

SYMBIOSIS LAW SCHOOL, NOIDA
Symbiosis International University

LEGAL DATABASE USER MANUAL

AN INITIATIVE OF LEARNING RESOURCE CENTRE

**WEST LAW INDIA
USER HELP GUIDE**



॥वसुधैव कुटुम्बकम्॥

SLS-NOIDA

SYMBIOSIS LAW SCHOOL, NOIDA
Symbiosis International University



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SYMBIOSIS LAW SCHOOL, NOIDA

Symbiosis International University

Westlaw India User Help Guide

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Getting Started

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Home

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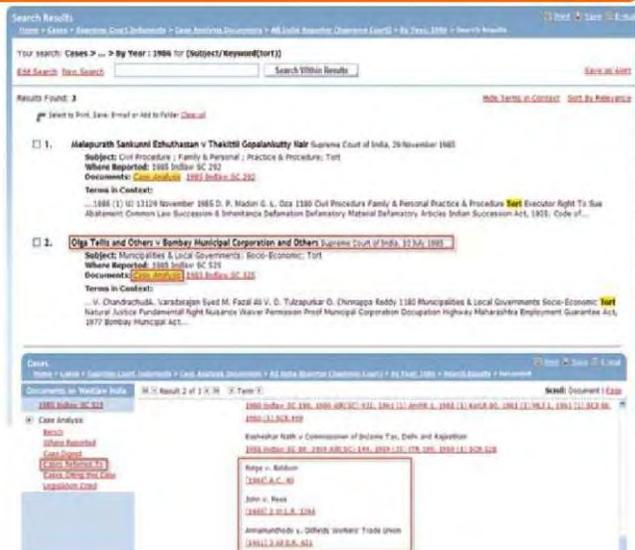
Features to look out for

Case Analysis:

Watch out for this segment which is available for all the cases in Westlaw India.

The best place to start when looking for relevant case law. Each Case Analysis document contains the following Information (wherever applicable)

- Where Reported - Significant Cases Cited
- Digest of the case facts and decision
- Direct History of the case - Legislation Cited
- Subsequent Cases which have cited your case
- Each document includes links to access full text reports for the case



Status Icons—To know the current status of the case



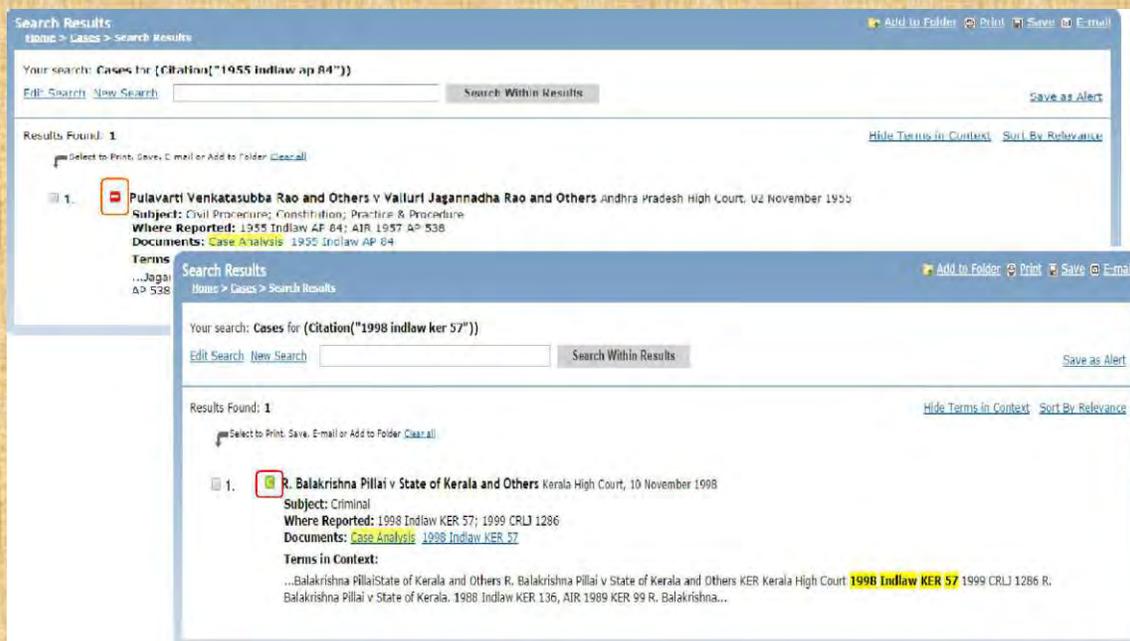
These appear within your search results list and at the top of the case document, so you can instantly tell the status of a case.



Indicates that the decision has received positive or neutral judicial consideration and is good law.



Indicates that the decision has been judicially considered and has received mixed or mildly negative judicial treatment



Features to look out for– Contd...

Alerts

There are two ways to create alerts on Westlaw India:

Create a New Alert

The Create a New Alert feature allows you to create alerts to monitor Cases, Legislation, Journals, from India, UK and EU content, for selected legal subjects. The same feature is available on International Materials Page as well

To create a new alert, click on the Alerts link at the top of the Westlaw India screen.

From the Alerts List page, click on the Create a New Alert button at the top left, you can now select the type of content and subject areas on which you wish to receive updates.

Once selected, click Next. You will be taken to the Manage this Alert page where you will be required to name your alert, enter a client ID, select how often you wish to receive the alert, etc. you can also add IP authentication to an alert by entering your sponsor code on this screen.

