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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 429/2026

**NXTQUANTUM SHIFT TECHNOLOGIES INDIA PRIVATE
LIMITED (TRADING AS AI+ SMARTPHONES) & ANR.....Plaintiffs**

Through: Mr. Ashim Vachher, Senior Advocate
with Mr. Piyush Paswan, Ms. Sonali
Karwasrajoon, Mr. Kunal Lakra and
Ms. Saiba M Rajpal, Advocates.

versus

JOHN DOE & ORS.Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **28.04.2026**

I.A. 11319/2026 (Pre-Institution Mediation)

1. This is an application filed by the plaintiffs seeking exemption from instituting Pre-Institution Mediation under Section 12A of the Commercial Courts Act, 2015 (hereinafter referred to as “CC Act”).

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. Keerthi*, (2024) 5 SCC 815, exemption from the requirement of Pre-Institution Mediation is granted.

3. The application stands disposed of.

I.A. 11320/2026 (Seeking extension of time to file Court Fees)

4. This is an application under Sections 148 & 149 read with Section 151 of the CPC filed by the plaintiffs seeking extension of time in paying

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requisite Court Fees.

5. Since the court fees are stated to have already been affixed, the present application has become infructuous.

6. The application is disposed of.

I.A.11321/2026 (Additional Documents)

7. The present application has been filed on behalf of the plaintiffs 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.

8. The plaintiffs are permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018 within thirty (30) days.

9. Accordingly, the application stands disposed of.

I.A. No.11322/2026 (Exemption from advance service to the Defendants)

10. This is an application filed by the Plaintiffs under Section 151 of the CPC, seeking exemption from advance service to the Defendants.

11. Learned Counsel for the plaintiffs, submitted that there is a real and imminent likelihood that the defendants may take immediate steps to dispose of, conceal or suppress its infringing materials/impugned videos.

12. For the reasons stated, application is allowed.

13. The application is disposed of.

I.A. 11323/2026 (Exemption from filing legal proceeding certificates)

14. The present is an application under Section 151 of the CPC seeking exemption from filing Legal Proceedings Certificates in respect of the registered Trade Marks relied upon by the plaintiffs in the present Petition.

15. It is submitted that the plaintiffs have not been in a position to file the Legal Proceedings Certificates and undertake to file the same during the pendency of the present Suit.



16. In view of the undertaking, the plaintiffs are permitted to file the relevant Legal Proceedings Certificate within 6 weeks.

17. Accordingly, the application is allowed and disposed of in the aforesaid terms.

I.A. 11324/2026 (Exemption from filing typed/clear copies of the documents)

18. This is an application filed by the plaintiffs under Section 151 of CPC seeking exemption from filing typed/clear copies of the documents.

19. Allowed subject to just exemptions. However, the clear and typed/translated copies of the documents with proper margins of the dim annexures be filed within four weeks with an advance copy to the defendants.

20. The application stands disposed of.

I.A. 11318/2026 (Interim Injunction)

21. This is an application filed on behalf of the plaintiffs under Order XXXIX Rules 1 and 2 of CPC seeking *ex-parte ad-interim* injunction against the defendants.

22. Plaintiff no.1/NxtQuantum Shift Technologies India Private Limited is stated to be a company incorporated in India under the Companies Act, 2013, with CIN U27103MH2024PTC435713 having its registered office is at Gurugram, Haryana, India, operating in the Indian consumer tech market as 'AI+' or 'AI+ Smartphones'. Plaintiff no.2/ Madhav Sheth is stated to be the Founder and CEO of plaintiff no.1 having over 25 years of experience in the Indian mobile and tech industry and has built multiple successful businesses.

23. It is claimed by the plaintiffs that the plaintiff no.2 co-founded Realme in 2018 (with Sky Li, former VP of Oppo), serving as its CEO for India and Europe and that under his leadership, Realme grew from a nascent



brand to India's fourth-largest smartphone brand, with global presence in more than 90 countries, having a ₹15 billion valuation. It is stated by the plaintiffs that following plaintiff no.2's departure from Realme in June 2023, he joined HTech India (a subsidiary of Honor Phones) as CEO, and led its re-entry into the Indian smartphone market.

24. It is further stated by the plaintiffs that in 2024, plaintiff no.2 founded plaintiff no.1 with a transformative mission: to build India's first fully sovereign smartphone - designed, manufactured, governed and owned entirely in India - addressing data sovereignty, cyber security, and national tech self-reliance. Plaintiffs claim that the plaintiff no.2's, public reputation, and professional goodwill are established through numerous national awards which are enlisted in para 3 of the suit plaint and not repeated herein for prolixity. Plaintiffs also claim that plaintiff no.2 has been recognised by Forbes India, GQ India, and other publications as one of India's top tech and entrepreneurship influencers.

