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

\+ CS(COMM) 578/2025

SADHGURU JAGADISH VASUDEV & ANR. .....Plaintiffs

Through: Mr. Srikrishna Rajagopal, Ms. Disha Sharma, Ms. Deepika Pokharia, Mr. Angad Makkar and Mr. Pushpet Ghosh, Advs.

versus

IGOR ISAKOV & ORS. .....Defendants

Through: Ms. Mamta R. Jha, Mr. Rohan Ahuja, Ms. Shruttima Ehersa, Mr. Rahul Choudhary and Ms. Himani Sachdeva, Advs. for D-45
Mr. Sandeep Kumar Mahapatra and Mr. Tribhuvan, Advs. for D-46 and 47

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

O R D E R

% 30.05.2025

I.A. 14237/2025 *(Exemption from pre-litigation mediation)*

1. *Vide* the present application under *Section 12A* of the Commercial Courts Act, 2015, read with *Section 151* of the Code of Civil Procedure, 1908 (***CPC***), the plaintiffs seek exemption from pre-litigation mediation.

2. Considering the averments made in the present application, as also since the plaintiffs are seeking *ex parte ad interim* injunction in an accompanying application, and in view of the judgment passed by the Hon'ble Supreme Court in ***Yamini Manohar v. T.K.D. Krithi*** *2024 (5) SCC 815*, which has been followed by a Division Bench this Court in

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Chandra Kishore Chaurasia v. R. A. Perfumery Works Private Limited *2022:DHC:4454-DB*, the plaintiffs are exempted from instituting pre-litigation mediation.

3. Accordingly, the present application stands disposed of.

I.A. 14240/2025 (*Section 149 CPC*)

4. *Vide* the present application, plaintiff seek time of 30 days for filing the requisite Court fee and one-time process fee.

5. The learned counsel for the plaintiff is granted *two days* to file the requisite Court fee and one-time process fee.

6. The application stands disposed of.

I.A. 14236/2025 *(Additional Document)*

7. *Vide* the present application under *Order XI Rule 1(4)* read with *Section 151* of the CPC, the plaintiffs seek leave of this Court to file additional documents.

8. The plaintiffs shall be at liberty to file additional documents at a later stage, *albeit*, after initiating appropriate steps, strictly as per the provisions of the Commercial Courts Act, 2015 read with *Section 151* of the CPC and the Delhi High Court (Original Side) Rules, 2018.

9. Accordingly, the present application stands disposed of.

I.A. 14239/2025 *(Seeking exemption from issuing notice to D-46 to 47)*

10. *Vide* the present application filed under *Section 80*, read with *Section 151* of the CPC, the plaintiffs seek exemption from the requirement of advance service upon the defendant nos.46 and 47, namely Department of Telecommunications ('**DoT**') and Ministry of Electronics and Information Technology ('**MEITY**') respectively, on the ground that no formal remedy/ relief as prescribed under the Copyright Act, 1957

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(‘**Act of 1957**’), is being claimed against them, as also since they are only being arrayed to ensure compliance with any orders that may be passed by this Court.

11. For the reasons stated in the present application, as also taking into account the aforesaid factors, and since it would be in the interest of justice, the plaintiffs are granted exemption from effecting advance service upon the aforesaid defendant nos.46 and 47.

12. Accordingly, the present application stands disposed of.

I.A. 14238/2025 *(Seeking leave to file videos in a pen drive)*

13. *Vide* the present application under *Section 151* of the Code of Civil Procedure, 1908, the plaintiffs seek permission to file videos in a pen drive.

14. In terms of *Rule 24* of *Chapter XI* of the Delhi High Court (Original Side) Rules 2018, let the electronic record by way of an encrypted pen drive medium with a hash value in a non-edited form be filed before the Registry within a period of four weeks.

15. Let the same accordingly form a part of the record of the present suit by way of an electronic folder in such a manner that it can be opened to view by this Court as and when required. Also let the hash value be kept separately by the Registry on the file.

