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

+ CS(COMM) 350/2020

GUJARAT COOPERATIVE MILK MARKETING FEDERATION
LTD & ANR. Plaintiffs

Through Mr. Abhishek Singh, Adv.

versus

AMUL-FRANCHISE.IN & ORS. Defendants

Through Mr. Moazzam Khan, Adv. for D-26
Mr. Neel Mason, Adv. for Google LLC.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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09.04.2021

This hearing is conducted through video-conferencing.

IA No. 5120/2021

1. This application is filed under Order I Rule 10 CPC read with Order XXXIX Rule 1 and 2 based on the liberty granted to the plaintiffs to implead and seek necessary relief in case they discover any other website/domain/entity which is infringing the plaintiffs' trademark AMUL and/or carrying out similar fraudulent activities by order dated 28.08.2020 read with order dated 08.09.2020.

2. By the present application, the plaintiff seeks to implead:-

(i) Registrant of www.educationindia.com, EDCIL (India) Ltd. with office at 18-A, EdCIL House, Film City, Sector 16-A, Noida, Uttar Pradesh - 201301, as defendant No. 50;



(ii) account holder of Bank Account: 1498000101080994 and IFSC Code: PUNB0100800 through the Branch Manager, Punjab National Bank, Desai Lane, Station Road, Anand Gujarat – 388001, as defendant No. 51, and;

(iii) Google LLC at 1600 Amphitheatre, PKWY Mountain View California, United States of America - 94043 also at No.3, RMZ Infinity - Tower E, Old Madras Road, 4th & 5th Floor, Bangalore, Karnataka- 560016, as defendant No. 52.

3. It is stated that the plaintiffs seek suspension/deletion of the domain name www.educationsindia.com and appropriate directions to GoDaddy LLC, the concerned Domain Name Registrar of the aforesaid domain, already arrayed as defendant No. 26 for blocking access to the said domain/website. The plaintiffs also seek freezing of the given bank account and disclosure of the identity and address of the Account Holder of the said account and further seek suspension/blocking of the email id amulhub@gmail.com and disclosure of the details of the registrant of the same.

4. The aforesaid proposed defendants being necessary and proper parties are impleaded as defendants No. 50 to 52 respectively.

5. Issue notice to the newly impleaded defendants being Defendant No. 50, Defendant No. 51 and Defendant No. 52 on the plaintiff taking steps through email. Notice be also issued to the Branch Manager, Punjab



National Bank, Desai Lane, Station Road, Anand Gujarat – 388001 to supply the details of the account holder of account no. 1498000101080994.

6. Learned counsel for the proposed Defendant No. 52 has entered appearance and states that the Bangalore address of Defendant No. 52 is incorrect and there is no such office in Bangalore of Defendant No. 52. Learned counsel for Defendant No. 52 accepts notice.

7. Defendant No. 26, Registrar of the domain name www.educationsindia.com will suspend and block the said domain name of the proposed defendant No. 50. Further Bank Account: 1498000101080994 be frozen till further orders of this court.

List on 04.05.2021.

The compliance under Order XXXIX Rule 3 be done within one week from today.

CS(COMM) 350/2020 and IA No. 7456/2020 (u/O 39 Rules 1 & 2 CPC)

Written statement be filed within four weeks. Replication be filed within two weeks thereafter.

List on 04.05.2021.

JAYANT NATH, J

APRIL 9, 2021
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