25. It is stated by the plaintiffs that the 'AI+ Smartphones' brand was launched in India on 8.07.2025, with Google Cloud India and Flipkart representatives attending and included the models AI+ Pulse (4G) and AI+ Nova 5G manufactured in India at United Telelinks' Noida facility. It is further stated by the plaintiffs that these phones run on NxtQuantum OS, claimed to be India's sovereign mobile OS, with user data on MeitY-approved Google Cloud infrastructure in India and that the Company has added models like AI+ Nova 2 Ultra and AI+ Nova Flip.

26. The plaintiffs claim that the 'AI+ Smartphones' brand has attracted consumer attention, media recognition, and investor interest since launch and that it has been covered by leading publications like Business Standard, Business Today, and YourStory and that the brand has been positioned as a



premium India-first offering focusing on data privacy, digital sovereignty, and AI-integrated experience.

27. It is stated that by the plaintiffs that plaintiff no.1 has made significant investments in products, brand-building, manufacturing, R&D, and customer trust, also that the goodwill and reputation of 'AI+ Smartphones' and plaintiff no.2 are central to plaintiff no.1's commercial prospects and business model, and are assets of considerable commercial value.

28. It is asserted by the plaintiffs that defendant no.2 has published a video on the YouTube platform under the title "*This Indian Phone Is A Marketing Disaster!*" on 09.04.2026, accessible at the URL: <https://www.youtube.com/watch?v=kMaPYSU9M8> having over 2,59,454 views, and defendant no.3 has published a video on the YouTube platform under the title "*FAKE Indian Company - Needs to STOP*" on 14.04.2026, accessible at the URL: <https://www.youtube.com/watch?v=PU pUpqzF4> having over 3,32,950 views.

29. It is further asserted by the plaintiffs that the impugned videos purport to be product reviews or critical assessments of 'AI+ Smartphones' which contain statements that are:

- (i) false and unsubstantiated;
- (ii) defamatory in the sense that they are calculated to and do in fact lower the plaintiffs in the estimation of right-thinking members of the public;
- (iii) commercially disparaging, in that they constitute false statements about the goods and services of plaintiff no.1 intended to damage various businesses operated by it;



(iv) malicious, in that they are published with reckless disregard for their truth or falsity; and

(v) motivated by an improper commercial agenda rather than genuine public interest.

30. Plaintiffs allege that the impugned videos contain false allegations about AI+ Smartphones' data security and privacy, stating the devices harbour hidden apps, collect user data improperly, and risk user privacy. Plaintiffs claim these allegations are factually and technically false, and that AI+ Smartphones run on NxtQuantum OS, India's sovereign mobile OS, with transparent data storage in India, zero-trust security, and user data control features, complying with Indian laws.

31. Plaintiffs also allege that defendant no.2's video contains false allegations that AI+ Smartphones misrepresent themselves as an 'Indian brand' with links to foreign entities. Plaintiffs claim AI+ Smartphones is entirely Indian-owned, products are made in India, NxtQuantum OS is developed in India, and cloud infrastructure is hosted in India on MeitY-approved servers. As per the plaintiffs, allegations of copied products are unsubstantiated and made without technical analysis.

32. Plaintiffs also allege that the impugned videos contain false statements advising against buying AI+ Smartphones, making unsubstantiated remarks about the plaintiffs' credibility and business, constituting injurious falsehood and have caused pecuniary damage given the defendants' large subscriber base. As per the plaintiffs, the videos also allegedly contain irrelevant references to plaintiff no.2's background to prejudice public perception.

33. The plaintiffs state that alleged defamatory content about their



products/services has been published on YouTube, X, LinkedIn, and other platforms by the defendants, wherein some content appears neutral but is allegedly designed to target the plaintiffs indirectly. The table in para 31 of the plaint enlists impugned publications with details like date, source, platform, link, views, and tonality, showing some have thousands of views with negative tonality.

34. The plaintiffs claim the defendants' 'reviews' and statements aren't fair criticism but contain misleading assertions meant to disparage them. The content exceeds permissible limits of commentary, aiming to tarnish the plaintiffs' reputation and goodwill with malice. Plaintiffs allege that it is not a legitimate exercise of freedom of speech by the defendants, but a deliberate attempt to damage their commercial standing, which is also exceeding fair criticism limits.

35. The plaintiffs state that they fear unknown parties (John Doe/defendants) may spread similar defamatory content, citing the pattern of coordinated online campaigns and the viral nature of content.

36. Based on the aforesaid direction, plaintiffs seek *ex-parte ad-interim* injunction against the defendant.

37. This Court has heard the arguments of Mr. Ashim Vaccher, learned senior counsel for the plaintiffs and examined the records.