16. Accordingly, the present application stands disposed of

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17. The plaintiffs, by way of the present plaint, seeks permanent injunction, passing off, violation of common law rights, misappropriation of personality, publicity rights, damages, rendition of accounts, etc, as also appropriate directions to the arrayed authorities.

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18. Let the plaint be registered as a suit.

19. Upon filing of the process fee, issue summons of the suit to the defendants through all permissible modes returnable before the learned Joint Registrar on 03.09.2025.

20. The summons shall state that the written statement(s) be filed by the defendants within a period of *thirty days* from the date of the receipt of the summons. Written statement(s) be filed by the defendants along with affidavit of admission/ denial of documents of the plaintiffs, without which the written statement(s) shall not be taken on record.

21. Replication thereto, if any, be filed by the plaintiffs within a period of *fifteen days* from the date of receipt of written statement(s). The said replication, if any, shall be accompanied by with affidavit of admission/ denial of documents filed by the defendant, without which the replication shall not be taken on record within the aforesaid period of fifteen days.

22. If any of the parties wish to seek inspection of any document(s), the same shall be sought and given within the requisite timelines.

23. List before the learned Joint Registrar for marking exhibits of documents on 03.09.2025. It is made clear that if any party unjustifiably denies any document(s), then it would be liable to be burdened with costs.

I.A. 14235/2025 *(Stay)*

24. The present application has been filed seeking a temporary injunction against defendant nos. 1-41 and 48, and their associated persons acting on their behalf, by restraining them from infringing upon, in any manner whatsoever, the personality and publicity rights of the plaintiff no.1 i.e. name, likeness, image, voice, and any other aspects of his *persona* which are solely and exclusively associated with the plaintiff no.1

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("**plaintiff's personality rights**").

25. As per the pleadings, plaintiff no.1 (Sadguru) is a globally revered spiritual leader/ yogi/ mystic/ public figure with millions of followers across the globe and has been preaching yoga and spirituality since 1984. The plaintiff no.2 (Isha Foundation) is a non-profit trust established by plaintiff no.1 *vide* Trust Deed dated 07.01.1992, for disseminating spiritual knowledge and teaching yoga/ meditation to people across the globe, both physically and *via* the internet. Further, the plaintiff no.1 has acquired considerable recognition *qua* spiritual teachings (Isha Kriya), projects (Cauvery Calling), books (Inner Engineering: A Yogi's Guide to Joy), and overall initiative taken for the betterment of humanity.

26. Additionally, the plaintiff no.1 has also received three presidential awards from different Presidents and has also been awarded the 2nd highest civilian award i.e., the 'Padma Vibhushan' by the Government of India in 2017 and also has a significant following on social media. Moreover, the plaintiff no.1 has regularly been invited to speak at leading international forums such as the World Peace Summit at the United Nations, the World Economic Forum, UNESCO, TED events, Oxford University, Stanford University, and Harvard University. Therefore, the plaintiff no.1 has earned a tremendous reputation and goodwill amongst the general public, globally.

27. The learned counsel for the plaintiffs submits that in December 2024, the plaintiffs first became aware of the infringing activities, i.e. unlawful usage of the plaintiff's personality rights by the defendantsnos.1-41, which are '*rogue websites*' ("**primary defendants**"). The said infringing activities are executed by creating, uploading, publishing,

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streaming online content by using modern technology and AI tools to unauthorizedly morph and doctored the plaintiff no. 1's voice and discourses/ speeches/ interview(s) to, *inter alia*, create deep fakes, in the nature of false, misleading and unlawful images, audio-visual advertisements/ videos ("**impugned content**"). Moreover, the impugned content is aimed at perpetuating a financial scam by initiating commercial transactions and/or promoting and selling purported services for gaining traction on social media through AI-generated motivational and inspirational talks/ speeches purported to be originating from plaintiff no.1.

