$~45 to 48

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ C.O. (COMM.IPD-TM) 275/2025 & I.A. 31060-31062/2025

MANDEEP SINGH .....Petitioner

Through: Ms. Swathi Sukumar, Sr. Adv. with Mr. Nikhil Chawla, Ms. Mansha Mehta, Ms. Arshiya Chauhan, Mr. Ritik Raghuwanshi and Ms. Tejasvini Puri, Advs.

versus

SHABIR MOMIN & ANR. .....Respondents

Through: Mr. Samarjit G. Pattnaik, Mr. Zeeshan Khan, Ms. Kashish Seth, Mr. Keshav Yadav and Mr. Gaurav Vutts, Advs. for R-1

Ms. Nidhi Raman, CGSC with Mr. Om Ram and Mr. Arnav Mittal, Advs. for R-2

Mr. Sandeep Sethi, Sr. Adv. with Mr. Mohit Rohatgi, Mr. Yuvnesh Sharma, Mr. Karan Trehan and Ms. Aditi Namekal, Advs. for R-3

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\+ C.O. (COMM.IPD-TM) 276/2025 & I.A. 31065-31067/2025

MANDEEP SINGH .....Petitioner

Through: Ms. Swathi Sukumar, Sr. Adv. with Mr. Nikhil Chawla, Ms. Mansha Mehta, Ms. Arshiya Chauhan, Mr. Ritik Raghuwanshi and Ms. Tejasvini Puri, Advs.

versus

SHABIR MOMIN & ANR. .....Respondents

Through: Mr. Samarjit G. Pattnaik, Mr. Zeeshan Khan, Ms. Kashish Seth, Mr. Keshav Yadav and Mr. Gaurav Vutts, Advs. for R-1

Ms. Nidhi Raman, CGSC with Mr.

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Om Ram and Mr. Arnav Mittal, Advs. for R-2
Mr. Sandeep Sethi, Sr. Adv. with Mr. Mohit Rohatgi, Mr. Yuvnesh Sharma, Mr. Karan Trehan and Ms. Aditi Namekal, Advs. for R-3

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\+ C.O. (COMM.IPD-TM) 277/2025 & I.A. 31071-31073/2025

MANDEEP SINGH .....Petitioner

Through: Ms. Swathi Sukumar, Sr. Adv. with Mr. Nikhil Chawla, Ms. Mansha Mehta, Ms. Arshiya Chauhan, Mr. Ritik Raghuwanshi and Ms. Tejasvini Puri, Advs.

versus

SHABIR MOMIN & ANR. .....Respondents

Through: Mr. Samarjit G. Pattnaik, Mr. Zeeshan Khan, Ms. Kashish Seth, Mr. Keshav Yadav and Mr. Gaurav Vutts, Advs. for R-1
Ms. Nidhi Raman, CGSC with Mr. Om Ram and Mr. Arnav Mittal, Advs. for R-2
Mr. Sandeep Sethi, Sr. Adv. with Mr. Mohit Rohatgi, Mr. Yuvnesh Sharma, Mr. Karan Trehan and Ms. Aditi Namekal, Advs. for R-3

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\+ C.O. (COMM.IPD-TM) 278/2025 & I.A. 31076-31078/2025

MANDEEP SINGH .....Petitioner

Through: Ms. Swathi Sukumar, Sr. Adv. with Mr. Nikhil Chawla, Ms. Mansha Mehta, Ms. Arshiya Chauhan, Mr. Ritik Raghuwanshi and Ms. Tejasvini Puri, Advs.

versus

SHABIR MOMIN & ANR. .....Respondents

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Through: Mr. Samarjit G. Pattnaik, Mr. Zeeshan Khan, Ms. Kashish Seth, Mr. Keshav Yadav and Mr. Gaurav Vutts, Advs. for R-1
Ms. Nidhi Raman, CGSC with Mr. Om Ram and Mr. Arnav Mittal, Advs. for R-2
Mr. Sandeep Sethi, Sr. Adv. with Mr. Mohit Rohatgi, Mr. Yuvnesh Sharma, Mr. Karan Trehan and Ms. Aditi Namekal, Advs. for R-3

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 11.12.2025

I.A. 31060/2025 in C.O. (COMM.IPD-TM) 275/2025
I.A. 31065/2025 in C.O. (COMM.IPD-TM) 276/2025
I.A. 31071/2025 in C.O. (COMM.IPD-TM) 277/2025
I.A. 31076/2025 in C.O. (COMM.IPD-TM) 278/2025

1. These are applications filed by the Petitioner, seeking leave to file additional documents under Order XI Rule 1(4) [as amended by the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 ('Commercial Courts Act')] read with Section 151 of the Code of Civil Procedure, 1908 ['CPC'], within thirty [30] days.

