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

\+ CS(COMM) 956/2025

AISHWARYA RAI BACHCHAN .....Plaintiff

Through: Mr. Sandeep Sethi, Senior Advocate with Mr. Pravin Anand, Mr. Ameet Naik, Ms. Madhu Gadodia, Mr. Dhruv Anand, Ms. Udita Patro, Ms. Nimrat Singh, Ms. Deevesha Tudekar, Mr. Dhananjay Khanna, Ms. Aayushi Udani & Ms. Riya Kumar, Advocates.

Versus

AISHWARYAWORLD.COM & ORS. .....Defendants

Through: Ms. Mamta Rani Jha, Mr. Rohan Ahuja, Ms. Shruttima Ehersa, Ms. Devangini Rai, Ms. Aiswarya Debadarsini, Ms. Diya & Ms. Jahanvi, Advocates for D-10.

CORAM:
HON'BLE MR. JUSTICE TEJAS KARIA

O R D E R

% 09.09.2025

I.A. No.22168/2025 (Exemption from pre-institution Mediation)

1. This is an Application filed by the Plaintiff seeking exemption from instituting pre-litigation Mediation under Section 12A of the Commercial Courts Act, 2015 ("**CC Act**").

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2. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in ***Yamini Manohar v. T.K.D. Krithi***, 2023 SCC OnLine SC 1382, exemption from the requirement of pre-institution Mediation is granted.

3. The Application stands disposed of.

I.A. No.22166/2025 (Exemption)

4. Exemption is allowed, subject to all just exceptions.

5. The Application is disposed of.

I.A. No.22167/2025 (Extension of time to file Court Fees)

6. The present Application has been filed by the Plaintiff under Section 149 read with Section 151 of the Code of Civil Procedure, 1908 ("**CPC**"), seeking exemption from payment of Court Fees at the time of the filing of the Suit.

7. Considering the submissions made in the present Application, time of two weeks is granted to file the Court Fees.

8. The Application stands disposed of.

IA No.22165/2025 (O-XI R-1(4) of the Code of Civil Procedure, 1908)

9. The present Application has been filed on behalf of the Plaintiff under Order XI Rule 1(4) of the CPC as applicable to Commercial Suits under the CC Act seeking leave to place on record additional documents.

10. The Plaintiff is permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.

11. Accordingly, the Application stands disposed of.

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I.A. No.22169/2025 (Extension of time for filing the Certificate under Section 63(4)(c) of the Bharatiya Sakshya Adhiniyam, 2023)

12. This is an Application filed by the Plaintiff under Section 151 of the CPC seeking extension of time for filing the requisite Certificate under Section 63(4)(c) of the Bhartiya Sakshya Adhiniyam, 2023.

13. The Plaintiff shall file the relevant Certificate within a period of four weeks.

14. Accordingly, the Application is allowed in the aforesaid terms.

I.A. No.22170/2025 (for exemption from giving written notice to the government authority)

15. This is an Application filed by the Plaintiff under Section 80(2) read with Section 151 of the CPC seeking exemption from serving prior notice under Section 80 of the CPC to Defendant No. 11, i.e., the Ministry of Electronics and Information Technology and Defendant No. 12, i.e., Department of Telecommunications.

16. For the reasons stated in the Application, the same is allowed.

17. The Application stands disposed of.

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18. Let the Plaint be registered as a Suit.

19. Issue Summons. The learned Counsel for Defendant No.10 accepts Summons for Defendant No. 10. Learned Counsel for Defendant No.10 submits that Defendant Nos. 8 and 9 have been impleaded through Defendant No.10 and their address mentioned in the Plaint is the same as that of Defendant No.10, which is incorrect. Learned Counsel for Defendant No. 10 further submits that Defendant No. 10 shall provide all the available Basic Subscriber Information of Defendant Nos. 8 and 9, including their

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addresses, contact numbers and email addresses. Let the same be provided within a period of 7 days. Upon receipt of the said details, the learned Counsel for the Plaintiff shall file an amended Memo of Parties.

20. Let the Summons be served on Defendant Nos. 1 to 7, 11 and 12 through all permissible modes upon filing of the Process Fees. Let Summons be served to Defendant Nos. 8 and 9 at the correct address of Defendant Nos. 8 and 9 through all permissible modes, once the amended Memo of Parties is filed by the Plaintiff.