Click Save Alert at the bottom of the page to complete the alert set up.

Create an Alert from a Search Result (Results Page)

Run your search and from your results click on the Save as Alert link in the top right hand corner of the screen. You can also set up alerts for specific UK cases in which you are interested by click-ing Create Case Alert from within the case document.

You can select to save the search terms as a Saved Search as opposed to being notified via e-mail.

Modify Alerts

To Edit your alerts, click on the Alerts link at the top of the Westlaw India page to display your alerts list From this page you can edit the content and subject of the alert. To change delivery options or update email addresses click Manage.

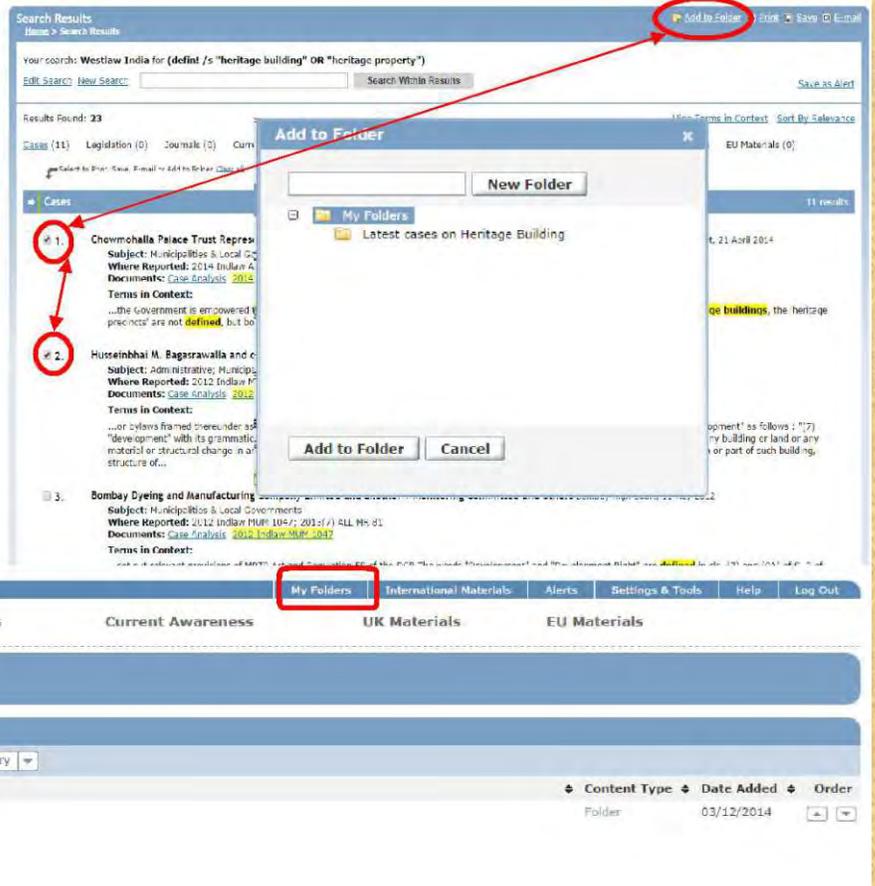


Features to look out for– Contd...

Folding System ^{new}:

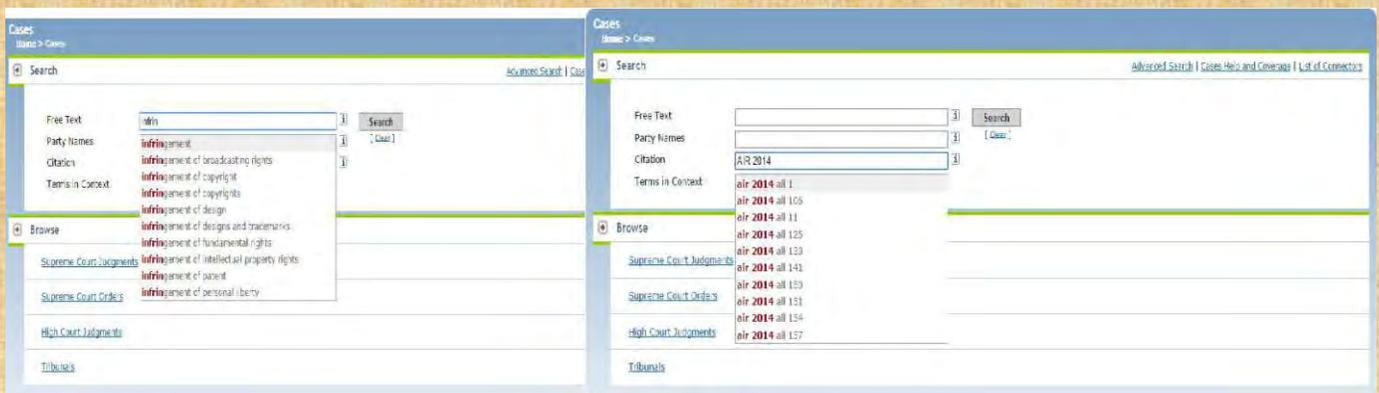
The folding system in Westlaw India, allows users to create different folders and save the documents that they want to retrieve later.

1. Select the documents you want to save in Westlaw India to be accessed later
2. Click on Add to Folder
3. Select the folder in which you want to save the doc(s) or create a New Folder and save the doc(s)
4. You can access the saved folders & files by clicking on 'My Folders' link at any point of time



Auto Suggest Feature:

The auto suggest feature in Westlaw India, throws suggestions, as soon you start typing the key words. The auto suggest works on all the searching parameters, including even fields like Citation.