2. The Petitioner, if it wishes to file additional documents, shall file the same within thirty [30] days from today, and it shall do so strictly as per the provisions of the Commercial Courts Act and the Delhi High Court (Original Side) Rules, 2018 ['DHC Rules'].

3. For the reasons stated in the applications, the same are allowed.

4. Accordingly, the applications are disposed of.

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I.A. 31061/2025 in C.O. (COMM.IPD-TM) 275/2025
I.A. 31066/2025 in C.O. (COMM.IPD-TM) 276/2025
I.A. 31072/2025 in C.O. (COMM.IPD-TM) 277/2025
I.A. 31077/2025 in C.O. (COMM.IPD-TM) 278/2025

5. These are applications filed by the Petitioner under Section 151 CPC, seeking exemption from filing documents with clear typed copies, and with appropriate margins for certain documents.

6. Subject to the Petitioner filing clear typed copies, and copies with appropriate margins for certain documents within a period of two [2] weeks, exemption is granted for the present, failing which, the Petitioner will not be entitled to rely upon these documents.

7. The applications are disposed of.

C.O. (COMM.IPD-TM) 275/2025 & I.A. 31062/2025
C.O. (COMM.IPD-TM) 276/2025 & I.A. 31067/2025
C.O. (COMM.IPD-TM) 277/2025 & I.A. 31073/2025
C.O. (COMM.IPD-TM) 278/2025 & I.A. 31078/2025

8. These petitions have been filed under Section 57(2) of the Trademarks Act, 1999 for cancellation of registrations for the trademark - Instant Bollywood [device] standing in the name of Respondent No. 1 and for rectification of the register of trademarks. The Petitioner seeks rectification of following trademarks, which are hereinafter referred to as subject trademarks:

Case No.	Rectification for Trademark Nos.
C.O.(COMM.IPD-TM) 275/2024	Registration No- 4493633 Class- 16

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C.O.(COMM.IPD-TM) 276/2024	Registration No- 4493634 Class- 35
C.O.(COMM.IPD-TM) 277/2024	Registration No.- 4493635 Class- 38
C.O.(COMM.IPD-TM) 278/2024	Registration no.- 4493636 Class-41

9. Issue notice. Mr. Samarjit G. Pattnaik, Advocate, enters appearance on behalf of Respondent No. 1, and Mr. Om Ram, Advocate, enters appearance on behalf of Respondent No. 2, and they accept notice on behalf of Respondent Nos. 1 and 2, respectively.

Impleadment of Respondent No.3

10. Mr. Mohit Rohatagi, learned counsel, enters appearance on behalf of Times Internet Inc.

10.1. Mr. Sethi, learned senior counsel appearing for Times Internet Inc. states that Respondent No. 1 has assigned its rights in the subject trademarks vide agreement dated 24.10.2025 to Times Internet Inc., and the Petitioner has due notice of this assignment and he refers to legal notice dated 30.10.2025. He states that the assignment agreement has been duly serviced on the Petitioner in the arbitration proceedings pending in Singapore. He states that Times Internet Inc. is a necessary party and seeks impleadment in these proceedings. He has handed over a compilation of the relevant documents vide index dated 11.12.2025 and copy of an application seeking impleadment.

11. Learned senior counsel appearing on behalf of the Petitioner states that she would have to take instructions on the documents produced by

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Times Internet Inc. She states however, after these petitions were served on Respondent No. 1, to overreach the interim relief prayed for at [b] in this interim injunction application, Times Internet Inc. has filed an application before the Trademark Registry for recording the assignment. She states that Petitioner reserves its rights to represent/oppose the recordal of the assignment before the trademark registry. She states that the Petitioner has also been served with an application on behalf of Times Internet Inc. seeking impleadment in these petitions.

