



\$~37

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

+ **CS(COMM) 685/2025, I.A. 15988/2025, I.A. 15989/2025,
I.A. 15990/2025 & I.A. 15991/2025**

TATA SONS PRIVATE LIMITED AND ANRPlaintiffs

Through: Ms. Shwetasree Majumder,
Mr. Prithvi Singh, Mr. Rohan Krishna
Seth, Mr. Prithvi Gulati and
Mr. Ritwik Marwaha, Advocates

versus

JOHN DOE AND ORSDefendants

Through: Mr. Krishan Kumar, Mr. Nitin Pal
and Mr. Seemant Garg, Advocates
D-15
Ms. Saumya Tandon, CGSC with
Mr. Gaurav Singh Sengar, Advocate
for D-20 and D-21
Mr. Prashant Rawat, G.P. for UOI

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

ORDER
10.07.2025

%

**I.A. 15991/2025 (seeking exemption from filing clearer and translated
copies)**

1. Allowed, subject to just exceptions.
2. The plaintiffs are exempted from filing clearer and translated copies of documents at this stage.
3. The application stands disposed of.

I.A. 15990/2025 (O-XI R-1(4) of the Commercial Courts Act)



4. The present application has been filed on behalf of the plaintiffs seeking leave to file additional documents.

5. The plaintiffs are permitted to file additional documents in accordance with the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

6. Accordingly, the application is disposed of.

I.A. 15989/2025 (u/s 12A of Commercial Courts Act, 2015)

7. As the present suit 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.

8. The application stands disposed of.

CS(COMM) 685/2025

9. Let the plaint be registered as a suit.

10. Issue summons.

11. Mr. Nitin Pal, counsel accepts summons on behalf of the defendant no.15, and waives issuance of formal summons.

12. Ms. Saumya Tandon, counsel accepts summons on behalf of the defendants no.20 and 21, and waives issuance of formal summons.

13. None appears on behalf of the defendants no.2 to 14 and the defendants no.16 to 19 despite advance service.

14. Upon filing of the process fee, issue summons to the defendants no.1 to 14 and the defendants no.16 to 19 through all permissible modes, including e-mail.

15. Written statement(s) shall be filed by the defendants within thirty days from today. Along with the written statement(s), the defendants shall also



file affidavit of admission/denial of the documents of the plaintiffs, without which the written statement(s) shall not be taken on record.

16. Liberty is given to the plaintiffs to file replications, if any, within thirty days from the receipt of the written statement(s). Along with the replications filed by the plaintiffs, affidavit of admission/denial of the documents of the defendants be filed by the plaintiffs.

17. The parties shall file all original documents in support of their respective claims along with their respective pleadings. In case parties are placing reliance on a document, which is not in their power and possession, its detail and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

18. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

19. List before the Joint Registrar on 08th September, 2025 for completion of service and pleadings.

20. List before the Court on 11th November, 2025.

I.A. 15988/2025 (u/O-XXXIX Rule 1 & 2 of Code of Civil Procedure, 1908)

21. The present suit has been filed seeking relief of permanent injunction restraining the defendant no.1 from infringing the wordmarks and logos of the plaintiffs and passing off their services as that of the plaintiffs, along with other ancillary reliefs.

22. The plaintiffs are a part of India's biggest conglomerate, the 'Tata Group of Companies', and are giants in the Indian Fast Moving Consumer Goods (FMCG) and Food and Beverages (F&B) sectors (the 'concerned business') and manage a huge portfolio of brands, including but not limited



to TATA SALT, TATA TEA, TATA TEA GOLD, TATA TEA PREMIUM, TATA TEA AGNI, SIMPLY BETTER, TATA SOULFULL, HIMALAYAN, TATA WATER PLUS, TATA GLUCO+, TETLEY, JEMCA, VITAX, EIGHT O'CLOCK COFFEE, HIMALAYAN, GRAND COFFEE, JOEKELS, etc.

23. The plaintiffs were founded in the year 1899 by Mr. Jamsetji Nusserwanji Tata, an Indian pioneer industrialist, who is widely regarded as the legendary “Father of the Indian Industry” and who founded the Tata Group. The plaintiff no.2, ‘Tata Consumer Products Limited’ was initially incorporated on 18th October 1962 as ‘Tata Finlay Private Limited’. Thereafter, the name was changed to ‘Tata Tea Limited’ and on 2nd July 2010, the name was further changed to ‘Tata Global Beverages Limited’ and finally the name was changed to the current name, i.e., ‘Tata Consumer Products Limited’.

24. Today, the plaintiffs are one of the leading FMCG and F&B companies in India and are continuing to expand their brand portfolio to innovate and expand in the above sectors, not only in India, but globally as well.