UK Cases in PDF (True Prints)

All law reports series published by ICLR on Westlaw UK are available in full text and in PDF (archive dates back to 1865). Where PDFs are available, you will see next to your search results. There will also be an option in the top right of the case document called PDF of Case Report.





Features to look out for– Contd...

A. Static Tool Bar contains links to:

- The My Folder link allows the users access the documents saved in Folders created by the users.
- Alerts link that allows users to create alerts on specific topics, manage it and delete it
- Settings and Tools,
- International Materials link that allows users to access legal information related to other countries like US, Canada, Australia, Hong Kong, South Africa, etc.

B. Westlaw India Tab – This tab can be used to conduct keyword search across India, UK and EU legal materials at one go. From any point, this tab can be clicked to return to the home page.

C. Links to access specific content search pages. Each and every tab has more than 10 different parameters to search from.

D. Search box to enter the keywords on Terms and Connectors mode (Bullion Searching Logic).

E. Check boxes to select the materials in which you want to conduct the research. One or more legal sources can be selected by clicking the check boxes.

F. To choose whether to search every word in the document or just the title. Also choose whether to display Terms in Context.

G. Help links and option to select Natural Language search – A Google like search option. List of Connectors link is a help window that displays the Connectors that can be used in Westlaw India





Key Word Searching Options

There are two different options in Westlaw India, when it comes to key words searching. They are:

- Natural Language search option
- Terms & Connectors Search option

Natural Language Option

This search facility does not use Terms and Connectors but allows you to describe your issue, “for eg: Must a manufacturer disclose the side effects of a drug?”.

When you use Natural Language, you retrieve a maximum of 100 results. When your search is complete, the documents are returned in order of relevance.

1. Natural Language option can be selected by clicking on the Natural Language link on the Home Page
2. When the search is conducted through Natural Language, results retrieved will be listed by relevance (most relevant document will be on top).
3. Yellow highlight will signify where the keywords have been found in the documents.
4. While scrolling through the documents, you will notice a sentence / paragraph or paragraphs highlighted in green. This area denotes the best part of the document related to your keywords (it is enough to read through this area to understand the

Terms & Connectors

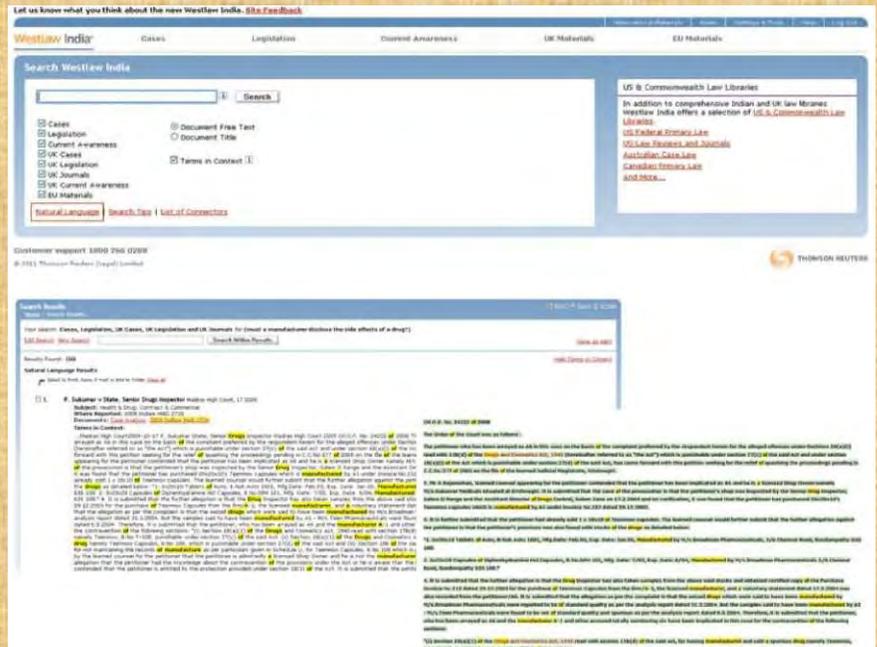
AND - This can be used between words to ensure, all the words are searched for. Westlaw will throw up only those documents in which all the terms have been found Eg:

Arbitrator & rights & Jurisdiction

OR - OR is used to search for either of the words. Usually used for searching synonymous or similar meaning words. Eg: attorney or counsel

“ ” - To search a couple or more words together. This can be used even to search for a longer phrases. Eg: “Infringement of copyright”

/S - This connector helps searching for words in the same Sentence. Eg: Right /s arbitrator /s jurisdiction





Key Word Searching Options

/p - Using this connector in between words, will ensure Westlaw India throws only those documents in which the words are found in the same paragraph. Eg: right /p counsel

+s - Apart from ensuring that the words are found in the same sentence, +s also ensures that the first term precedes the next in the same sentence. Eg: infringement +s patent

+p - The first term preceding the second within the same paragraph. Eg: right +p counsel

/n - Search terms within “n” terms of each other (where “n” is a number). Eg: person /3 jurisdiction. /3 can also be replaced with +3 to define the order of the words. “n” can be any number

% - Documents not containing the term or terms following the % symbol: Eg: murder % rape.
Use the % connector with caution; it may cause relevant documents to be excluded from your search result

Wild Card Characters

Root Expander

To search for terms with multiple endings use the '!' character. For example object! will retrieve object, objected, objection, objecting, objectionable.