38. Before this Court adverts to the facts narrated in the Suit, it would be imperative to consider what constitutes disparagement. This Court in the judgement of *San Nutrition Private Limited vs Arpit Mangal and Others* reported in *2025 SCC OnLine Del 2701* has succinctly laid down the parameters as to what would constitute disparagement. The relevant paragraphs are extracted hereunder:-



“A.2 Disparagement

48. *An action for disparagement falls within the tort of malicious falsehood and it seeks to protect the economic interest of the plaintiff, as opposed to its reputation in the case of defamation. Disparagement would involve making statements about the plaintiff's goods or services which are untrue or misleading and are made to influence the public in a manner not to buy the said goods or avail the said services.*

49. *In Dabur India v. Colortek Meghalaya, a Coordinate Bench of this Court observed that commercial speech will amount to disparagement if the following ingredients of malicious falsehood is established by the plaintiff:*

- (i) The impugned statement is untrue or misleading;*
- (ii) The impugned statement has been made maliciously; and*
- (iii) As a result of the impugned statement, the plaintiff has suffered special damage.*

50. *The judgment in Dabur (supra) has been upheld by the Division Bench and the aforesaid test laid down therein was followed by a Coordinate Bench of this Court in Hindustan Unilever v. Cavincare.*

51. *Unlike an action for defamation, the burden of proving falsehood of the impugned statement made by the defendant lies on the plaintiff in an action for disparagement. This difference is on account of the inherent nature of the two actions - defamation is directed towards protecting the reputation of a person while disparagement is directed towards protecting the economic interests of a person.*

52. *Since the entire cause of action in a disparagement suit is based on making false statements to cause damage to the plaintiff's goods, the element of malice is inherently a part of it. However, a statement made believing it to be genuinely true would negate the claim of malice. This has been explained by a Division Bench of this Court in Reckitt Benckiser v. Gillette India, the relevant extracts from which are set out below:*

"50. To understand the concept better it would be necessary to see what malice actually means. Unless the malice is akin to dishonesty or at least improper motive, the same may not be actionable. For a malice in thought to get reflected in a representation or advertisement, and specially in a comparative advertising, must involve a subjective state of mind of the wrongdoer, having necessary mental element of ill will or an intention to injure. Similarly, if a person is seeking to defend his own lawful interest but, while doing so, he is cognizant of the fact that it would cause damage to the other side, he may not be accused of malice. The trader's desire to promote his business at the expense of rivals is a proper exercise of discretion. A genuine belief in the truth of the statement made negates malice (Horrocks v. Lowe, [1975] A.C. 135)."



39. Thus, the threshold to be met by a plaintiff to establish disparagement would be predicated on the plaintiff being able to show that, (i) the impugned statement is untrue or misleading; (ii) the impugned statement has been made maliciously; and (iii) as a result of the impugned statement, the plaintiff has suffered special damage, as laid down above. At the stage of consideration of an application under Order XXXIX Rules 1 and 2 CPC, the Court would have to appreciate the controversy in the light of these parameters, however, only *prima facie*.

40. In the present case, the plaintiffs, on the insistence of this Court have filed the transcripts of the video reels uploaded by defendant nos.2 and 3 which according to them are disparaging and defamatory too.

41. This Court has perused the transcripts and finds that though the said statements commence with assessments which are claimed to be justifiable on technically sound parameters, the transcripts do not disclose as to the basis upon which such conclusions have been arrived at. In that, other than to orally state the deficiencies regarding inherent lacunae whether it be performance, the Operating Software or other applications claimed to be possessed by the mobile phone of the plaintiffs' in comparison to the other brands available in the market, the transcripts do not indicate that any technical examination or comparison of various mobile phone brands available in the market has actually been carried out or tested *vis-à-vis* the plaintiffs' product.

42. The transcripts of both the videos appear to display a fair criticism of the purported shortcomings, in the opinion of the defendant nos.2 and 3, however, appear to be unfairly targeting the plaintiff no.1 and more particularly plaintiff no.2. Though this Court is aware that the Suit is not



predicated on any personality right of the plaintiff no.2, yet, cumulatively reading the transcripts *qua* plaintiff nos.1 and 2 harmoniously, it indeed gives and tends to bring disrepute to the product of the plaintiff no.1 and also contains disparaging statements against not only the product of the plaintiff no.1 but also the plaintiff no.2. While certain portions of the transcripts do not appear to be disparaging, however, the statements do not instill confidence that they are fair criticism and do indeed border on disparagement. The following paragraphs from the transcripts as filed need to be appreciated in the context of parameters to ascertain disparagement. The same read as under:-

“ Youtube Channel: TechWiser (Defendant no.2)

youtube.com/watch?si=NxFqQzNrhG6OOogN&v=kMaP_YSU9M8&featye=youtu.be

Chapter 1: Introduction (0:02 – 1:19)
0:02 – 1:19

So whenever you hear the term Indian brand, you feel a bit proud. But so far, if you look at the history, mostly it has been... India's cheapest smartphone, 251. Freedom 251. The world's cheapest smartphone, Freedom 251. Micromax aaraha hai wapaa... But every time as an Indian, I have hope. Like someday, someday I would want to see an Indian brand compete with Samsung and Apple. And these days, through street interviews, podcasts, this one Indian company again rising to the top and solving a genuine problem

((Clip from the podcast of Madhav Sheth) I have always said ki koi bhi cheez free nahi hoti hai, kahi na kahi aapko uska cost dena padhta hai. More than 50- 60% of the apps which are for free, vo sab aapka data lete hai aur unauthorized way se use bhi krte hai. Mei vo apps dalunga vo consumer ke benefit ki ho aur jisme bloatware na ho.)