28. Pertinently, on 10.05.2025 and 13.05.2025, the representatives of the plaintiff no.1, intimated, *via* mail, the online website YouTube to take down the impugned content as the same violates the *Rule 3(1)(b)* and *Rule 3(2)(b)* of the IT Rules, 2021, *Section 66D* of the Information Technology Act, 2000, *Section 500* of the Indian Penal Code, 1860 and YouTube's own Synthetic Media and Impersonation Policies. On similar lines, the said intimation also states that recently, YouTube took down a few impugned content following a binding order from the Grievance Appellate Committee in Appeal No. 960/2025 dated 12.03.2025.

29. Considering that the plaintiffs are seeking relief against the primary defendants, their roles and modus operandi are essential to be reproduced and the same are given as under;

29.1 Defendant nos.1-2 (Financial Scam)

a. The defendant no.1 is the registrant of the websites (<expressindia9510.xyz/> and <newstoday0124.xyz>), and the said websites carry fake news reports, i.e, detention of the plaintiff no.1 and his

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followers advocating for his freedom. These infringing actions are done to induce the public to download/ register with the said platform.

b. The said defendant no.1 also created a fake interview titled the "SKAVLAN SHOW", whereby the plaintiff no.1 states that he is earning significant amount of money from the platform 'Trendtastic Prism'. Further, both the aforesaid websites redirect to other web pages offering registrations on the 'Trendtastic Prism' platform, which purports itself as an 'investment' or 'trading platform' where users can earn money and this activity is done by redirecting the users to the sub-domains and the main domain name is purposefully kept inactive or inaccessible.

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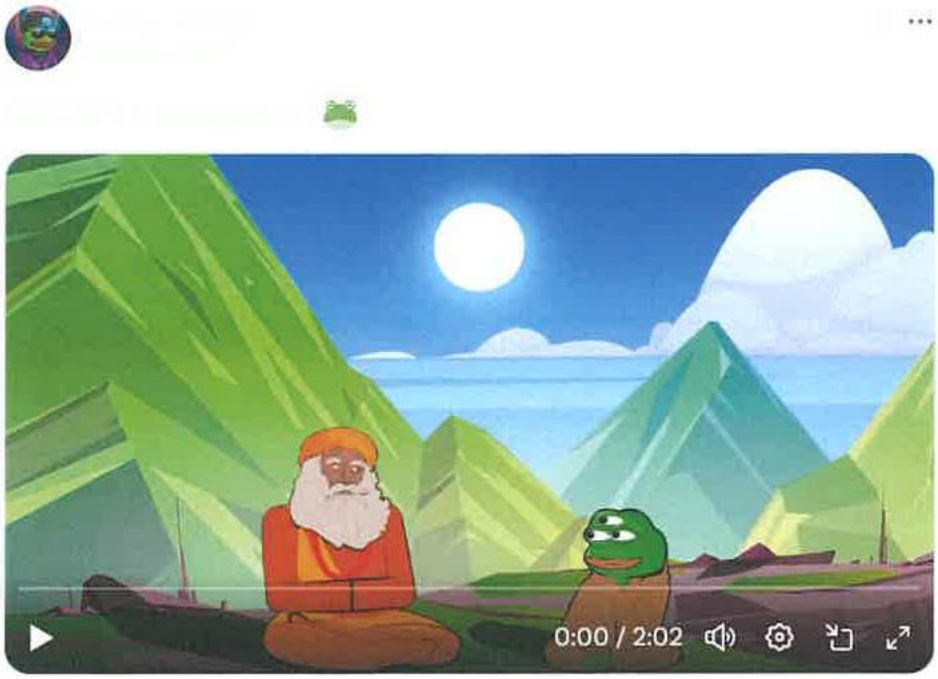
c. The defendant no.2 is an X/ Twitter account, promoting its NFT (**"3rdEyeNFT"**) through an AI-generated/ animated avatar of plaintiff no. 1 prominently using his name, distinct attire, voice, and articulation style, and other personality traits. The learned counsel for the plaintiff submits that the plaintiff no.1 is not associated with the defendant nos.1-2 in any manner and has not given permission to use the plaintiff's personality rights.