Universal Character

To search for words with variable characters, use the * character. When you place the universal character within a term, it requires that a character appear in that position. For example, withdr*w will return withdraw and withdrew.

Irregular Plural

Westlaw India will automatically retrieve irregular plurals. For example, entering child will also retrieve children and goose will also retrieve geese.

Turning off Plurals

You can turn off plurals of a particular term by placing the # symbol in front of the term. To retrieve damage but not damages, type #damage. Placing the # symbol in front of a term also turns off the automatic retrieval of equivalencies. To retrieve child but not children enter #child.

Compound Terms

Typing good-will will retrieve good-will, goodwill and good will.



The Result Page— Terms & Connectors used

1. Type in more keywords if you want to search within the results. You can also opt to edit your search or conduct a new search altogether.
2. Take the delivery of the documents through printing or downloading (PDF or Word Format) or e-mailing (PDF or Word to one or more e-mail addresses). If you wish to save some of the documents in Westlaw, you can do so creating separate folders using "Add to Folder" option to retrieve the documents later ^{new}
3. You can set up an Alert for this search and request the database to do the same search once Daily/Weekly/ Bi-weekly/Monthly and send the documents retrieved to your e-mail address
4. Click on **Show Terms in Context** to display the terms under the context of search to be displayed along with the result.
5. When the search is done with the Terms and Connectors (Bullion Searching logic) in Westlaw, the results retrieved will be arranged in reverse chronological order. Click on "**Sort by Relevance**" in case the results needs to arranged based on relevancy.
6. When the search is done through the Westlaw India tab on multiple jurisdictions and materials, the break up of result documents will be displayed. You can click on the hyperlink to access the results related to the specific materials or Jurisdiction (For eg: UK Journals).

Click on the Citation / Full Text Article (in case of Journal) to access the whole document or click on Case Analysis .

Searching Cases from India



Basic Search Option

1. Free Text box to search with key terms using Terms & Connectors.
2. Party Names box to search with either Appellant / Respondent or both.
3. Documents can be searched with the Citation (The citation search works even if the parenthesis are not used, eg: 2006

Subject: eg: Intellectual Property (will retrieve only cases related to Intellectual Property).

Clicking on this link will throw up the complete list of subjects that can be selected

This helps in searching for Single Bench / Full / Constitutional bench cases

These segments helps in searching for cases referring to specific Legislation / Specific provisions of Legislation. There are options to combine two different provisions or even searching for cases referring to a combination of two different Legislations

Allows to refine your search to specific court or combination of courts

To search by specific Judge's name

Date restriction option

This segment allows users to browse the cases by Court

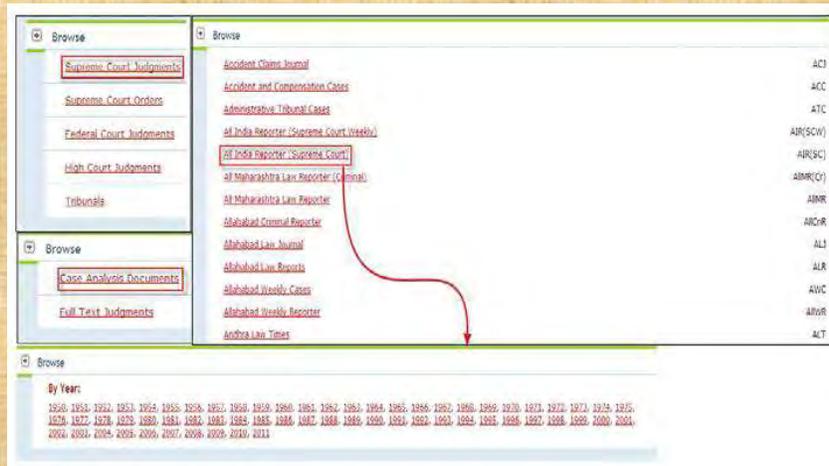
All the searching parameters above have an auto suggest option. As you start typing key words, Westlaw India will automatically start throwing suggestions



Searching Indian Legislation

Browsing Feature:

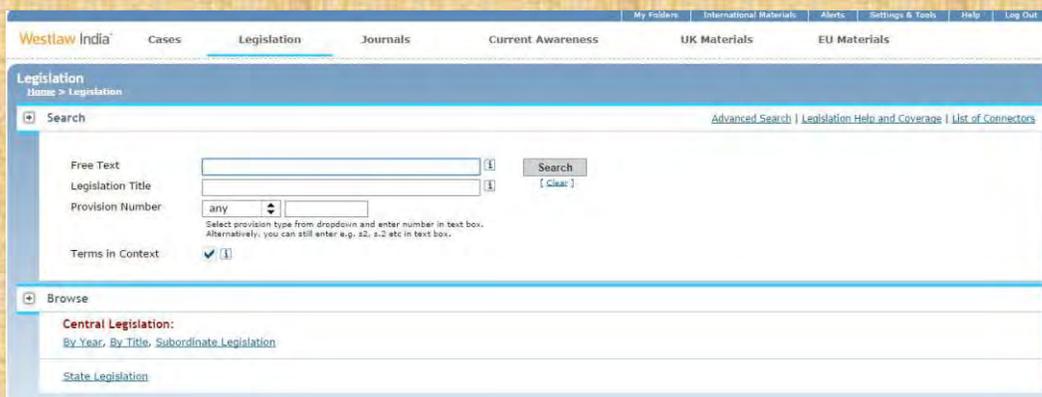
From the Browse option, you can access / browse a complete archive of the full text of decisions delivered by Supreme Court, High Courts or Tribunals by name of the parallel reporter and by a specific year (eg: SC judgments reported In AIR(SC) 1962).