21. The Summons shall state that the Written Statement(s) shall be filed by the Defendant(s) within 30 days from the date of the receipt of Summons. Along with the Written Statement(s), the Defendant(s) shall also file an Affidavit of Admission / Denial of the documents of the Plaintiff, without which the Written Statement(s) shall not be taken on record.

22. Liberty is granted to the Plaintiff to file Replication(s), if any, within 30 days from the receipt of the Written Statement(s). Along with the Replication(s) filed by the Plaintiff, an Affidavit of Admission / Denial of the documents of Defendant(s) be filed by the Plaintiff, without which the Replication(s) shall not be taken on record.

23. In case any Party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

24. If any of the Parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

25. List before the learned Joint Registrar on 07.11.2025 for completion of service and pleadings.

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I.A. No.22164/2025 (for seeking discovery, production & inspection of Defendants' documents)

26. This Application has been filed by the Plaintiff under Order XI Rules 1, 3 and 5 of the CPC as amended by the CC Act read with Section 151 of CPC, seeking discovery, production and inspection of the Defendants' documents.

27. Issue Notice. The learned Counsel for Defendant No. 10 accepts Notice for Defendant No. 10.

28. Let Notice be served on Defendant Nos. 1 to 7, 11 and 12 through all permissible modes upon filing of the Process Fees. Let Notice be issued to Defendant Nos. 8 and 9 at the correct address of Defendant Nos. 8 and 9 through all permissible modes, once the amended Memo of Parties is filed by the Plaintiff.

29. Let the Reply to the Application be filed within a period of four weeks from the date of Service of Notice. Rejoinder thereto, if any, be filed within a period of two weeks thereafter.

I.A. No.22163/2025 (u/O XXXIX R-1&2 CPC)

30. Issue Notice. The learned Counsel for Defendant No. 10 accepts Notice for Defendant No. 10.

31. Let Notice be served on Defendant Nos. 1 to 7, 11 and 12 through all permissible modes upon filing of the Process Fees. Let Notice be served to Defendant Nos. 8 and 9 at the correct address of Defendant Nos. 8 and 9 through all permissible modes, once the amended Memo of Parties is filed by the Plaintiff.

32. The present Suit has been filed by the Plaintiff, *inter alia*, seeking permanent injunction restraining infringement of copyright, performer's

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rights, misappropriation of personality / publicity rights, passing off and unfair competition.

33. Mr. Sandeep Sethi, the learned Senior Counsel for the Plaintiff made the following submissions:

33.1 The Plaintiff is an Indian citizen and resides in Mumbai. The Plaintiff is one of the most celebrated and internationally recognized personalities in the Indian entertainment industry. She is a global icon, an acclaimed actress, former Miss World, and global ambassador for various brands. She has earned immense fame and respect for her prolific acting career, philanthropic endeavours, and global representation of Indian culture and cinema.

33.2 Over the years, the Plaintiff has built a brand of herself, wherein the public associates both 'trust' and 'quality' with the Plaintiff as also with every brand that the Plaintiff endorses. On account of her work, the Plaintiff has generated extensive and unparalleled goodwill and recognition.

33.3 On account of her reputation, the Plaintiff's Personality Rights, which include the Plaintiff's name, image, signature, voice, likeness and all other elements of the Plaintiff's persona, have acquired a unique distinctiveness, and due to their inimitable nature, they also have a huge commercial value associated with them. Any third-party using any of the above stated elements of the Plaintiff's persona is bound to cause confusion and deception amongst the general public, indicating affiliation with / sponsorship by the Plaintiff.

33.4 Therefore, no one is entitled to utilize and / or misappropriate and / or imitate any facet of the Plaintiff's personality, including but not limited to her name, signature, voice, image and any other distinctive elements that are

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uniquely associated with her, and / or exploit the same commercially in any manner whatsoever without the consent and / or express authorization of the Plaintiff as it would constitute a violation of the Plaintiff's Personality Rights and liable to be judicially restrained by the Court.

33.5 Defendant No. 1 operates and maintains a website accessible at 'https://aishwaryaworld.com/', which falsely represents itself as the Plaintiff's official website and is designed to mislead the public into believing that it is operated, authorized, and endorsed by the Plaintiff. The said website also provides autographed pictures, screensavers and wallpapers of the Plaintiff to the users.

33.6 Defendant No. 2 operates and maintains a website accessible at 'https://apkpure.com/', which hosts and distributes APK (Android Package) files that enable users to download and install applications, including those that are not available on the Google Play Store. This Defendant has several unauthorised applications that bear images of the Plaintiff, *inter alia*, in the form of wallpapers, which can be downloaded and used by users.