29.2 Defendant nos.3-4 (Product Scam)

a. Defendant no.3 is involved in the unauthorised usage of the plaintiff no.1's image and voice to promote *via* Instagram videos, its product "Afina", a product for hair strength and health, where the plaintiff is shown to tout the said product.

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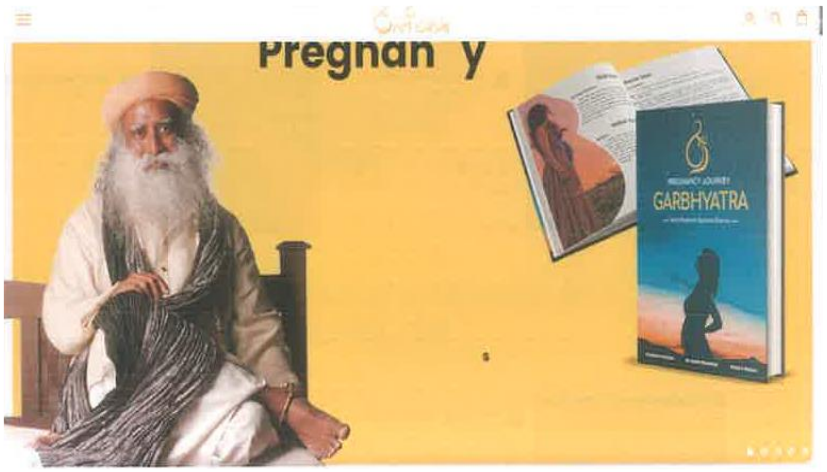
b. Similarly, defendant no.4 is engaged in selling books on the "Pregnancy journey/ Garbhyatra". In doing so, defendant no. 4 is prominently displaying the name, image, videos of plaintiff no.1. with an attempt to create a false association between the product and the plaintiff no.1



29.3 Defendant nos. 5-41(Infringing Youtube Videos)

a. The defendants are engaged in disseminating spiritual contents such as speeches, spiritual discourse, lectures etc., by portraying themselves as a repertoire or collection of genuine teachings and motivational speeches of the plaintiff no. 1, through the use of his AI-generated voice, image and

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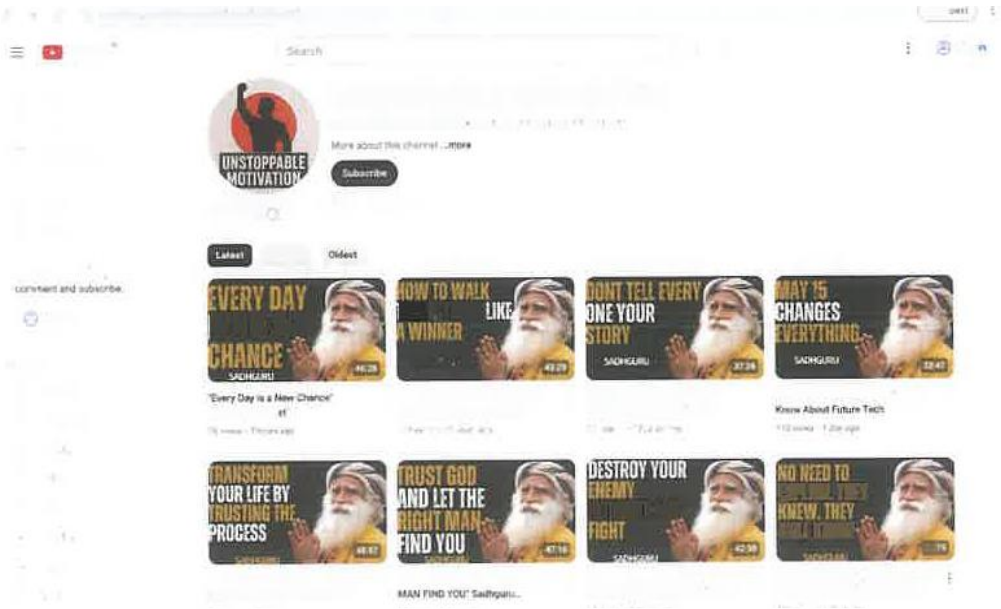
likeness and pertinently most of the infringing websites are solely dedicated to the plaintiff no.1.