Finding Indian Legislation

Basic Search Option

1. Free Text box to search with key terms using Terms & Connectors
2. Searching with Legislation Title – eg: Indian Contract Act
3. Specific Chapter / Part /Section can also be selected: eg: Sec 7



Indian Journals

Browsing

- You can choose to browse legislation by type (Central or State)
- Subordinate legislation link is available at both Central & State Level that allows users to browse Bills, Notifications & Circulars by year or by title and Ordinances by Title.
- From 2000 onwards, you can select a year; for legislation prior to 2000 select a time period (such as 1900-1949), from which you can then select the year you are looking for.
- You can Browse both Acts as well as Subordinate Legislation by Title or by Year

Notifications & Circulars can be searched by Ministry & Department along with other search options. Click on either By Title or By Year under Circulars or Notifications to see these options

Research More with Articles

Westlaw India gives you access to a collection of leading law journals from India, enabling you to keep a tab on the articles, law reviews, 24 hrs a day. The journals cover a wide range of subject areas such as Arbitration, Technology, Socio-legal issues and other relevant contemporary legal categories.

Click on the “Journals” Tab:

- If you wish to search in one of the Indian Journals, users can click on the respective Journals. The Browse option even allows you to access articles by specific year
- Clicking on Advanced Search throws up various parameters to search from using key words.

Tip: Searching for the keywords in the Article Title will search for the most relevant articles, as the key words will specifically be searched for in the title of the articles



Key Word Searching Options

The image shows two screenshots of the Westlaw India search interface for the NLSIU Bangalore - National Law School of India Review (NLSIR). The top screenshot shows the main search page with annotations: "Search articles using key words" points to the search bar; "Search by Authors Name" points to the Author field; "Search for the key words in the title of the articles" points to the Article Title field; and "Clicking on Advanced Search will throw up more parameters" points to the Advanced Search link. The bottom screenshot shows the "Advanced Search" page with annotations: "Breadcrumbs that decide where the results will be searched for" points to the breadcrumb trail; and "Search for articles written on specific Legislation" points to the Legislation Cited section.

Search articles using key words

Search by Authors Name

Search for the key words in the title of the articles

Clicking on Advanced Search will throw up more parameters

Breadcrumbs that decide where the results will be searched for

Search for articles written on specific Legislation





Current Awareness

Current Awareness

- Includes cases, legislation and legal developments contained in or represented by official publications and legal news.
- One place to find last 30 days information

The screenshot displays the Westlaw India Current Awareness interface. The top navigation bar includes links for My Folders, International Materials, Alerts, Settings & Tools, Help, and Log Out. The main menu features tabs for Cases, Legislation, Journals, Current Awareness (selected), UK Materials, and EU Materials.

Current Awareness Page:

- Search:** Includes input fields for Free Text, Subject/Keyword, and Terms in Context (checked). A Search button and a [Clear] link are present.
- Browse:** Lists links for Cases, Legislation, and News.

Cases Page:

- Search:** Similar to the main page, with input fields and a Search button.
- Browse:** Lists links for Last 7 days, Last 14 days, and Last 21 days.

Search Results Page:

- Results Found: 48**
- 1. Income-Tax Officer, Kolkata v Surat Prakash Brahmhatt** Income Tax Appellate Tribunal, 02 December 2014
 Subject: Income Tax & Direct Taxes
 Where Reported: 2014 Indlaw ITAT 1382
 Documents: [Case Analysis](#) [2014 Indlaw ITAT 1382](#)
- 2. Mareum W/o Md. Zameruddin v Union of India Represented by the Home Secretary, Ministry of Home Affairs Government of India, New Delhi and others** Manipur High Court, 02 December 2014
 Subject: Criminal; Practice & Procedure
 Where Reported: 2014 Indlaw MAN 28
 Documents: [Case Analysis](#) [2014 Indlaw MAN 28](#)
- 3. Rajkumar Thakur v State of Madhya Pradesh** Madhya Pradesh High Court, 02 December 2014
 Subject: Criminal; Practice & Procedure
 Where Reported: 2014 Indlaw MP 1048
 Documents: [Case Analysis](#) [2014 Indlaw MP 1048](#)
- 4. Ram Chandra Rungta v Ram Swarup Rungta and others** Calcutta High Court, 02 December 2014
 Subject: Arbitration & ADR
 Where Reported: 2014 Indlaw CAL 986
 Documents: [Case Analysis](#) [2014 Indlaw CAL 986](#)



UK Materials

Basic Search

From the UK Materials page you can search UK Cases, UK Legislation, UK Journals and UK Current Awareness content. Enter a Free Text search term.

When you run a search, Westlaw India will retrieve documents matching your search terms. The documents will be displayed with Cases first, followed by Legislation, Journals and Current Awareness.

Finding UK Cases

To access UK cases, click on UK Cases link from the browsing option

Basic Search

Retrieve cases by entering terms into the Free Text, Party Name or Citation Fields.

Advanced Search

You can further refine your search by entering additional information such as the court, subject area, judge and date restrictions.