33.7 Defendant No. 3 operates and maintains a website accessible at 'https://bollywoodteeshop.com/' which unauthorizedly sells T-shirts, in the name of the Plaintiff, prominently bearing her photographs / images. Defendant No. 4 operates and maintains a website accessible at 'https://kashcollectiveco.com/products/aishwarya-rai-vintage-t-shirt' and unauthorizedly sells T-shirts which prominently bear the name and photograph of the Plaintiff.

33.8 Defendant No. 5 is an e-commerce platform that offers for sale various infringing articles such as coffee mugs and T-Shirts to customers, which violate the Plaintiff's Personality Rights. The said Defendant provides

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a platform which facilitates third party entities to advertise, offer for sale and sell products that infringe the Plaintiff's Personality Rights in an unchecked manner, and is profiting from the availability and / or sale of such infringing products on its platform.

33.9 Defendant Nos. 3 to 5 are engaged in the selling of products such as coffee mugs, t-shirts, posters, etc., either through their own websites or through various e-commerce platforms. The said products prominently utilize the name and images of the Plaintiff without any due authorization from the Plaintiff.

33.10 The Defendant No.6 is an organisation named 'Aiswarya Nation Wealth, Motivational Speaker' based in Thiruvananthapuram and Mumbai. The said organisation is using the Plaintiff's name and image in an unauthorized manner in order to promote its business. On 15.08.2025, the Plaintiff received a letter from Defendant No. 6, wherein the Plaintiff was referred to as the Chairman of the said organization, with her image attached on the letterhead of Defendant No. 6 with fraudulent intent of wilful misrepresentation of the Plaintiff's association with Defendant No. 6.

33.11 Defendant No. 7 is a chatbot accessible at 'www.jainatorai.com', wherein users can interact with AI characters that are designed to facilitate and engage in personalized conversations with inappropriate innuendos related to the Plaintiff. The said chatbot also engages in the impersonation of the Plaintiff, while using sexually-coloured remarks in its messages generated in chat with the users of the chatbot, effectively portraying that the said remarks originate from or are made by the Plaintiff. The usage of the Plaintiff's name by Defendant No. 7 is completely unauthorized and given the obscene nature of the content generated on Defendant No. 7's platform

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in the name of the Plaintiff, the Plaintiff's reputation, integrity and dignity are harmed and causes grave humiliation to the Plaintiff.

33.12 Defendant Nos. 8 is a YouTube Channel which features AI-generated deepfake videos / YouTube shorts of the Plaintiff, which infringe her publicity right, while also engaging in dissemination of false information related to the Plaintiff.

33.13 Defendant No.9 is also a YouTube Channel, which features misleading and inappropriate AI-generated YouTube shorts / videos of various Bollywood celebrities including the Plaintiff, effecting the spread of fictitious information related to the Plaintiff, thereby causing immense harm to the Plaintiff.

33.14 Defendant Nos. 8 and 9's YouTube shorts / videos are egregious as they often portray the Plaintiff in a false setting in addition to inappropriate scenarios with other celebrities, which is bound to mislead the public into believing that the said depiction in the video is factually accurate, bringing ill-repute to the Plaintiff.

33.15 Defendant No.10 is Google LLC that owns the tool 'YouTube', where the infringing videos shared by the aforementioned Defendant Nos. 8 and 9 are made available.

33.16 Defendant Nos. 11 and 12, i.e., the Ministry of Electronics and Information and Technology and the Department of Technology, Government of India, are proforma Defendants, who have been impleaded only to facilitate the implementation of the orders of this Court.

33.17 The Plaintiff also joined unknown Defendants as Defendant No. 13, whose names, addresses and/or constitution are presently unknown to the Plaintiff, and are referred to as 'John Doe' and / or 'Ashok Kumar'. The

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Plaintiff seeks relief of interim injunction against Defendant No. 13 restraining unknown persons from violating the Plaintiff's Personality Rights.