It targets privacy, privacy focused software and mostly the budget segment which is kind of dead in 2026. And honestly, on paper, it all sounds very promising. The intent of the company is great. So what's the reality? Like we got their latest phone, AI+ Pulse 2, used it for a few days and things are Let's just say worse than you can even imagine. This video is very different from a normal phone unboxing. We are trying to push the level on Indian Tech YouTube. One subscribe is equal to one prayer. Pratik, Techvisor, let's go.

Chapter 2: About the Brand (1:28 – 3:04)



1:28 – 3:04

Now, before we get to the smartphone and claims, it's important to understand the company, AI+ So AI+ is the brand led by Madhav Sheth, the former CEO of smartphone brand Realme India. And after leaving Realme, he started a couple of brands. We will come to that. But finally, he started a company called Nex Quantum Shift Technologies. And AI+ is the smartphone brand that comes inside. Now, they have claimed to build their own OS called Quantum OS which runs on all of their phones including this one. And before we get to that, let's have a look at this smartphone. So, here's the box and here on the back, you can clearly see it says, "Made in India". The manufacturer details also show an Indian company. So basically, AI+ has partnered with Optimus Technologies. These people assemble phones in India for AI+ as well as other manufacturers. Fair enough, that's what happens. Inside the box, you get everything. Now, before we get to the worst part, credit where due, there are a couple of good things about the brand as well. Like, number one foremost, this is a good phone for the price of Rs. 8,000. Like, if you look at the design, the design looks really good for an Rs. 8,000 phone. Of course, you get that polycarbonate back, there's a polycarbonate frame. For performance, they're using a Unisoc processor which performs very similar to Snapdragon 4S Gen 2. Usually, no other phones at Rs. 8,000 provide this. Now, what's interesting here is the battery. It's a big 6,000 mAh battery. Now, budget phones usually consume lesser battery, so you get phenomenal battery. The only thing is the charger in the box is 10 watt, actually the phone supports 18 watt. Another good thing is service center support. So we checked on the internet and AI+ has 300+ service center in India. Their service is not just limited to tier 1 cities, it is also available in smaller cities. So they have a good service network presence as well as the phone is good for the price. But then why this whole video? Like why this whole marketing gimmick?

Chapter 3: Problems (3:11 – 6:03)

3:11 – 6:03

Well, the moment you use the phone, you listen to the company's claims, here's where things start getting really, really shitty. We found four major problems here. Number one, bloatware. Like, listen to what the founder has to say about bloatware.

((Clip from the podcast of Madhav Sheth) itna light rakha hua hai ki bloatware free hai and yes, at the same point of time, mei ye ensure karta hu ki unka experience behtar hi hota rahe)

So in the app drawer, if you see, software seems clean but now if you go to settings, it has a total of 6 bloatwares and if you're going, "Huh?" If I open this game space app, the bloatwares are kept here, it's hidden under the plain side.

Now companies usually put bloatware in the phone because it helps them subsidize the cost, so it's a budget phone, let's leave bloatware point aside, it's a small thing. The second problem here is weird and something AI+ strongly believes in. Data sharing. So when you're using the phone, data is being shared to services for ads, better processing. It can be shared with Google, with maybe Facebook, Instagram. This is something we know. Now,



as per the founder, the most relevant point at this point of time is about the data. ((Clip from the podcast of Madhav Sheth) Right now, having 80% Chinese smartphone brands, having no data bill right now, data protection bill for the consumers. We don't know how our consumers data has been shared because we have a fingerprint sensors, facial expressions, everything been stored on the phone. Having the data sovereignty back in India, controlling that particular thing is going to be the key, most important thing which will build the trust on the brand over a period of time.) So for this particular phone, the data is stored on Google servers which are in India. This sounds really good on paper. Now we can't verify this claim. We lack the expertise here. But here's where things get really, really interesting. Last year, Gyantherapy made a video about the Pulse 1 phone and in that he found three pre-installed apps which were from China. Now for sure, Chinese apps are not storing data on Google servers in India. But in 2006, the problem is kind of bad. After an update, they removed two apps except this phone cloner. Now with this only app, If I see the privacy policy of the app, the app is made by Shanghai's ProCom Technologies. The company is from China and it's an ODM. In simple words, it makes smartphones for multiple companies, then the companies put their own logos and sell them. Now we further check the terms and conditions of this app. It says that it will collect some data like your name, profile picture, phone number, etc. Now I think you are smart enough to know where will this data be saved, like in India or in China. And the story gets even worse. If you go to the phone's app drawer, you will only see enabled apps here. You don't see apps that are hidden or disabled. So we went ahead, connected the phone through the laptop, went to ADB and here if you see, the two other Chinese apps from last year which don't show up on the phone, now they actually show up on ADB. And if I run a simple command, Hello, here's the app on the phone. Again, these apps are made by a Chinese company which again has a really shady privacy policy. Now, the app was either just disabled or hidden from the user. But why not just remove it from the phone? Like, it took us 5 minutes and 2 commands to figure out the Chinese apps from last year still exist on the phone.

