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

+ **CS(COMM) 370/2020, I.A. Nos.7941/2020, 9364/2020**

FLIPKART INTERNET PRIVATE LIMITEDPlaintiff

Through : Mr. Rajiv Nayar, Sr. Adv. With Ms. Shilpa Gupta, Mr. Vaarish K. Sawlani, Mr. Ranjeet Singh Sidhu and Ms. Manjira, Adv.

versus

GODADDY OPERATING COMPANY LLC & ORS.Defendants

Through : Mr. Vakul Sharma, Adv. for D-1.
Mr. T.N. Durgaprasad, Adv. for D-20.
Mr. Ramnish Khanna, Adv. for D-22.
Mr. K.R. Shashiprabhu with Mr. Tushar Bhardwaj, Adv. for D-25.
Mr. Azhar Qayum, Adv. for D-27.
Mr. Abhay Pakash Sahay with Ms. Mannu Singh, Ms. Indira Gowami, Adv. for D-29 & 30.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **19.10.2020**

[Court hearing convened *via* video-conferencing on account of COVID-19]

1. Mr. Rajiv Nayar, learned senior counsel, who appears for the plaintiff, says that the malady pointed out on the previous dates continues to affect the plaintiff. By way of an illustration, the following infringing domain names are brought to my notice. Mr. Nayar says that the domain name registrars [DNRs] in the instant case [i.e. defendant no. 1 to 7 and 31] continue to register such like rogue sites to the detriment of the plaintiff and public at large.

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*“flipkart.studio, rflipkart.com, flipkart.bet, flipkart.tours, lflipkart.com, flipkart.cafe, flipkart.agency, flipkart.art, flipkart.vip, flipkart.city, flipkart.media, flipkart.express, cflipkart.com, flipkart.style, flipkart.rocks, xflipkart.com, flipkart.solutions, flipkart.llc, flipkart.global, flipkart.school, flipkart.exchange, flipkart.house, flipkart.international, flipkart.ninja, flipkart.academy, flipkart.health, flipkart.photography, flipkart.foundation, flipkart.expert, flipkart.email, flipkart.education, flipkart.land, flipkart.estate, flipkart.parts, flipkartonline.me, flipkartus.in, flipkarthub.com, flipkart.studio, flipkartlab.com, flipkartsolutions.com, flipkart.care, flipkart.events, flipkartr.com, flipkart.fashion, flipkart.technology, gflipkart.travel, flipkart.clothing, flipkart.parts, flipkart.shoes, flipkart.ventures, flipkart.domains, flipkart.gen.in, flipkart.page, eflipkart.com, flipkartonline.me, flipkart.live, flipkart.co.za, flipkart.com.au, flipkart.de, flipkart.hu, flipkart.nl, flipkart.pl, flipcart.com
Flipkart.baby, flipkartparts.com, theflipkart.net, flipkartshop.org, flipkartshop.ne, myflipkart.net, theflipkart.store, flipkartreviews.com, the flipkartparts.net, carflipkart.com, flipkartdrive.com, flipkartshop.biz, myflipkart.biz, flipkart.live, flipkart.online, flipkart.link, flipkart.help, flipkart.site, flipkart.space, flipkart.store, flipkart.uno, flipkart.host, flipkart.fun, flipkart.press, webflipkart.com, flip-kart.site, theflipkart.net, flipkart.page, flipkart.gg”*

2. Mr. Nayar says that the closer the infringing name is to the trademark/domain name of the plaintiff; the more revenue is earned by the concerned DNRs.

3. To my mind, the DNRs need to take stock of the situation and immediately remove, to begin with, all such domain names, which are identical to and deceptively similar to the plaintiff’s trademark/domain name. The domain names, which are set out hereinabove, by way of illustrations, will be blocked/suspended forthwith by the concerned DNRs.



3.1 For the future, as and when the plaintiff lodges a complaint *qua* a domain name which, according to it, is identical or deceptively similar to its trademarks/domain name, the concerned DNRs will take a decision on the complaint made, in that behalf, within 48 hours of it being filed.

4. At this stage, Mr. T.N. Durgaprasad, Mr. Ramnish Khanna, Mr. K.R. Shashiprabhu, Mr. Azhar Qayum and Mr. Abhay Pakash Sahay, who appear for defendant nos. 20, 22, 25, 27 and 29 & 30, respectively, say that they have complied with the earlier directions issued by this Court.

5. Mr. Nayar says that, in view of the directions passed hereinabove, I.A. Nos. 7941/2020 and 9364/2020 can be disposed of with liberty to the plaintiff to move this Court, if a need arises hereafter.

6. Accordingly, I.A. Nos. 7941/2020 and 9364/2020 are disposed of with liberty to the plaintiff, as prayed for, *albeit*, as per law.

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7. List the matter before the Joint Registrar (Judicial) on 03.11.2020 for completion of service and pleadings in the matter.

RAJIV SHAKDHER, J

OCTOBER 19, 2020

PMC/KK

Click here to check corrigendum, if any

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