$~25

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

\+ CS(COMM) 945/2025, I.A. 21928/2025, I.A. 21929/2025, I.A. 21930/2025, I.A. 21931/2025 & I.A. 21932/2025

WIPRO ENTERPRISES PRIVATE LIMITED .....Plaintiff

Through: Mr. Ankur Sangal, Mr. Ankit Arvind & Mr. Sauhard Alung, Advocates.

Versus

SHIVAM UDHYOG & ANR. .....Defendants

Through: Ms. Sakshi Jain, Advocate.

CORAM:
HON'BLE MR. JUSTICE TEJAS KARIA

O R D E R

% **06.10.2025**

1. Vide order dated 04.09.2025, the following order was passed:

   1. *"Let the Plaint be registered as a Suit.*
   2. *Issue Summons. The learned Counsel for the Defendants, appearing on advance service, accepts Summons and states, on instructions, that the Defendants are willing to suffer a Decree in the present Suit, provided the Plaintiff does not press the prayer for damages and cost.*
   3. *The learned Counsel for the Plaintiff submits that if the Defendants give an undertaking to that effect that Defendants are willing to suffer a Decree in terms of Prayer Clauses (a) to (c) of the Suit, the Plaintiff will not press for the prayer of damages and cost against the Defendants.*
   4. *Let the undertaking be filed by the Defendants within a period of one week from date stating that the Defendants are ready to suffer a Decree in terms of Prayer Clauses (a) to (c) of the Suit.*
   5. *List for further proceedings on 22.09.2025."*

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 13/10/2025 at 13:25:23

2. In compliance of order dated 04.09.2025, the Defendant Nos.1 and 2 have filed Short Affidavit of Undertaking dated 09.09.2025 confirming that the Application for registration of the mark "SHIVAM UDHYOG WIPRO WIRE MESH" in Class 06 has been withdrawn and the said Mark or any other deceptively similar mark with the Plaintiff's Trade Mark "WIPRO" shall not be used by the Defendant Nos.1 and 2. The Defendant Nos. 1 and 2 had also filed a copy of Letter of Withdrawal dated 09.09.2025 sent to Registrar of Trade Mark, Delhi whereby the Defendant Nos.1 and 2 had withdrawn the Trade Mark Application No. 6415131 for the Trade Mark "SHIVAM UDHYOG WIPRO WIRE MESH" in Class 06.

3. In view of the above, the learned Counsel for the Defendants has submitted that Defendants are willing to suffer decree in terms of prayer clauses (a) to (c) of the Suit provided that the Plaintiff does not press for the prayers of damages and costs against the Defendants in terms of the Order dated 04.09.2025.

4. Accordingly, the learned Counsel for the Plaintiff submits that the Plaintiff does not wish to press for the relief of damages and costs against the Defendants and a decree may be passed against the Defendants in terms of prayer clauses (a) to (c) of the Suit. However, the learned Counsel for the Plaintiff prays that this Court may be pleased to pass the Decree of Declaration of Plaintiffs trade mark "WIPRO" as a well known Trade Mark under Section 2(1)(zg) of the Trade Marks Act, 1999 (**"TM Act"**) as prayed in prayer (d) of the Suit.

5. The learned Counsel for the Plaintiff has made the following submissions in support of prayer (d) of the Suit:

5.1 That the WIPRO Conglomerate was incorporated on 29.12.1945, by

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 13/10/2025 at 13:25:23

Late Mr. M.H. Hasham Premji, as Western India Vegetable Products Limited.

5.2 The Plaintiff, through its predecessor in interest, has been conducting business of consumer care products and lighting business under the Trade Mark "WIPRO" at least since the year 1977.

5.3 The Plaintiff also operates the websites / domain names https://wiproconsumercare.com / https://wiproenterprises.com since 2013.