Browsing

- You can choose to browse Case Analysis Documents or Law Reports and Transcripts.
- Case Analysis Documents are available for UK case law dating back to 1865.
- Once you have selected a report series you will be taken to a list of years or volumes.
- Select a year/volume to view an alphabetical list of cases.

reports series published by ICLR on Westlaw UK are available in full text and in PDF (archive dates back to 1865). Where PDFs are available, you will see PDF Icon next to your search results. There will also be an option in the top right of the case document.

UK Legislation

Finding UK Legislation

Basic Search

Retrieve either an entire Act/SI, a specific provision, or enter terms in the Free Text field. All legislation documents are updated on a daily basis, Monday to Friday.

Statutory Definitions

Enables you to find legislative definitions in Acts and Statutory Instruments. You can search for a definition across all legislation or in conjunction with the free text and Title field.

Advanced Search

You can choose whether to restrict your search to current legislation or expand it to include legislation that is no longer in force or yet to come into force.

Selecting Point in Time allows you to search for the full text of a provision as it stood, or will stand, on a particular date and selecting the since option will retrieve all versions of a provision from the date specified onwards.

Browsing

You can choose whether to restrict your search to current legislation or expand it to include legislation that is no longer in force or yet to come into force.

Selecting Point in Time allows you to search for the full text of a provision as it stood, or will stand, on a particular date and selecting the since option will retrieve all versions of a provision from the date specified onwards.

Links to access Advanced Search, coverage information and search tips

Select

- All versions including
 - Law in Force
 - Historic Law
 - Prospective Law
- Point in Time (dd/mm/yyyy)
- Since (dd/mm/yyyy)

Acts: Historic versions back to 1991

SIs: Historic versions back to 1948



UK Legislation

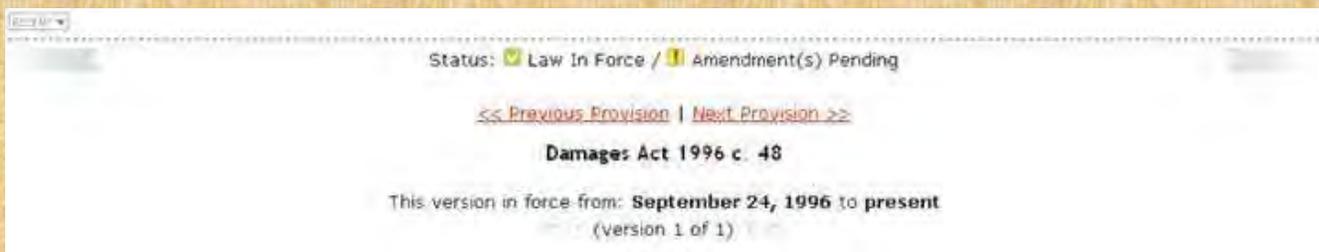
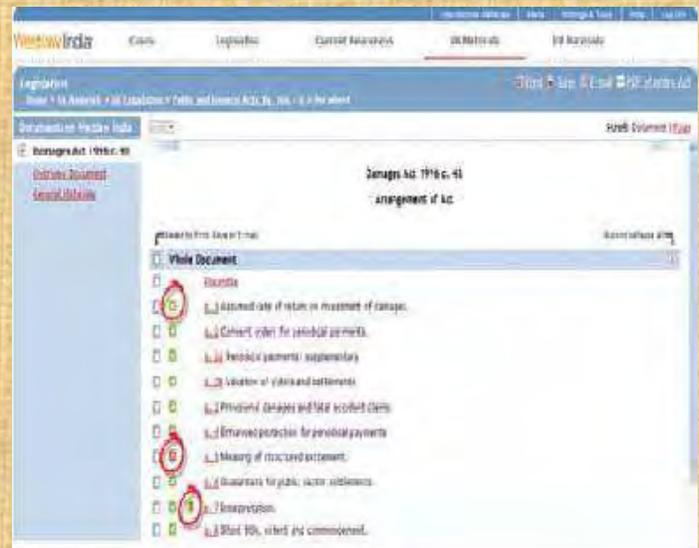
Arrangement of Act/SI

All the provisions within a place of legislation are listed, enabling you to link directly to any section, paragraph, etc.

Status Icons

-  Indicates the provision is a prospective version of the law.
-  Indicates the provision is not yet in force.
-  Indicates the provision is partially in force.
-  Indicates the provision is current law in force.
-  Indicates the provision has amendments pending.
-  Indicates the provision has been repealed.
-  Indicates the provision has been superseded.

Once in the provision document, use the navigation arrows to browse through versions of amended, repealed or prospective versions of that provision.



UK Journals

Finding UK Journals

Step by Step Procedure:

Click on the “UK Journals” under UK Materials tab

1. A hierarchy of Journals is shown under “Browse”, and you can click on one of the hierarchy links to go to a lower level of hierarchy. For instance, clicking on Full text Articles will direct you to a list of Journals for which Full Text Articles are available.
2. The breadcrumbs will be shown on top of the page each time you click a link. This is an indication of where the search will happen
3. Type in a keyword, and then click on the “Search” button. This quick search function will allow you to get results in an easy and fast way.
4. Clicking on UK Journals & Coverage will give you details of what is covered under this segment and clicking on List of connectors will give you tips in using the Terms and Connectors search in Westlaw.
5. Within the “Advanced Search” page, you can type in more terms for a more precise search.

Note: The search facility can be combined with the browse facility. If you click on any of the hierarchy links and type search term(s) in the search box, the search results will be limited to the hierarchy. i.e if you select Full Text Articles

The screenshot displays the Westlaw India interface for UK Journals. It is divided into two main sections: 'UK Journals' and 'Full Text Articles'.