Chapter 4: Data Privacy (6:13 – 8:08)
6:13 – 8:08

Chalo, now let's leave bloatware, data sharing, everything aside. The third weird thing here is what actually the company stands for? Privacy. Now, this is what the founder has to say.

((Clip from the podcast of Madhav Sheth) We have made a data privacy dashboard on our phones. We show the probably which apps is taking what type of data.

So this is the next privacy dashboard, it lets you see which app is using what kind of data such as mic, location, camera etc. and the permissions can be turned off directly from the widget itself. Like we gave the microphone permission to ChatGPT and asked the question using the mic, so ChatGPT



did access the microphone. But when we checked the widget, on the next privacy dashboard it was not showing up. After we refreshed it a couple of times, then it shows ChatGPT but again with Instagram icon. Chalo, this again can be fixed via a software update. It's a small bug, let's leave it aside. But this dashboard doesn't show Google Apps. So now I'll open Google Maps and browse a little bit and go to the privacy dashboard. See, shows nothing. I'll use Gboard's mic, speak to it, Again, it doesn't show up on the privacy dashboard. But if I go to Android's built-in privacy dashboard, it shows that Maps, Gboard has accessed the location and mic. Google is not hiding it. Why do you have to hide it? See, my point is, privacy is either 0 or 100. If an app uses my location, whether it be Instagram or Google, just show it. What is this 50/50 privacy? Like privacy from third party apps but not Google. But even let us put that aside, the fourth weird thing here is another claim. This phone runs on Nex Quantum OS and as per them, it's a sovereign mobile operating system. But in settings, if you see, this is running on Android 16. Then if you see the settings page or the quick settings panel, the design is heavily inspired by Realme UI. So even that is fine, taking inspiration is not bad. But you know what's really bad here? If you go to the privacy policy website, they clearly clearly mentioned that user data can be shared with affiliates, partners and even lending partners for services like loans, insurance etc. This sounds so contradictory, I mean the whole company is about India ka data, privacy and data sharing. Like the founder is going to multiple podcasts saying that Chinese smartphone brands have our sensitive data and you don't know where the data is going. What's happening over here? Funny thing, the name is AI+ but it doesn't have any AI features. Not even Circle do such.

Chapter 5: The Founder (8:15 – 10:14)
8:15 – 10:14

And now I can just go on and on and on. I've at least watched 4 to 5 podcasts about this phone. I can go on and keep finding problems. But the biggest reason to not trust this phone or trust this entire company the founder. You see his LinkedIn profile, he is the founder of not one but three smartphone companies. After leaving Realme, he brought the licensing right for Honor smartphones and started EdgeTech or HonorTech. They launched some phones and after some time there were rumors claiming that they are winding up operations in India, then he dismissed the rumors where to it. But if you notice, after the launch of the last phone, Honor 200 and 200 Pro, the company hasn't launched anything after 2024. They sold the phones at heavy discounts and when people bought the phone, they had massive service issues. Spare parts weren't available, we made videos, multiple people made videos claiming the company is shutting down but EdgeTech kept on denying it, denying it and now they have went completely silent. Then again, the founder joined a company called Nexel India as founder/tech advisor. By the way, Nexel India is a company that holds the right for Alcatel mobiles in India. And again, after launching 2-3 models at the same time in 2025 silence, There are again no more launches. See the pattern and then in 2025 he



started his own company called Next Quantum Technologies and within this he started another company for smartphone called AI+. If you see all of this, it's really hard to trust whether this brand will exist for the next 2-3 years and people put their hardened money in the phone. If you buy a phone from AI+ or the other brands and later if they shut down, who suffers? And it's a typical pattern by Indian tech founders, they only remember India when they want to sell something. And when it's sold, they just disappear. No India, no founder, no company. See, the phone is good for the price, but it's very badly marketed. Stay away. There are some other good phones from Poco and Realme. In fact, even Lava. I think Lava is one brand that is Indian. Makes less noise and works on user feedback. I'll try to link phones from them below, just below the subscribe button. Share this video with your friends and family members and make them aware of this. In fact, download the video while it lasts on YouTube. These days, don't know what happens. Court cases. On that note, this is me signing off. See you in the next video.