30. It is submitted that the infringing activities of the primary defendants are executed on the platforms of the defendant nos. 42-45, it is imperative for an effective order to disclose the identities of creators, operators, and administrators of the infringing websites/ pages / accounts. Further, defendant nos. 46-47 are Department of Telecommunications("**DoT**") and Ministry of Electronics & Information Technology ("**MEITY**"), and they are also being impleaded to ensure effective implementation of the effective order as may be passed, and likewise defendant no. 48 (Ashok Kumar(s)/ John Doe(s)), who may infringing the plaintiff's personality rights.

31. This Court heard the submissions advanced by the learned counsel for the plaintiffs and perused the documents filed along with the plaint.

32. The plaintiffs are asking for safeguarding the personality rights of the Sadhguru/ plaintiff no.1, especially when the use thereof is by an

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unknown third party with whom neither of the plaintiffs have any connection/ association with.

33. The facts involved reveal that the plaintiff no.1 is a known person/ personality and not a fly by night operator who, as per the pleadings made herein, needs, if not due credit but at least protection for what he is and in view of what is transpiring at the present. More so, since as claimed herein, the plaintiff no.1 has not only authored multiple books pertaining to spirituality, mysticism and yoga but also won awards for the said publications, even on international levels. Not only that, he is the recipient of several presidential awards for his extraordinary contributions to humanity and is recognized for such initiatives taken for the betterment of humanity globally. The plaintiffs, especially the plaintiff no.1 are/ is internationally recognized and identified for their works, their image.

34. In view of the above, the plaintiff no.1 has acquired uniqueness pertaining to his personality qua his voice, name, signature, image/ likeness, vocal/ articulation style and his unique attire/ looks/ appearance. The personality rights of the plaintiff are quite unique, that the plaintiffs easily came across various parties that are unauthorizedly using impugned contents on various internet platform to capitalize on the personality rights of the plaintiff no.1. The same has to be seen from a perspective since the plaintiffs, especially the plaintiff no.1 are/ is present on the social media websites as also in the audio-visual form(s) and print form(s).

35. The impugned contents herein are not only utilizing the plaintiff no.1's personality rights but the primary defendants have gone a step further and employed modern day technology to modify the images, voice, likeness, videos etc. for commercial gains and pertinently, the primary

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defendant's mala fide intent is revealed from the conduct of the primary defendants. Particularly, many accounts on YouTube channels and Meta's social media platforms are using modern day technology to modify the voice, image, likeness etc. of the plaintiff no.1 to garner more views and subscribers in order to piggyback on his name and reputation.

36. If allowed to continue in the manner it will soon spread like a pandemic with wide uncontrollable repercussions, especially, since it is a social media platform(s) herein happen to be the internet portal(s). If not stopped, the chances that (wrong) message will spread like wild fire with hardly any water left to douse it. In any event, it is extremely implausible to ask the plaintiffs, especially the plaintiff no.1, to run/ chase after each one of the 'unknown' defendants who happen to be *'rouge websites'* and/ or to respond to the world at large qua the 'originality' of the plaintiffs, especially the plaintiff no.1.

37. All the above call for this Court to pass a 'dynamic+' injunction, a form of injunctive relief which is being granted by Court(s) in similar matters in recent years, primarily with a view to protect parties like the plaintiffs herein against rapidly developing online infringement platforms. For instance, the Bombay High Court, in a case bearing no. I. A. (Lodging) 10257/2023 entitled ***Applause Entertainment Private Limited v. Meta Platforms Inc. & Ors.***, which was a case involving audio-visual extracts of certain web series being streamed illegally on multiple platforms, granted real time relief in the form of a 'dynamic+' injunction to the plaintiff therein. Similarly, a Coordinate Bench of this Court in ***Universal City Studios LLC v. Dotmovies.baby 2023:DHC:5842*** has, also

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while granting such a 'dynamic+' injunction, observed that any injunction granted by this Court ought to be effective in nature.