- UK Journals Section:**
 - Breadcrumbs:** Home > UK Materials > UK Journals (labeled 2).
 - Search:** Includes a search box and a 'Search' button (labeled 4).
 - Browse:** A list of links: 'Abstracted Articles' (labeled 1), 'Full Text Articles', and 'Publications Indexed'.
- Full Text Articles Section:**
 - Breadcrumbs:** Home > UK Materials > UK Journals > Full Text Articles.
 - Advanced Search:** Includes multiple search fields: 'Free Text', 'Subject/Keyword', 'Journal Title', 'Article Title', 'Author', 'Cases Cited (Party)', 'Cases Cited (Citation)', 'Legislation Title', 'Legislation Provision No.', and 'Publication Year'. A 'Search' button is also present (labeled 5).

EU Materials

EU Materials

Basic Search

Select the EU Materials link from the top of the screen.

Retrieve EU cases, legislation, treaties and background information by searching Free Text, Parties or Title, Case Number or Reference.

Advanced Search

Enables you to refine your search by selecting specific content to search and by specifying the exact document type you are looking for.

Browsing

Select the content type to browse through. You can then browse further into that content, for example Cases by Court, Legislation, Treaties, Preparatory Acts, Information & Notices etc

The screenshot displays the Westlaw India EU Materials interface. At the top, there are navigation tabs for Cases, Legislation, Current Awareness, UK Materials, and EU Materials. The main content area is titled 'EU Materials' and includes a breadcrumb trail 'Home > EU Materials'. Below this, there are three primary search options:

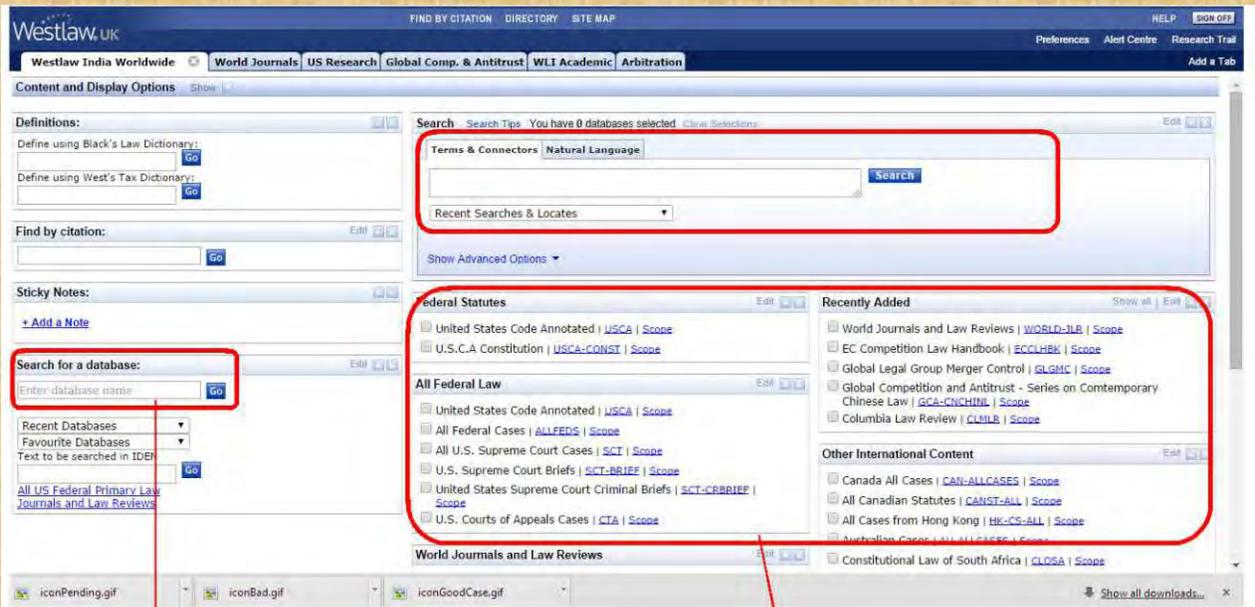
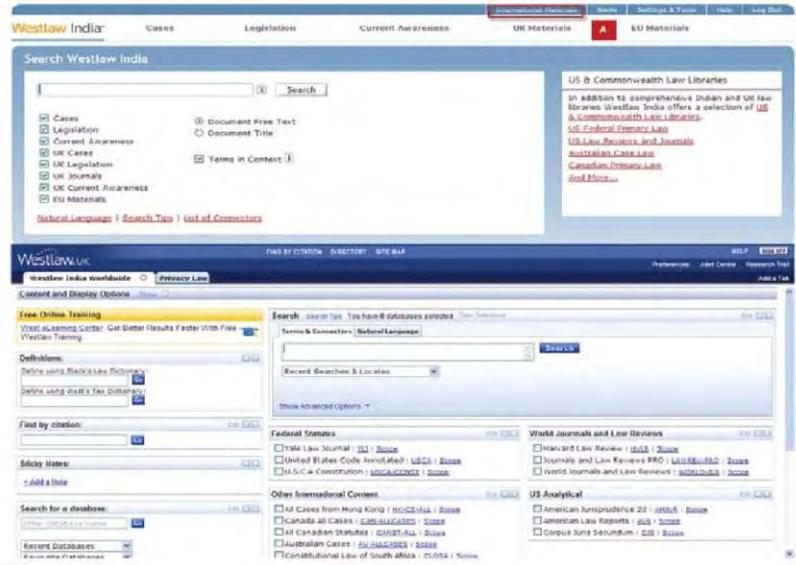
- Search:** Features input fields for 'Free Text', 'Parties or Title', 'Case or Document No.', and 'Publication Reference' (Year, Vol, Page). A 'Search' button is present.
- Advanced Search:** Includes checkboxes for 'EU Cases', 'EU Treaties', 'EU Information & Notices', 'EU Preparatory Acts', and 'EU Legislation'. It also has search fields for 'Free Text', 'Parties or Title', 'Subject', and 'Case or Document No.', along with a 'Publication Reference' section and a 'Date' dropdown menu.
- Browse:** A sidebar on the left lists categories: 'Cases', 'Legislation', 'Treaties', 'Preparatory acts', and 'Information and notices'. The main area shows a list of treaties, such as 'Treaty establishing the European Coal and Steel Community (1951)' and 'Treaty on European Union (consolidated version 2002)'.