5.4 The Plaintiff has secured numerous trade mark registrations over "WIPRO" and "WIPRO" formative trade marks in Classes 3, 5, 7, 9, 11, 16, 20, 29, 30, 35, 37, 40, 42 since as far back as the year 1991. The details of relevant trade mark registrations of the Plaintiff are reproduced hereinbelow:

Sr. No.	Trademark	Registration Number	Classes	Date of Application
1	WIPRO	563300	11	06.12.1991
2	wipro	3513296	11	23.03.2017
3	wipro	3602660	9, 11	31.07.2017
4		1127258	11	19.08.2002
5		758722	11	01.07.1997
6	Wipro Driving Big Ideas	2170986	3, 5, 7, 9, 11, 16, 20, 29, 30, 35, 42	06.07.2011

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 13/10/2025 at 13:25:23

7		784728	20	02.01.1998
8		784667	20	02.01.1998
9		784675	20	02.01.1998
10		3513297	20	23.03.2017
11	WIPRO	1749210	20	30.10.2008
12	WIPRO3D	3768376	7, 9, 37, 40, 42	02.03.2018

5.5 The Plaintiff has also secured international trade mark registrations for the Trade Mark "WIPRO", in numerous jurisdictions including but not limited to United States of America, United Kingdom, European Union, Australia, Israel, Philippines, Brazil, Canada, Malaysia, Maxico, etc.

5.6 The Trade Mark "WIPRO" has garnered immense goodwill, reputation and recognition, on account of extensive sales, advertisement and promotion.

5.7 The extensive sales turnover of the Plaintiff under the Trade Mark

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 13/10/2025 at 13:25:23

"WIPRO" is evident from the following:

a. INR 60,775.6 crores total sales from Financial Years 1994-95 till 2023-24.

b. INR 5,055.9 crores sales in Financial Year 2023-24 itself.

5.8 The Plaintiff has also spent substantial amount of money to market and advertise its products and services under the trade mark "WIPRO". The details of the same are as under:

a. INR 8,800/- crores total promotional expenditure since Financial Years 1994-95 till 2023-24.

b. INR 702.2 crores for promotional expenditure in Financial Year 2023-24 itself.

5.9 The Plaintiff has also received various recognitions, awards and accolades with respect to its business activities under the Trade Mark / Trade Name "WIPRO".

5.10 The Plaintiff's business under the trade mark "WIPRO", including its diverse portfolio of fast-moving consumer goods, continues to receive widespread recognition in newspapers, as well as in print and digital media.

5.11 The rights of the Plaintiff over the Trade Mark "WIPRO" have been recognized by this Hon'ble Court in Suits filed by the Plaintiff.

5.12 In view of the aforesaid, the Plaintiff's Trade Mark "WIPRO" deserves to be declared as a well-known Trade Mark within the meaning of Section 2(1)(zg) of the Trade Marks Act, 1999.

6. The Plaintiff has been using the Mark 'WIPRO' continuously and uninterruptedly at least since the year 1977. The Plaintiff has been expanding into various sectors since the 1980s and has obtained various

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 13/10/2025 at 13:25:23

registrations for the 'WIPRO' Mark in various classes with the earliest registration for the 'WIPRO' device Mark in the year 1991. The Plaintiff has further obtained Trade Mark Registrations in various countries such as United States of America, United Kingdom, European Union, Australia, Israel, Philippines, Brazil, Canada, Malaysia, Mexico etc.

7. The Plaintiff has earned considerable goodwill and reputation in India which is evident from the enormous revenue earned by the Plaintiff between the Financial Years 1994-95 and 2023-24, which stands at INR 60,775.6 crores. The Plaintiff has also spent a large amount of money as promotional expenditure between the Financial Years 1994-95 and 2023-24, which stands at INR 8,800/- crores and has led to the Mark 'WIPRO' becoming synonymous with the Plaintiff alone.

8. Considering the averments and documents on record, the Plaintiff has beyond a doubt established that the Mark 'WIPRO' has acquired the status of well-known marks within the meaning and scope of Section 2(1)(zg) of the TM Act.

9. In view of the above, the Suit is decreed in terms of prayers (a) to (d) of the Suit. The remaining prayers are not pressed by the Plaintiff.

10. Let the Decree Sheet be drawn up accordingly.

11. The Suit and all the pending applications stand disposed of.

TEJAS KARIA, J

OCTOBER 6, 2025
'gsr'

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 13/10/2025 at 13:25:23