12. Having perused the documents under the cover of the index dated 11.12.2025, more specifically the correspondence exchanged between the Petitioner and Times Internet Inc. in October-November 2025, it is apparent that the Petitioner was aware that Times Internet Inc. was asserting transfer of rights in the subject trademarks. Times Internet Inc. has also placed on record the assignment agreement dated 24.10.2025. In these facts, this Court finds that Times Internet Inc. is a proper and a necessary party. Accordingly, Times Internet Inc. is impleaded as Respondent No. 3.

13. Petitioner is directed to file an amended memo of parties within one [1] week.

14. Mr. Mohit Rohatgi, Advocate, accepts notice on behalf of Respondent No. 3.

15. Reply be filed by Respondent Nos. 1 and 3 within four [4] weeks. Rejoinder[s] thereto, if any, be filed within four [4] weeks thereafter.

Interim directions

16. These are applications filed on behalf of the Petitioner under Order XXXIX, Rules 1 and 2, read with Section 151 of CPC.

17. The case set up in the petitions is as follows: -

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17.1 The Petitioner is the owner of the brand Instant Bollywood/ [device], which is an entertainment network that provides online media and information services, including but not limited to, the creation, curation, publication and dissemination of digital content, news updates, fashion updates and other information pertaining to the Bollywood and entertainment industry.

17.2 In 2012, the Petitioner commenced providing the aforesaid services under the name and style of 'INSTA BOLLYWOOD'. The Petitioner thereafter, changed its mark to 'INSTANT BOLLYWOOD'.

17.3 The device mark has been used in relation to the brand since 2016. In the same year, the Petitioner further acquired the domain name, www.instantbollywood.com, for the brand, with the intent of expanding its digital presence.

17.4 The Petitioner has also been using the device mark on multiple social media platforms, including Facebook, Instagram, X and has millions of followers, thereby strengthening the association of the brand and the device mark , which is associated with the Petitioner himself.

17.5 In 2019, the Petitioner entered into an agreement with One Digital Entertainment Pte. Ltd. ['ODE'] for the management and development of

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the brand ‘INSTANT BOLLYWOOD’. However, due to continued breaches by ODE, the Petitioner terminated the Agreement in August 2025.

17.6 It is stated that however, shortly prior to the termination of the Agreement, the Petitioner learnt that Respondent No.1/Shabir Momin, who is the managing director of ODE, had clandestinely applied and obtained multiple registrations for the subject marks in various classes exclusively in his name. It is asserted that the Petitioner had no notice of these registrations prior to August, 2025.

17.7 Aggrieved by the grant of the registrations for the impugned mark by Respondent No.2, the Petitioner has filed the captioned petitions.

Intellectual Property Rights of the Parties

18. Ms. Swathi Sukumar, learned senior counsel for the Petitioner, states that even as per the agreement dated 13.06.2019 executed between the Petitioner and ODE, it was stipulated that ODE will be entitled to joint ownership rights to the extent of 50% in the brand, and therefore, the Petitioner is admittedly entitled to joint ownership in the said trademark to the extent of 50% rights. The Petitioner should have been at the very least, recorded as the joint owner of the marks in the registration certificates. She states that under the agreement was with ODE and Respondent No. 1 was not entitled to apply the subject marks in his personal capacity.

19. Learned counsel appearing on behalf of Respondent No. 1 relies upon Clause ‘7’ of the agreement dated 13.06.2019 to explain the capacity in which he applied for these registrations in the year 2020. Clause 7 reads as follows: -

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7.	Intellectual Property Rights	The IPR of the Brand INB will be hereafter jointly owned by both INB and ODE in 50:50 in perpetuity and across worldwide territories

19.1. He states that no payments have been made to the Petitioner by Respondent No. 1 or ODE for the Transaction Documents executed between Respondent No. 1 and Respondent No. 3 pertaining to transfer/assignment of the brand 'INSTANT BOLLYWOOD'.

20. Learned senior counsel appearing on behalf of Respondent No. 3 as well relies upon the agreement dated 13.06.2019 and the notice dated 30.10.2025 issued by Respondent No. 3 to the Petitioner as well as the other documents in the compilation.