Youtube Channel: TechBar (Defendant no.3)

https://www.youtube.com/watch?si=QDGQuT-dJKe0Srad&v=PU_pUpqnzF4&feature=youtu.be

Chapter 1: The "Fake Indian Brand" Pattern

Hi guys aaj mujhe lagta hai ki yaar ek pattern na mujhe aap log ke saamne rakh dena chahiye jisse aap log bahut smart ban jao [0:07] main simply ek baat bolunga har thode thode time baad aap dekhoge suddenly ek brand aata hai aur woh apne aapko Indian brand bolta hai aur koshish karta hai ki like is Indian brand ke tag ke saath thoda special ban jayega. [0:15] Aur ye jo pattern hai aapko clearly apne aankhon ke saamne dikhega, [0:23] main baat kar raha hoon Ai+ ke baare mein,

Chapter 2: The Truth About Madhav Sheth's Ai+ Brand

[0:30] last year jo hai Madhav Sheth ne Ai+ brand launch kara, ab crazy baat suno, is Ai+ ki poori philosophy pata kya thi, ki jitne bhi Chinese brand hai, wo saare hum Indians ka data le lete hain, [0:38] aur hum Ai+ Indian brand hai, jitna bhi Indians ka data hai, hum apne paas hi rakhenge, [0:45] China tak nahi jayega wo, sunne mein kitna convincing hai, like trust ho raha hai na, sab kuch acche se na explain karta hua chalunga, pehle main aapki memory refresh karta hoon, Madhav Sheth aap mein se bahut logon ko yaad hoga, [0:54] Realme brand yahi lekar aaye the, phir Madhav Sheth ne jo hai Realme chhod diya, aur phir yeh Honor wapas se India mein lekar aaye, [1:02] aur phir iske baad Alcatel brand se bhi inaka naam jud gaya tha bhai, aur simple sa fact hai, yeh teeno Chinese company thi, to ab aapke paas ek proper background hai,



Chapter 3: Hidden Chinese Apps & Flipkart Controversies

[1:10] ab wapas se Ai+ ki baat karte hain jab is Ai+ brand ne pehla phone launch kara na wahin se controversy start ho gayi thi jab inhone bahut sasta pehla phone launch kara to [1:17] Flipkart ke page pe na clearly mentioned tha ki Chinese manufacturer hai but kuch time baad bahuti like samajhdari se usko utha diya ab kyunki is brand ki puri philosophy yahi thi ki saara Indians ka data India mein rahega [1:25] but hua kya jab ye phone launch hua, logon ne poora setup kiya, to is phone mein kuch Chinese apps pehle se installed nikli, to logon ne is cheez ko bhi point out kiya, [1:34] but phir kuch time baad ye saari controversies dab gayi, thoda sa like maamla shaant ho gaya, phir suddenly 6 mahine baad is brand ki taraf se ek interview aata hai, [1:42] aur unka kehna hai ki inhone 1 million phone sell kar diye, [1:49] guys 10 lakh phone sell karna na bahut badi baat hoti hai, [1:56] lekin recently ye Ai+ brand phir se jo hai bahut controversies mein aa gaya hai aur is baar maamla bahut serious hai guys kyunki kuch cheezein saamne aayi hai jisse ki maine aapko bataya tha na pehle se is phone mein Chinese app install aati thi phir unhone silently wo un apps ko remove kar diya [2:04] but ab pata chala hai wo apps kabhi hati nahi thi wo secretly like chupa di gayi thi phone ke software ke andar [2:13] aur yahi problem hai guys, ab kyunki Ai+ brand banke affordable aaye tha, ki like saara data jo hai India mein rahega, [2:21] multiple time Madhav Sheth ne jo apne interview mein bola ki like bahut badi problem hai ye, ki China data chala jaata hai, hum aisa nahi karenge, [2:30] ab inke phones mein aise apps wagara dikhari hai, ye problematic hai.

Chapter 4: Ai+ Nova Flip Exposed (Nubia Flip 2 Copy!)

[2:38] aur jitna hum is Ai+ brand ke products ko samajhne koshish karte hain, especially inaka design, to pata lagta hai ki bahut saari Chinese companies se alag alag uthaya hua design hai, main aapko example deta hoon na, [2:46] abhi inaka sabse sasta flip phone aaya hai, aur phone ka naam hai Noah Flip, aur log is phone ke baare mein baat kar rahe hain, kyunki sirf 30,000 rupaye ka flip phone hai, isko sabse affordable bolke bechega hai brand basically, but problem pata hai kya hai, [2:55] yeh original phone hai nahi bhai ek Chinese company hai bahut famous hai Nubia ke naam se aur ek phone hai Nubia Flip 2 exactly same phone hai jo ki yeh Ai+ Indian bolkar apna phone bolkar bech raha hai [3:03] aur itni funny baat hai Ai+ wala phone aur jo Nubia company ka phone hai exactly same hai battery same hai processor same hai camera same hai almost same hi laga lo aap [3:12] aur agar aapko lag raha hai ki like ye flip phone ke example dhundhne mein mujhe mehnat lagi hogi [3:20] aisa nahi hai inke baaki saare products dekhoge aapko jo hai Chinese copy mil jayegi ek kaam karte hain main aapko live example dikhata hoon dekho maine Ai+ ki website par hoon abhi aur maine jo hai inke ye buds khole hue hai [3:28] main kuch nahi karunga main yahan par tab karta hoon aur Circle to Search on ho gaya hai main bas isko aise kar deta hoon [3:37] aapko khud samajh mein aa jayega bhai Huawei ki taraf se yaar ye exactly same hai yaar mujhe kya kisi ko bhi samajh mein nahi aa raha ki ek jagah pe launch event pe Ai+ wale