38. Therefore, the position of law apparent therefrom, which has since developed with the passage of time, clearly reflects that the rights of a plaintiff, cannot be rendered otiose in this world of rapidly developing technology and for that, enforcement of intellectual property rights on any social platform, including but not limited to, the internet as well alongwith the real world, ought to be visible and effective.

39. The upcoming technology and the technological advances association therewith, have their own implication(s) and/ or ramification(s), which are not only reachable far and wide, but are also unpredictable. With the immense degree of freedom enjoyed by developers and innovators globally today, all and sundry, especially those intellectual property right holders like the plaintiffs herein, are prone to/ may be exposed and/ or vulnerable to the actions of the '*rogue websites*' herein, more so, if such right holders like the plaintiffs herein, are not accorded proper protection from them.

40. On one hand, though such intellectual property right holders like the plaintiffs herein, can proceed in the normal manner, however, on the other hand, without any proper channelization, their intellectual property rights are prone to get effected by such '*rogue websites*', who have no right, title and/ or interest therein. This would lead them and their facilitators to freely and blatantly exploit the personality rights of the plaintiffs herein, causing *irreparable loss, damage and injury* to them as also leaving them struggling on the fence exposed *dangerous edge* of technology.

41. This so-called *dangerous edge* has become *even sharper* with the

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fast-paced evolution of certain *'hydra-headed'* websites, which, even if blocked/ deleted, have the incredible potential to resurface in multitudes as alphanumeric or mirror websites, with only minor, mechanical changes. Such *'hydra-headed '*websites, under the garb of privacy, are able to mask their registration/ contact details perfectly, making it virtually impossible to locate and contact their operators to, if necessary, demand cessation of infringing contents.

42. Given the plaintiff no. 1's unique position as a trusted source for spiritual guidance worldwide, any misrepresentation of his endorsement risks *irreparable damage* not only to his personal reputation but also to public trust at large. The misuse of his *persona* for commercial gain who rely on the purported endorsement. It is submitted that such acts of misrepresentation disproportionately harm plaintiff no. 1, as they strike at the very foundation of his professional standing, which is inextricably linked to public trust. For these reasons, the gravity of the present case extends beyond mere economic considerations and implicates larger issues of public welfare, consumer protection, and the integrity of public discourse.

43. In essence, as per the case set up by the plaintiffs, the *'rogue websites'* are in flagrant infringement/ facilitation of infringement as is evident from the unabashed streaming of the copyrighted content on such *'rogue websites'*, of which the plaintiff herein, is the right holder. Moreover, the systematic, organised and intentional nature of the infringement, and the regularity and consistency with which the said content is being updated/ uploaded on the said *"rogue websites"* shows the extent of the violation of the rights of the plaintiff in real time. The

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said *'rogue websites'* are also employing the URL-redirection and identity masking methods as noted above, putting the plaintiff in an even more precarious condition to defend itself against their infringing actions. In these circumstances, the present case appears, *prima facie*, to be a clear example of personality rights infringement by entities such as defendant nos. 1-41, who are using modern technology to hide their identities while unlawfully benefiting from the plaintiff's personality rights.

44. Thus, in light of the violations already committed by the *'rogue websites'* by unauthorized streaming of the plaintiff's personality rights by using modern technology and AI tools to unauthorizedly morph and doctored the plaintiff no. 1'spersonality rightson the '*rogue website*', this Court sees every likelihood that such *'rogue website'* will continue to disseminate to the public without authorization or license from the plaintiffs.