33.18 The details of the misuse of the Plaintiff's Personality Rights by Defendant Nos. 1 to 9 and 13 are as under:

Category	Defendant(s)
False impersonation of the Plaintiff and unauthorized use of the Plaintiff's images on websites, applications etc.	1, 2 and 6
Sale of products with images of the Plaintiff.	3 to 5 and 13
Usage of Plaintiff's name by Artificial Intelligence Chatbots.	7
Superimposing the Plaintiff's face on someone else's body, generating images of the Plaintiff with other celebrities and creating inappropriate content, making sexually explicit comments and remarks.	8, 9 and 13

33.19 The entire business model of Defendant Nos. 1 to 9 and 13 is designed to illegally monetize the Plaintiff's persona / likeness for their personal gain. Such infringing activities are without the Plaintiff's consent, and the Plaintiff is also uncertain of the quality of goods and / or services being provided by way of such infringing activities. In the context of merchandise / goods, inferior quality would mean a further debasement of

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the goodwill and reputation that the Plaintiff has carefully garnered over the last many years. Such usage may also be in conflict with the Plaintiff's existing contractual obligations with various third-party entities with whom she has signed endorsement deals.

33.20 All the activities mentioned above, amount to an infringement of the Plaintiff's Personality Rights and Passing Off. It is obvious that any lay person viewing such products / services would be confused into thinking that the said product and / or service is being endorsed / sponsored by the Plaintiff.

33.21 The Plaintiff seeks appropriate orders to take down infringing links of third parties / John Does as well as obtain proper details of such parties from the platforms and to implead them as parties in the Suit, if required.

33.22 The Plaintiff has suffered incalculable loss to her goodwill and reputation on account of infringement of her Publicity / Personality Rights, which also amounts to Passing Off.

33.23 In the case of ***Anil Kapoor v. Simply Life India***, 2023 SCC OnLine Del 6914, this Court observed that a celebrity's right of endorsement acts as a major source of livelihood for the celebrity and any attribution of their persona without their consent is impermissible in law. The Court held as under:

> "*38. Fame can come with its own disadvantages. This case shows that reputation and fame can transcend into damaging various rights of a person including his right to livelihood, right to privacy, right to live with dignity within a social structure, etc. There can be no doubt that free speech in respect of a well-known person is protected in the form of right to information, news, satire, parody that is authentic, and also genuine criticism. However, when the same crosses a line, and results*

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in tarnishment, blackening or jeopardises the individual's personality, or attributes associated with the said individual, it would be illegal.

39. There can be no justification for any unauthorised website or platform to mislead consumers into believing that they are permitted to collect fee by incorrectly portraying that they can bring the Plaintiff as a motivational speaker. Using a person's name, voice, dialogues, images in an illegal manner, that too for commercial purposes, cannot be permitted.

40. The celebrity's right of endorsement would in fact be a major source of livelihood for the celebrity, which cannot be destroyed completely by permitting unlawful dissemination and sale of merchandise such as t-shirts, magnets, key chains, cups, stickers, masks, etc. bearing the face or attributes of their persona on it without their lawful authorisation."

33.24 In ***Amitabh Bachchan v. Rajat Nagi***, (2022) 6 HCC (Del) 641, this Court granted the relief of *ad-interim ex-parte* injunction to the plaintiff therein, who was aggrieved by the unauthorized use of his celebrity status by the defendants therein, for the promotion of their goods and services. Similarly, in ***Jaikishan Kakubhai Saraf v. Peppy Store***, (2024) 2 HCC (Del) 253, this Court protected the Personality Rights of the plaintiff therein by granting an *ad-interim ex-parte* injunction in his favour, restraining the liable defendants therein from violating the plaintiff's Personality Rights and causing prejudice to the plaintiff's reputation.

33.25 The Plaintiff has established a good *prima facie* case, and the balance of convenience also tilts in her favour. The misuse of the Plaintiff's name, image, likeness and other elements of the Plaintiff's persona clearly constitutes infringement as the adoption of the aforementioned attributes

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such as name, image, signature, likeness, etc. without any authorization from the Plaintiff, will inevitably cause confusion and create a perception of endorsement by the Plaintiff. Further, irreparable loss, damage and injury would be caused to the Plaintiff's goodwill, reputation and prestige if the interim injunction as prayed for is not granted immediately.

34. Personality Rights of individuals, simply put, entail the right to control and protect the exploitation of one's image, name, likeness or other attributes of the individuals' personality, in addition to the commercial gains that can be derived from the same. Personality Rights can be located in the individuals' autonomy to permit or deny the exploitation of the likeness of other attributes of their personality.