kehte hain ki hum to Indian hain hum pe poora trust karo [3:46] ye tak bol dete hain ki bhai ek reason tha ki humne isko aisa design diya hai product ko aur design jo hai doosri company ka poora cockpit nikalta hai ya phir main boloon doosri company ka hi hai yaar wo [3:53] we built something different design intentionally Noe Point stand out with alt tracking at the core [4:01] aur baad yahan par khatam nahi hoti aur interesting cheez batata hoon [4:08] inaka ek aur product hai AI wear buds ke naam se is product ko launch karte samay stage par

Chapter 5: Ai+ Wearbuds: "Designed in India" or Copied?

[4:17] yeh tak keh diya tha ki yeh to design in India is the design vishwa vishwa design in India patented in India and we are proud to showcase that is product which was architecture and intelligence at its core [4:25] aur koi bhi banda agar thodi si bhi research karega na usko pata lag jayega ki yeh product bhi jo hai ek [4:34] doosri Chinese company ka hai jiska naam hai AI Power pata nahi kya chal raha hai yaar AI Plus AI Power [4:41] par aapne dhyaan diya in dono company ki logo tak similar hai aur jab wear buds launch hue the na to yeh jo doosri company hai na AI Power inhone jo hai reel tak daal rakhi collaboration mein Madhav Sheth wale brand ke saath jo ki Ai+ hai [4:51] ab maine aapko pehle bhi explain kiya hua hai ki white label kya hota hai, China se kaise samaan mangaate hain, aur kyun Chinese product aise exist karte hain, [4:59] mujhe in sab cheezon se problem nahi hai, aap bina China ke is world mein exist nahi kar sakte hain,

Chapter 6: How ODMs Actually Work (Lava vs. Apple)

[5:06] aur iska best example hai Lava, bahut acchi company hai, aur sach mein ye log accha kaam karte hain, aur baar baar aise India ka naam use karke nahi koshish karte product sell karne ki, [5:15] par at the same time ye bhi sach hai ki Lava ka bhi Chinese companies ke saath connection hota hai dekho ek term hoti hai ODM, ODM ki full form hoti hai Original Design Manufacturer [5:24] aur ye bahut normal practice hai ODM exist karte hai aur ye hi hote hai jo phone produce karte hai [5:31] aur sunke ajeeb lagega Apple bhi ODM use karta hai aur Lava bhi bas fark hi hai ki Apple ODM ko jo hai poora define karta hai ki humein kya camera chahiye, kya processor chahiye sab kuch batata hai [5:39] jabki Lava kya karta hai na ODM ki help leta hai poore phone ko design karne mein har ek cheez ko like poora ek jagah par place karne mein main aapko ne consignment order dikhata hoon [5:47] ye na Lava ki taraf se hai jahan par inhone Hong Kong 9 ki company se apne US star 2 phone ke samples import kare the [5:55] aur yahi reason hai guys kyunki ye saare phones jo hai same ODM se ban kar aate hai to isliye charging animation ya phir UI ke kuch elements same dikh jaate hai bahut saare phones mein

Chapter 7: Stolen Marketing & Realme UI Similarities

[6:02] aur shayad aapne notice na kara ho, yeh jo Madhav Sheth ka brand



hai, Ai+, inke phones ki jo UI yeh bahut similar hai Realme phones se, [6:11] aur ab main aapko sabse important baat batane wala hoon, jo aapko pata honi chahiye, in saare brands mein ek hi fark aata hai, ki aap apne aapko kaise market kar rahe ho, logon ko aap apne baare mein kitna sach bata rahe ho, [6:19] aap khud socho na aap kabhi bhi koi phone launch karoge to kya aap marketing material ki kya post daalni hai kya photo daalni hai wo kisi aur brand ka copy karoge [6:27] aap khud dekho na ye Ai+ brand jo hai Vivo aur Realme ka na exactly sab kuch copy kar leta hai aur post kar deta hai internet par [6:35] dekho kaise marketing karni hai, kya likhna hai yaar, is pe to mehnat karni chahiye. [6:42] aur is poori situation mein mere liye sabse sad moment pata hai kya tha.