45. Therefore, the plaintiff has been able to make out a *prima facie* case in its favour and against the defendants and the *balance of convenience* is also tilting towards the grant of relief in favour of the plaintiffs. If an *ex parte ad interim injunction* in favour of the plaintiff is not granted, the plaintiff will likely suffer *irreparable loss and injury*.

46. In view of the aforesaid, as also keeping in mind the existing position of law, as also to keep pace with the changing times, coupled with the changing technology, are issued;

i. The defendant nos. 1-41 and 48, their owners, partners, proprietors, officers, servants, employees, and all others in capacity of principal or agent acting for and on their behalf, or anyone claiming through, by or under them, are injuncted from using or

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exploiting the plaintiff no. 1's name, image and likeness, voice, and any other aspects of his persona which are solely and exclusively associated and identified with him for any commercial and/or personal gain and/or m any manner whatsoever without the plaintiff no. 1's express written authorisation, including through the use of any technology such as Artificial Intelligence and in any medium, format or platform, in any manner that amounts to violation of the plaintiff no. 1's persona1ity and publicity rights.

ii. The defendant no. 42 is directed to suspend/ lock/ disable the domain name <expressindia95 l O.xyz/> and <newstodayO 124.xyz> and/ or any further websites/domain name as may be subsequently identified and notified on affidavit by the plaintiffs and disclose all details including but not limited to registrant details and billing details for said domain name and any such domain names which are discovered during the course of the proceedings and notified on affidavit by the plaintiffs.

iii. The defendant no. 43 is directed to take down/ disable the post at https://x.corn/3rdEyeNFT/status/18659_30660076 I 79 05 and/ or any further posts/ account as may be subsequently identified and notified on affidavit by the plaintiffs and disclose the Basic Subscriber Information and all other information as available with defendant no. 43 for the users of the said profiles / accounts/ pages and/or any further accounts/ pages as may be subsequently identified and notified on affidavit by the plaintiffs.

iv. The defendant no. 44 is directed to suspend/ block/ disable defendant no. 3 account and/or any further account as may be

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subsequently identified and notified on affidavit by the plaintiffs and disclose the basic subscriber information and all other information as available with the defendant no. 44 for the users of the said profiles/ accounts/ pages and/or any further accounts/ pages as may be subsequently identified and notified on affidavit by the plaintiffs.

v. The defendant no.45 is directed to suspend/ takedown/ disable the YouTube accounts/ channels, which exclusively pertains to such content infringing upon the plaintiff no.1's personality rights, of defendant nos. 5 to 41 and any further accounts/ channels as may be subsequently identified and notified on affidavit by the plaintiffs and disclose the basic subscriber information and all other information as available with the defendant no. 45 corresponding to the said YouTube accounts and any further accounts/ channels as may be subsequently identified and notified on affidavit by the plaintiffs.

vi. The defendant nos. 46 and 47 are directed to issue necessary notifications/ directions calling upon various service providers/ social media platforms to block access/suspend various websites, social media accounts, channels, etc. of the primary defendants or such other websites, social media accounts, channels, etc. that may subsequently be notified by the Plaintiffs to be infringing their exclusive rights.

vii. In case the plaintiffs, during the pendency of the present suit, discover any more false, fabricated and/ or deep fake content not originating from or associated with the plaintiffs, the plaintiffs shall

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be at liberty to approach the defendant no.45 requesting them to block/ take down, within 36 hours, any such post/ image/ video/ text/ or any other deep fake content, which is published on its platforms or utilizing its platforms. In case the defendant no. 45 raises any doubt, the plaintiffs shall be at liberty to approach this Court for appropriate orders.

47. Upon the plaintiffs taking requisite steps, issue notice to defendants through all permissible modes returnable before the Court on 14.10.2025.

48. Reply(s), if any, be filed within *four weeks* from the date of service. Rejoinder(s) thereto, if any, be filed within *two weeks* thereafter.

49. List before Court 14.10.2025.

SAURABH BANERJEE, J

MAY 30, 2025/Ab

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