35. When the identity of a famous personality is used without their consent or authorization, it may not only lead to commercial detriment to the concerned individual but also impact their right to live with dignity. In other words, the unauthorized exploitation of the attributes of an individual's personality may have two facets – *first,* violation of their right to protect their personality attributes from being commercially exploited; and *second*, violation of their right to privacy, which in turn leads to undermining their right to live with dignity. The Courts in such cases of unauthorized exploitation of one's Personality Rights, cannot turn a blind-eye to the same and shall protect the aggrieved parties so as to avert any harm to them resulting from the said unauthorized exploitation.

36. Considering the pleadings, documents and submissions made by the learned Senior Counsel for the Plaintiff, it is clear that the attributes of the Plaintiff's persona, including her name and images, are being misused by Defendant Nos. 1 to 9 and 13, without any authorization from the Plaintiff,

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by employing technological tools, including Artificial Intelligence. The said misuse is not only causing financial detriment to the Plaintiff, but also leads to harming her dignity, reputation and goodwill.

37. Since the Plaintiff is one of the most celebrated personalities in the Indian entertainment industry, who has served various brands as their ambassador, she has garnered significant goodwill and reputation such that the members of the public repose their trust in the brands endorsed by the Plaintiff. Any infringement of the Plaintiff's Personality Rights, while causing confusion amongst the members of the public regarding endorsement or sponsorship of a product or service by the Plaintiff, will also lead to dilution of the Plaintiff's reputation and goodwill.

38. Therefore, the Plaintiff has established a *prima facie* case for the grant of an *ex-parte* injunction. Balance of convenience lies in favour of the Plaintiff and if an injunction is not granted in the present case, it will lead to an irreparable loss / harm to the Plaintiff and her family, not only financially, but also with respect to her right to live with dignity.

39. Accordingly, till the next date of hearing, it is directed that:

i. Defendant Nos. 1 to 9 and 13, their principal officers, servants, agents, affiliates, subsidiaries, distributors and all others acting for and on their behalf are restrained from violating the Plaintiff's Personality / Publicity Rights and / or Plaintiff's Moral Rights and / or Passing Off their goods and services as those emanating from or being endorsed by the Plaintiff by utilizing and / or in any manner directly and / or indirectly, using, exploiting or misappropriating the Plaintiff's (a) name "Aishwarya Rai Bachchan" and acronym "ARB"; (b) image and likeness; and (c) any other attributes of her persona

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which are exclusively identifiable with her for any commercial and / or personal gain and / or otherwise by exploiting them in any manner whatsoever without the Plaintiff's consent and / or authorization, through the use of any technology including but not limited to Artificial Intelligence, Generative Artificial Intelligence, Machine Learning, Deepfakes, Face Morphing, on any medium and format.

ii. Defendant Nos. 3 to 9 and 13, their principal officers, servants, agents, affiliates, subsidiaries, distributors and all others acting for and on their behalf are restrained from creating, sharing, disseminating, any product (including T-shirts, coffee mugs, posters) and / or content (including audio-visual content, images, videos, etc.) through the use of any technology including but not limited to Artificial Intelligence, Generative Artificial Intelligence, Machine Learning, Deepfakes, Face Morphing, and on any medium and format, that results in the dilution of the Plaintiff's public persona.

iii. Defendant No. 5 shall take down, remove, disable and block the URLs identified in **Document-A** to this Application within 72 hours of receiving the Notice and shall further file in a sealed cover / password protected document, all the available Basic Subscriber Information, including the names, email address, contact number, IP logs and registration details of the owners, operators, sellers of goods and / or services through the URLs as identified in **Document-A** to this Application, within 7 days from the receipt of the Notice.

iv. Defendant No. 10 shall take down, remove, and disable the URLs as identified in **Document-B** of the Application within 72 hours of receiving the Notice and shall further file in a sealed cover / password

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protected document, all the Basic Subscriber Information, including the names, email address, contact number, IP logs and registration details of the owners, operators and sellers of goods and / or services through the URLs as identified in **Document-B** to this Application, within 7 days from the receipt of the Notice.

v. Defendant Nos. 11 and 12, shall issue necessary directions to block and disable all the URLs, as identified in **Document-C** to this Application, within 7 days from the receipt of the Notice.

40. Let the Reply to the present Application be filed within four weeks after service of Notice. Rejoinder thereto, if any, be filed before the next date of hearing.

41. The compliance of Order XXXIX Rule 3 of the CPC be done within two weeks.

42. List before Court on 15.01.2026.

TEJAS KARIA, J

SEPTEMBER 9, 2025
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