal interest. She gathered invaluable experience and expertise while working in Corporate and Government sectors and private practice prior to joining John Wilson Partners and thereby gained valuable exposure in these fields which enables her to bring to the firm important insights, skills and experience when carrying out legal research, writing articles, drafting agreements and her daily interactions with Government Departments and other Regulatory bodies in Sri Lanka. Usha has also become our resident trainee on immigration matters.



Thanuja Shyamalee Sirikumara (thanuja@srilankalaw.com). Thanuja is a Junior Associate at John Wilson Partners in the Litigation Department. She is mostly involved in Litigation matters, especially drafting of legal documents and liaising with clients on all aspects of lawsuits, including filing of Court documentation and the follow up thereof. As a Litigation Lawyer, she communicates with various Counsels, filing of motions and attending scheduled Court hearings. Thanuja gained her expertise whilst working in Litigation and Court practices prior to joining John Wilson Partners, which enabled her to bring to the firm some important insights, skills and experience when carrying out case filings, initial case assessment and Investigation, drafting of pleadings, pre-trial tasks, possibility of settlement and appeal processes.



Rizka Hardy (rizka@srilankalaw.com). Rizka is a Junior Associate at John Wilson Partners in our Litigation Department. She obtained her LLB from the University of London External Program conducted at the Royal Institute of Colombo two years ago. Thereafter, she attended the Sri Lanka Law College and become an Attorney-at-Law. She has worked as a litigation lawyer in civil matters and also has experience of arbitration. She is conversant in the English and Sinhala and is experienced in areas of Muslim law.



Rishni Withanage (rishni@srilankalaw.com). Rishni is a Junior Associate in our Corporate Department. She obtained her LLB from the University of Colombo, Faculty of Law. She attended the Sri Lanka Law College to become an Attorney-at-Law. She is familiar with drafting legal advice to both domestic and international clients on various aspects of law including Corporate and Commercial law. She carries out legal research for the purpose of answering international legal questionnaires which JWP has agreed to contribute answers for, from the perspective of Sri Lanka. She is conversant in both Sinhala and English.