Chapter 8: False PR Allegations Against Lava

[6:51] Ai+ brand ka kehna hai ki Lava, jo khud ek Indian brand hai, wo is Ai+ brand ko kharab karna chahta hai. [7:00] basically Madhav Sheth ne tweet kara tha aur bola hai ki yaar Lava jo hai na hamare khilaf negative PR kara raha hai. ab dekho Ai+ ke saare products bahut real hote aur apne kaam ki taraf bahut hi zyada honest dikhte [7:07] to is baat pe trust kar lete kaafi log ki haan bhai Lava kara raha hoga PR jo ki aisa hota nahi hai but phir bhi kar lete log trust. [7:15] but hum sabko pata hai aisa kuch bhi nahi hai

Chapter 9: Conclusion: Stop Misusing Patriotism in Tech

[7:24] main to bahut simple si baat bolunga kitne saalon se hum Micromax ka example le rahe hain ki bhai aise desh bhakti ka misuse mat karo itna trust mat kharab karo honesty ke saath product banao to obviously wo chalega [7:31] 2020 se leke 2026 aa gaya hai 6 saal mein baar baar ye cheezein repeat hoti hai ki suddenly koi brand aata hai phir wo jo hai apne aapko Indian bolta hai [7:38] phir wo Chinese nikalta hai phir wo product banana band kar dete hain [7:48] I think ye pattern break ho jaana chahiye ab to sabko samajh mein aane lagi hai saari cheezein aur video ke beech mein jo maine baat boli thi na ki bhai bina China ke koi bhi company exist nahi kar sakti [7:56] iske peeche reason jo hai maine is wali video mein bataya hai is video mein maine ye tak explain kiya hai ki India mein poora phone kyun nahi ban sakta [8:05] wo video zaroor dekhna uske baad is saari video aapko clear ho jayegi”

43. At this *prima facie* stage, this Court has to only consider as to whether the statements contained in the transcripts are disparaging to the extent that any consumer who views the said video and takes the statements to be correct, would eventually be discouraged from considering purchase of the products manufactured by the plaintiff. The Court has to contextually appreciate as to whether such statements would affect the credibility of the



plaintiff's product which would result in financial losses.

44. The excerpts extracted hereinabove are only representative and when read together with the remaining portions clearly indicate that the statements tend to disparage the product of the plaintiffs'. As observed above, no data or any real technical examination or evaluation by any credible agency has been mentioned. The product evaluation also appears to be on the basis of the alleged background of plaintiff no.2. How such analysis or connection between plaintiff no.1 and plaintiff no.2's background in the context of the product AI+ etc are arrived at, appears to not have any actual or real data. The transcripts appear to suggest that the consumers ought not to invest their money into purchasing the products of the plaintiff, predicated on the analysis done by the defendant nos.2 and 3. This untested and unverified analysis has the potential of causing financial loss to the plaintiffs. The essential elements required for the Court to *prima facie* find disparagement appear to be fulfilled. In such circumstances, this Court is of the *prima facie* opinion that the videos uploaded by defendant nos. 2 and 3 would be disparaging, which needs to be enjoined.

45. Having regard to the aforesaid analysis, the plaintiffs have been able to *prima facie* establish a strong case in their favour as against the defendants. The balance of convenience is tilted in favour of the plaintiffs. Plaintiffs shall suffer irreparable loss and injury which may not be compensated adequately in monetary terms in case *ex-parte ad-interim* injunction orders are not passed.

46. In view of the above, defendant no.1/John Doe(s), defendant no.2 and defendant no.3 are restrained from spreading any information amounting to disparagement relating to plaintiff nos.1 and 2 on YouTube or any other social media and/or digital platforms, and/or from further sharing or



publishing any information amounting to disparagement relating to plaintiff nos.1 and 2 on YouTube or any other social media and/or digital platforms.

47. Issue notice.

48. Let a reply to this application be filed by the defendant within four weeks from service. Rejoinder, thereto, if any, be filed within two weeks thereafter.

49. Compliance of Order XXXIX Rule 3 of CPC shall be done within ten days from date.

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50. In the above circumstances, let the plaint be registered as a suit.

51. Upon filing of the process fee, issue summons of the suit to the defendants through all permissible modes.

52. The summons shall state that the Written Statement shall be filed by the defendants within 30 days from the date of the receipt of summons. Alongwith the Written Statement, the defendants shall also file an affidavit of Admission/Denial of the documents of the plaintiffs, without which the Written Statement shall not be taken on record.

53. Liberty is granted to the plaintiffs to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the plaintiff, an affidavit of Admission/Denial of the documents of defendant be filed by the plaintiffs, without which the Replication shall not be taken on record.

54. 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.



55. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.
56. List before the Joint Registrar on 03.08.2026.
57. List before Court on 05.10.2026.

TUSHAR RAO GEDELA, J

APRIL 28, 2026

rl/Sumit