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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CS(COMM) 623/2026, I.A. 15414/2026, I.A. 15415/2026, I.A. 15416/2026 & I.A. 15417/2026

M/S. MOTHERSON THROUGH ITS PARTNERS V.C. SEHGAL  
VIDHI SEHGAL AND LAKSH VAAMAN SEHGAL .....Plaintiff  
Through: Mr. Pravin Anand, Mr. Shrawan  
Chopra, Ms. Krisha Baweja and Mr.  
Parth Malhotra, Advocates.  
versus

MOTHERSON INDUSTRIES PRIVATE LIMITED & ANR.  
.....Defendants  
Through: None.

**CORAM:**  
**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

% **ORDER**  
**29.05.2026**

**I.A. 15415/2026 (Additional Documents)**

1. The present application has been filed on behalf of the plaintiff under Order XI Rule 1(4) of the Code of Civil Procedure, 1908 (hereinafter referred to as 'CPC') as applicable to commercial suits under the Commercial Courts Act, 2015 (hereinafter referred to as 'CC Act') seeking leave to place on record additional documents.
2. The plaintiff is permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.
3. Accordingly, the application stands disposed of.

**I.A. 15416/2026 (Pre-Institution Mediation)**

4. This is an application filed by the plaintiff seeking exemption from



instituting pre-litigation Mediation under Section 12A of the CC Act.

5. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar vs. T.K.D. Keerthi: (2024) 5 SCC 815*, exemption from the requirement of pre-institution Mediation is granted.

6. The application stands disposed of.

**I.A. 15417/2026 (Exemption)**

7. This is an application filed on behalf of the plaintiff under Section 151 of CPC seeking exemption from filing clearer and translated copies of the documents along with the captioned suit.

8. Exemption allowed, subject to just exceptions. However, true typed/translated/clearer copies of the documents with proper margins be filed within four weeks with an advance copy to the defendants.

9. The application stands disposed of.

**I.A. 15414/2026 (Order XXXIX Rules 1 & 2, CPC)**




10. Present application has been filed on behalf of the plaintiff under Order XXXIX Rules 1 & 2 of CPC, 1908 seeking *ex-parte ad-interim* injunction against the defendants.



11. The plaintiff is a leading global manufacturer of auto components, established in the year 1975. The group of companies are involved in manufacture of wiring harnesses, vision systems and polymer products etc. Plaintiff claims that the name “MOTHERSON” was suggested by the father of one of the partners of the plaintiff. Plaintiff claims that it diversified into power cables manufacturing in the year 1977 and when Maruti Suzuki set-up its plant in 1984, the plaintiff manufactured wiring harnesses for the said company. The company is stated to have undergone a significant reorganisation in the year 2022. Plaintiff also claims that in the year 1995 it collaborated with Mercedes Benz in Pune and thereafter for other large auto



manufacturers.

12. The plaintiff has numerous registrations of the trademark “MOTHERSON” and its variants in India and foreign jurisdictions. The said registrations in India are enlisted in para 17 and are extracted hereunder:-

S.NO	Application Number	Mark	Class	Status
1	1355246	MOTHERSON (Word)	6,7,8,9,11,12 ,37,39,40,41 & 42	Registered
2	2210126	MOTHERSON (Word)	1, 14, 17, 19,35, 36&43	Registered
3	5797924	<b>motherson</b>	7	Registered
4	5797919	<b>motherson</b>	12	Registered
5	1355244		8,11,39,40,9, 6,42,37, 7, 41,12	Registered
6	5797932		7	Registered
7	5797940		9	Registered

13. The registrations noted above claim user since 02.12.1975 across the Classes; moreover for the device marks “MOTHERSON” and  and , both in black and red in multiple Classes. The plaintiff had also



registered a domain name *www.motherson.com* on 30.04.1997, which is being regularly used till date. The plaintiff has provided details of numerous awards received over the years in para 26 of the plaint. The plaintiff has made major investments over the last many years in publicising and promoting its products under the mark “MOTHERSON” the promotions are by way of advertisement in prominent publications and electronic media including NIKKEI Asia, CNBC TV18, Business India, Financial Chronicle etc. The annual revenue of the plaintiff from FY 2016 to FY 2025 has been provided in para 30 of the plaint and similarly the expenses incurred towards promotion and advertisement has been provided in para 31. The same is extracted hereunder:-

### ANNUAL REVENUE

For the year ending March 31st	Revenue from operations (INR in Million)
225 (TTM)	Rs.1,136,626
2024	Rs.986,917
2023	Rs.787,007
2022	Rs.635,360
2021	Rs.573,699
2020	Rs.635,368
2019	Rs.635,229
2018	R.565,213
2017	Rs.432,749
2016	Rs.383,952



## EXPENSES ON SALES AND PROMOTIONS

Financial Year	Amount (INR in crores)
Year ending on March 31, 2021	23.38
Year ending on March 31, 2022	33.71
Year ending on March 31, 2023	39.85
Year ending on March 31, 2024	57.59
Year ending on March 31, 2025	56.32
Total	210.84

14. Plaintiff claims to be extensively visible on social media platforms like Facebook, X, Instagram and LinkedIn where the trademark “MOTHERSON” has been extensively showcased. The documents in support thereof have been annexed to the list of documents. It is claimed that the website has garnered millions of impressions over the last few years and snapshots of the Metrics during April, 2022 to July, 2025 has been provided in para 37. Plaintiff asserts that its mark “MOTHERSON” is a well-known trademark basing the same on parameters specified in para 38.