25. The plaintiffs enjoy a substantial brand awareness under their house brand TATA, which is evident from the revenue generated by the plaintiffs.

26. On account of its highly distinctive nature and the pioneering activities of its founder, the house mark ‘TATA’ has acquired an excellent reputation from the very beginning and down the decades, has consistently been associated with, and exclusively denotes the conglomeration of Tata Group of companies, known for high quality of products manufactured and services rendered. The Tata Group of companies consists of over 100









companies, all of which use the house mark 'TATA' as a key and essential part of their corporate name. In addition, there are also numerous overseas companies, philanthropic bodies and autonomous public institutions promoted by the Tata Group of companies.

27. It is averred in the plaint that the plaintiffs are the registered proprietors of the following trademarks in India: -

S. No.	Trademark	Registration No.	Date of application/ registration	Class
1.	TATA	92647	16/02/1944 User claim: 01/01/1916	4
2.		6088	02/10/1942	6
3.		6089	02/10/1942	9
4.		6092	02/10/1942	30
5.	TATA	92642	16/02/1944	13
6.	TATA	92643	16/02/1944	8
7.	TATA	92644	16/02/1944	6
8.	TATA	92645	16/02/1944	9
9.	TATA	92646	16/02/1944	19
10.	TATA	92648	16/02/1944	30
11.	TATA	92649	16/02/1944	2
12.	TATA	92651	16/02/1944	5
13.	TATA	92652	16/02/1944	29



14.		129604	30/05/1947	30
15.		129607	30/05/1947	30
16.		838446	27/01/1999	30
17.	TATA	1236890	16/09/2003	35
18.		1511161	08/12/2006	30
19.	TATA TEA	3330687	08/08/2016	32
20.	TATA COFFEE	4159225	26/04/2019	5, 30
21.		5417178	20/04/2022	30
22.	TATATEA	501313	28/11/1988	30
23.	TATA TEA	501314	28/11/1988	30
24.	TATA TEA GOLD CARE	4622166	24/08/2020	30
25.	TATA TEA CARE	4954211	23/04/2021	30
26.		3330686	08/08/2016	30

28. It is averred that the plaintiffs also own more than 2,000 'TATA' formative domains, with the earliest domain name registration dating back to 15th October 1996, for the domain 'tata.com'.

29. Further, the TATA trademarks have been declared as well-known trademarks by this Court as well as the Trade Marks Registry.

30. It is averred that the defendant no.1, along with other unknown



persons, are involved in duping general members of the public by misusing the plaintiffs' 'TATA' trademarks and impersonating the plaintiffs' employees and representatives. The defendant no.1, which are John Doe defendants are conducting their fraudulent activities through various rogue websites along with the associated e-mail addresses, phone numbers, UPI IDs and bank accounts.

31. It is averred in the plaint that in the month of January 2025, the plaintiff received several complaints of fraud related to the various websites, as indicated by the plaintiffs in paragraph 25 of plaint, wherein the defendant no.1 offered fake dealership/distributorship under the plaintiffs' TATA trademarks to unsuspecting persons/victims in exchange for payment of substantial sums of money. In all such reported cases, the defendant no.1 would initially ask the victim to make the first payment of around INR 25,000 as 'Registration fee', and upon having done so, the defendant no.1 would ask the victim for payment of additional sums of money, which would run into lakhs under the impression that the victims are paying for 'Agreement Deposit', 'Product Deposit', 'NOC Deposit', 'Travel' and 'Renovation & Equipment Deposit', 'Second Stock Purchase Deposit', etc. Once all the payments are made by the victim/s, the defendant no.1 would stop responding to the victims, which is when the victim/s would realise that they have been duped by the defendant no.1.

32. It is also averred that upon receiving several complaints, the Plaintiff conducted an investigation and came across several sets of websites/domains that are being operated with the same *modus operandi* as the above-mentioned websites. The list of these websites is provided in paragraph 27 of the plaint.



33. It is averred that the above detailed facts, showing several instances of infringement and fraud using the plaintiffs' marks, unambiguously makes it clear that the defendant no.1 have been constantly infringing the trademarks of the plaintiffs with the sole motive to defraud innocent customers and causing great damage to the plaintiffs' goodwill.

34. Ms. Shwetasree Majumder has drawn the attention of this Court to the various documents, wherein the trademarks of the plaintiffs have been used by the defendant no.1 in an unauthorised manner in order to dupe and defraud people.

35. In view of the above, a *prima facie* case is made out in favour of the plaintiffs.

36. Balance of convenience is in favour of the plaintiffs and against the defendant no.1. Irreparable injury would be caused to the plaintiffs if the defendant no.1 continues to use the impugned trademarks. Prejudice would also be caused to the public as the defendant no.1/John Doe defendants are defrauding innocent persons by claiming to provide dealership/distributorship opportunities under the plaintiff's TATA trademarks.