International Materials Page

Other International Materials

- Click on International Materials link on top of the page to access Legal Materials from United States and other Commonwealth Law Libraries.
- Clicking on International Materials will open up a separate screen (Westlaw International screen) altogether, where you can access other International Materials apart from UK and EU.

Note: Sources related to European Union and United Kingdom will not work from the Westlaw International page, as the same is available



Search for a database option allows you to find a database to search. For eg: If you wish to search in Harvard Law Review, just type it here and click Go.

- The list of sources that can be searched in. Just click on the check box to select a particular source.
- You can combine up to 10 different sources at once to search
- If you wish to change the arrangement of these sources, you can click, drag and move the sources. The window is completely customizable
- If you wish to just select one source, we recommend clicking on the down arrow that appears when the cursor is kept on a source and click on the first link that appears



Delivery of Documents

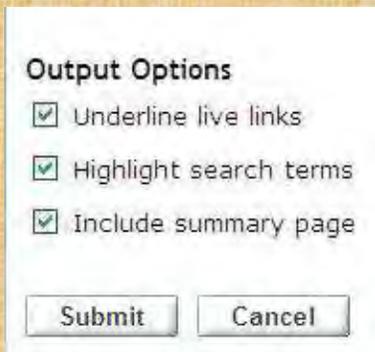
Print, Save & E-mail

Open any document on Westlaw India and you will have the option to print, save or e-mail. Select your chosen option by clicking the relevant link located in the top right-hand corner of the screen.



Print

- Click Print in the top right-hand corner.
- Select your preferred print options and output option(s).
- Click Submit.



E-Mail

- Click e-mail in the top right-hand corner.
- Enter the e-mail address of the recipient(s).
- Choose either PDF or Word RTF (rich text format)
- Select your preferred output option(s).
- Click Submit.



Printing Sections from the Arrangement of Act

You can print individual sections of an Act or the whole Act by selecting the boxes on the left-hand side and clicking print.

Print, Save or E-Mail Selected Results

Once you have run a search, use the checkboxes next to the results to select the documents you wish to print, save or e-mail. Now click the appropriate icon in top right hand corner.

Save

- Click Save in the top right-hand corner.
- Choose either PDF or word RTF (rich text format).
- Select your preferred Output Option(s).
- Click Submit.



User Tips

You will notice that each and every tab has the following options:

- Help and Coverage: This gives you various tips on how to search on the particular tab and also displays the coverage in westlaw India. For eg: Cases Help and Coverage under the Cases tab, will give you some tips on how to search for Indian Cases. It will also display the complete coverage details of Indian Cases in Westlaw India.
- List of Connectors: This gives you the details of Connectors that can be used to define your key terms during your search (Bullion Searching Logic – AND, OR, /s, /p ,etc...)

Westlaw India™ Cases Legislation Current Awareness UK Materials EU Materials

Cases
Home > Cases

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Neon Laboratories Private Limited, Represented by its Power of Attorney Holder v Troikaa Pharma Limited, Gujarat and others
Bombay High Court
26 November 2010

Writ Petition No. 211 of 2010

The Judgment was delivered by : Hon'ble Justice S. C. Dharmadhikari

1. This petition under Article 226 of the [Constitution of India](#) is directed against the grant of Patent No.231479 dated 04.03.2009 vide Patent Application No.96/MUM/2005 evidenced by Annexure-U to the petition and the order dated 03.06.2009 (Annexure-Z to the petition).

2. The Petitioner is a company registered under the [Indian Companies Act, 1956](#) and has its registered office at the address mentioned in the cause title. It is a pharmaceutical company manufacturing, distributing, marketing and exporting pharmaceutical products particularly active pharmaceutical ingredients and finished dosage forms.

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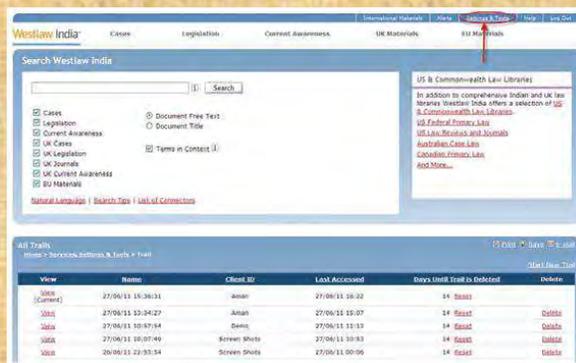
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