15. Plaintiff claims that the defendant nos.1 and 2 appear to be sister concerns who have unlawfully and *malafidely* adopted the name “MOTHERSON” as its corporate name as also the trademark. Plaintiff alleges that the defendant no.1 is a manufacturer of medical devices including production of healthcare equipment while defendant no.2 engaged in wholesale trading of medical devices.

16. Plaintiff claims that the defendants operate social media platforms which incorporate the mark “MOTHERSON” on Instagram and LinkedIn and their own website also displays the name “MOTHERSON”. It is stated that the proprietor of the defendants has also applied for two trademarks on 20.06.2025 on a proposed to be used basis completely incorporating the registered trademark “MOTHERSON” of the plaintiff. In fact, the form TM-A also discloses the e-mail address of the proprietor as



“mothersonindustries@gmail.com” which too also infringes the mark of the plaintiff by incorporation and subsuming it in its entirety.

17. In para 49 the plaintiff has also demonstrated various logos and marks which are stated to infringe the trademark “MOTHERSON” of the plaintiff. The plaintiff alleges that the defendants also manufacture and offer for sale “Blood Lancet” which too uses the impugned logos and trademark of the plaintiff. The pictographical representation is in para 51 of the plaint and is extracted hereunder:-











18. On the anvil of the aforesaid narrative, the plaintiff states that the impugned logo and trademark of the defendant infringes the plaintiff’s registered trademark “MOTHERSON” and also would amount to passing off of the plaintiff’s trademark.

19. Based on the above, the plaintiff seeks *ex-parte ad-interim* injunction.

20. This Court has heard Mr. Pravin Anand, learned counsel for the plaintiff and examined the record.

21. Based on the aforesaid facts arising in the present suit, it may be worthwhile to compare both the sets of rival marks at the outset itself. The tabulated form of such comparison is extracted hereunder:-



Plaintiff's registered trademarks in various classes	Defendant's infringing marks
1. MOTHERSON (word mark) 	1. 
2. 	2. 
3. 	3. 
4. 	
5. 	
6.	

22. On a visual examination, it is clear that the word mark

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“MOTHERSON” as also the device mark of the plaintiff appears on the defendant’s infringing trademark and are identical. The defendant appears to have adopted the wordmark “MOTHERSON” and use

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the red colour of the device mark “ of the plaintiff to constitute its trademark /image. Though the trademark of the defendant has abbreviation in the form of Capital M and letter “I” in the form of a tower followed by the words “MOTHERSON” over the word “INDUSTRIES”,



however, the dominant and prominent part of the said mark are the words “MOTHERSON” that too in red colour. Similarly, the third infringing mark also has similar characteristics except that the words “MOTHERSON INDUSTRIES” are in capitals and in white colour font on black background. Either way, the dominant word still remains “MOTHERSON”. To the public at large what would strike at the first instance would be the word “MOTHERSON” other than any other elements which are available in the said mark of the defendant.

23. Apart from the above, it is relevant to note that while on the one hand the trademark registration of the word “MOTHERSON” and the device of the plaintiff was obtained as far back as on 2005 and is being continuously used since then, while in contrast, the defendant has sought registration of the device mark “MOTHERSON” and its variants in the year 2024 and 2025, however, significantly on a ‘proposed to be used basis’. Undoubtedly, the aforesaid application on a ‘proposed to be used basis’ could at best relate the adoption of the defendant to the date of application alone which is either in the year 2024 or 2025. Consequently, it will be safe to infer that the plaintiff is not only the prior adopter and prior user but also the prior registrant of the mark “MOTHERSON” and its variants. Thus, the plaintiff on that count shall be entitled to injunction in terms of the judgment of the Supreme Court in *Midas Hygiene Industries Pvt. Ltd. & Anr. vs. Sudhir Bhatia & Ors.: (2004) 3 SCC 90*.

24. Though the defendant manufactures goods which are of a different Class altogether, however, there is nothing on record to show how and why the defendant has coined the word “MOTHERSON” as its trademark. Plaintiff has been able to demonstrate long continuous user and has been able to also demonstrate that the trademark “MOTHERSON” is not only a source identifier, but is exclusive to the plaintiff. Additionally, since the registered



trademark of the plaintiff is not only on the device but also the word mark, the provisions of Section 29(3) will come to its aid and the Court shall presume that the usage of the mark “MOTHERSON” by the defendant is likely to cause confusion on the part of the public.

25. In view of the above, it is evident that the plaintiff has been able to *prima facie* establish a strong case in its favour as against the defendant. The balance of convenience is tilted in favour of the plaintiff. The plaintiff shall suffer irreparable loss and injury which may not be adequately compensated in monetary terms in case the *ex-parte ad-interim* injunction is not granted.

26. Accordingly, the defendants, their directors, their wholesalers, distributors etc., are restrained from using, manufacturing, selling, exporting, importing, offering for sale or distribution of products or goods of any description containing the plaintiff’s registered trademark “MOTHERSON”

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and device mark “ ” in any manner whatsoever including on its website or advertising material which may amount to infringement of plaintiff’s trademark.

27. Issue notice.

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

29. Compliance of Order XXXIX Rule 3 of CPC shall be done within one week from date.

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30. Let the plaint be registered as a suit.

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

32. 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 Affidavit of Admission/Denial of the documents of the plaintiff, without which the Written Statement shall not be taken on record.

33. Liberty is granted to the plaintiff 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 plaintiff, without which the Replication shall not be taken on record.

34. 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.

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

36. List before the Joint Registrar (Judicial) on 13.08.2026 for completion of service and pleadings.

37. List before the Court on 29.10.2026.

**TUSHAR RAO GEDELA, J**

**MAY 29, 2026**

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