21. This Court has perused the copy of the agreement dated 13.06.2019 executed between the Petitioner and ODE as well as the legal notice dated 30.10.2025 issued by Respondent No.3 to Petitioner. This Court has perused the notice dated 30.10.2025 and paragraphs 1 and 2 therein are relevant to the rights asserted by the Petitioner and reads as under:

"

1. One Digital Entertainment Pte. Ltd. ("**ODE"**), a company incorporated under the laws of Singapore and you had entered into an agreement dated 13 June 2019 (the "A**greement"**), the purpose of which was to formalize the partnership between ODE and you, whereby ODE had acquired right, title and interest in and is entrusted with the global management, commercialization, and development of Brand INB (as defined and described in detail under the Agreement). Pursuant to the terms of the Agreement, ODE, through Brand INB, *inter alia* undertakes the business of creation, curation, publication, distribution and or monetization of content through internet pages and social media channels including but not limited to Instagram, YouTube, Facebook, X (formerly Twitter), Snapchat, Tiktok, Josh app and other digital media platforms, in each case, which is primarily focused on the "Bollywood" film industry delivered through paparazzi-style footage and videos

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relating to celebrity interviews, sightings, or event coverage and film promotions, industry news, or gossip.

2. Pursuant to the Agreement, you hold 50% (fifty percent) economic interest in the Brand INB ("**Your Interest"**). As you are aware, the terms of the Agreement set out the rights of ODE in relation to the Brand INB which *inter alia* include: (a) full management rights over Brand INB (including access to all relevant passwords and credentials across properties), (b) right to sell the Brand INB along with a drag-along on Your Interest therein, and (c) right to create and monetize extensions of the Brand INB."

22. In the prima facie opinion of this Court, Petitioner's 50% Intellectual Property Rights (IPR) in the brand 'INSTANT BOLLYWOOD' and the device mark 

are duly acknowledged in the agreement dated 13.06.2019 relied upon by Respondent Nos. 1 and 3. This right is also acknowledged by Respondent No. 3 in its legal notice dated 30.10.2025. However, admittedly Petitioner is not a confirming party to the Transaction Documents executed between ODE, Respondent No. 1 and Respondent No. 3 and has admittedly not received any consideration. The Respondent Nos. 1 and 3 would have to explain the legal basis of exclusion of the Petitioner from the registration before the registry as well as the Transaction Documents.

23. In these facts, in order to protect the admitted rights of the Petitioner in the subject trademarks, the Respondents are directed to maintain status quo until the disposal of these interim applications with respect to the assignment dated 24.10.2025, made by Respondent No. 1 in favour of Respondent No. 3; and Respondent Nos. 1 and 3 shall not create any third-party interest in the subject trademarks.

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Non-disclosure by the Petitioner

24. Learned counsel for Respondent No. 3 has submitted that the Petitioner in these petitions has submitted at paragraph nos. '24' and '25' that he learnt about the registrations of the subject trademark in favour of Respondent No. 1 only in August, 2025.

24.1 He states that the documents placed on record by Respondent No. 3 today show that the Petitioner was aware of these registrations at least since September, 2022.

24.2 He states that the agreements executed between Petitioner, Respondent No. 1 and Respondent No. 3, as well as the factum of legal notices, have not been disclosed to this Court.

24.3 He states that due to this suppression the interim injunction applications ought to be dismissed.

25. In response, learned senior counsel for the Petitioner states that she will seek instructions from the Petitioner on the documents placed on record as Annexure A and Annexure B from page nos. 212 to 220 of this paper book.

26. This Court has perused the documents handed over by Respondent No. 3 under the cover of index dated 11.12.2025. The agreement dated 13.06.2019, the legal notices exchanged with Respondent No. 3 and more specifically the legal notice dated 24.11.2025 enclosing Annexure A and Annexure B, which prima facie shows the knowledge of the Petitioner with respect to registrations of the subject trademarks in 2022, were relevant and material documents which the Petitioner ought to have filed with the petition and explained in its pleadings. The non-disclosure amounts to suppression; however, this Court is not inclined to dismiss the injunction application as

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Petitioner's 50% right in the subject trademark is prima facie acknowledged. In these facts, this Court deems it appropriate to entertain the injunction application. However, this Court imposes costs of Rs. 5 lakhs in each of these petitions on the Petitioner for this suppression, which is to be paid to the Delhi High Court Legal Services Committee [DHCLSC] within a period of two [2] weeks.

27. List before the learned Joint Registrar (J) on **12.02.2026.**

28. List before the Court on **06.05.2026.**

29. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of the order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

DECEMBER 11, 2025/msh/aa

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