37. A review of the evidence filed by the plaintiffs demonstrates that the repeated instances of duping of customers has occurred through domains that have claimed to offer fake dealerships/ distributorships and the presence of the trademark TATA along-with the word "dealerships"/ "distributorships" and/ or the word "consumer" has led innocent public to believe that these are official TATA websites and consequently part with their hard-earned money. Given that the Plaintiff has specifically pleaded how the defendants have smoothly transitioned from one fraudulent website



to another every time a victim got suspicious, it is important to pass an order that comprehensively safeguards such proliferation in the future.

38. Accordingly, till the next date of hearing:

- a. The defendant no.1/John Doe defendants, its employees, servants, agents, representatives and/or others acting for and on their behalf, are restrained from infringing the plaintiffs' registered TATA trademarks and/or any other deceptively similar variant/s thereof, in any manner including domain names, websites, social media handle names, hashtags, email addresses, bank accounts or any business papers, etc. or in any other manner which amounts to infringement of the plaintiff's TATA trademarks listed above as also passing off their services and business as that of the plaintiffs;
- b. The defendants no.2 to 11 (*Domain Name Registrars*) are directed to take the following steps –
 - i. Suspend and lock the domain names mentioned in paragraph 17 of the present application (I.A. 15988/2025), as well as all other domain names, which may be identified and impleaded during the pendency of the suit proceedings within the time-period prescribed under the second proviso to Rule 3(1)(d) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021;
 - ii. Furnish all the available information, including but not limited to the full name, address, account details and email addresses of the registrants of their respective domains mentioned in paragraph 17 of the present application.



c. In the event the plaintiff comes across domain names in the future which contain the trademark ‘TATA’ in conjunction with one of more of the words “consumer”, “franchise”, “franchisee”, “distributor”, “distributorship”, “dealership”, “dealer”, the plaintiff are permitted to send a written communication to the relevant Domain Name Registrar, listing out the said domain name and drawing attention to this order and seek locking and suspension of such websites.

d. The defendants no.12 to 13 (*Telecom Service Providers*) are directed to take the following steps –

i. Temporarily block the phone numbers mentioned in paragraph 18 of the present application, as well as all other phone numbers that may be identified and impleaded during the pendency of the suit;

ii. File an affidavit providing the complete KYC documents of the registrants/owners of the phone numbers mentioned in paragraph 18 of the present application, as well as all other phone numbers that may be identified and impleaded during the pendency of the suit, after serving an advance copy on the plaintiffs.

e. The defendants no.14 to 18 (*Banks*) are directed to take the following steps –

i. Suspend the UPI IDs and the bank accounts associated with these UPI IDs, as mentioned in paragraph 19 of the present application;

ii. Freeze the bank accounts and the UPI IDs along with



the bank accounts associated with such UPI IDs mentioned in paragraph 19 of the present application;

iii. File under an affidavit the KYC details of the owner and/or beneficiary of the UPI IDs and bank accounts mentioned in paragraph 19 of the present application, after serving an advance copy on the plaintiffs.

f. The defendant no.19 (National Payment Corporation of India) is directed to suspend/block the UPI ID 007500300005299@TDCB0000075.ifsc.npci and disclose all available information pertaining to the user/owner/beneficiary of the said UPI ID, or any other UPI ID which may be identified and impleaded during the pendency of the suit.

g. The defendants no.20 (Department of Telecommunications) and 21 (Ministry of Electronics and Information Technology) are directed to issue necessary notifications/directions to all telecom and internet service providers to suspend access to all the websites as identified in paragraph 17 and phone numbers identified in paragraph 18 of the present application, as well as all other websites and phone numbers which may be identified and impleaded during the pendency of the suit.

39. The defendants no.12 to 21 are directed to comply with the aforesaid directions within a period of 7 days from today.

40. Issue notice.

41. Notice is accepted by Ms. Saumya Tandon, counsel for the defendants no.20 and 21 and Mr. Nitin Pal, counsel for the defendant no.15.



42. None appears on behalf of the defendants no.2 to 14 and the defendants no.16 to 19 despite advance service.
43. Issue notice to the aforesaid defendants by all permissible modes, including e-mail.
44. Reply be filed within a period of four (4) weeks.
45. Rejoinder thereto, if any, be filed within two (2) weeks thereafter.
46. Compliance of Order XXXIX Rule 3 CPC be done within a period of two weeks from today.
47. List before Joint Registrar on 8th September 2025 for completion of service and pleadings.
48. List before Court on 11th November 2025.

AMIT BANSAL, J

JULY 10, 2025/ds