

BY EMAIL & DoT website

**Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001
(Data Services Cell)**

No. 813-07/LM-34/2024-DS-II

Dated:11-09-2024

To,

All Internet Service Licensee

Subject: CS (COMM) 704 of 2024 Manash Lifestyle Private Limited Versus Purple.live & Ors. before the High Court of Delhi

Kindly find the enclosed Hon'ble Delhi High Court order dated **30.08.2024** on the subject matter.

2. Please refer to the **para 4** of the said court order in respect of blocking of **websites** enumerated in memo of parties from **defendant nos.1 to 27**.
3. In view of the above, all the Internet Service licensees are hereby instructed to take immediate necessary action for blocking of the said website, as above, for compliance of the said court order.

Signed by

Ram Kailash Meena

Date: 11-09-2024 17:46:25

Dir (DS-II)

Email: dirds2-dot@nic.in

Encl:A/A

Copy to:

- i. Sh. V.Chinnasamy, Scientist E (chinnasamy.v@meity.gov.in), Electronics Niketan, Ministry of Electronics and Information Technology (MeitY) New Delhi for kind information and with request to take action as per **Annexure**.
- ii. Nageshwar Kumha <info@deyandkumhar.com> Plaintiff Advocate for kind information.
 - a. Take action as per Annexure.
- iii. IT wing of DoT for uploading on DoT websites please.



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 704/2024**

MANASH LIFESTYLE PRIVATE LIMITEDPlaintiff

Through: **Mr. Siddharth Yadav, Mr. Nageshwar Kumar, Advocates**

versus

PURPLE.LIVE & ORS.Defendants

Through: **Mr. Mrinal Ojha, Mr. Debarshi Dutta, Mr. Arjun Mookerjee, Mr. Rishabh Agarwal, Advocates**

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **30.08.2024**

I.A. 37933/2024-by plaintiff seeking modification of order dt. 21.08.2024

1. By virtue of the present application, the plaintiff seeks modification of the order dated 21.08.2024 passed by this Court.
2. Learned counsel for plaintiff at the outset submits that amongst the various amendments sought herein, he is only pressing for modification qua the defendant nos.28 to 31 for directing them to disclose the information regarding the registrants of the domain names as also qua the defendant no.44 to disclose the information regarding the registrants of the social media profiles as also for the similar reliefs qua the defendant nos.33 to 43.
3. For the reasons stated in the present application, the present application is allowed to the aforesaid extent enumerated as such the prayer sought in prayer (b) and (f) of para 38 of the order dated 21.08.2024 shall, after amendment, be read as under:



“38. Accordingly, till the next date of hearing:

xxx

b) The defendant no.28 is directed to block and suspend impugned domains i.e. *purplle.live*, *alpsgoodness.in*, *alpsgoodness.shop*, *alpsgoodness.co*, *alpsrosemary.shop*, *gardenalpsrosemary.shop*, *swissalps.in*, *alps.hair*, *rosemarywater.shop* and *rosemaryoriginals.in* and to disclose the info regarding the registrants of the domain to the plaintiff within a period of four weeks;

xxx

f) The defendant no.44 is directed to block and suspend the operation of social media profiles and to disclose the information regarding the registrants in the social media profiles to the plaintiff, upon the plaintiff approaching the defendant no.44 with the links of the social media profiles as specified in para 20 of the present application within a period of four weeks.”

4. Additionally, the below sub-paragraphs are also incorporated in the said order dated 21.08.2024:

“g. The Defendant No. 33 to 41, its directors, partners, proprietor, officers, affiliates, servants, employees and all others in capacity of principal or agent acting for and, on their behalf, or anyone claiming through, by or under it to permanently block the fake websites created by Defendant No.1 to 27.;

h. The Defendant 42, DoT and the Defendant No. 43, MeitY to issue a notification calling upon Internet Service Providers to block access to the fake websites of the defendant nos.1 to 27.”

5. Accordingly, the present application is allowed and disposed of in the above terms.

6. Needless to say, the order dated 21.08.2024 and the present order shall be read in conjunction with each other.

SAURABH BANERJEE, J

AUGUST 30, 2024/So



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

+ CS(COMM) 704/2024

MANASH LIFESTYLE PRIVATE LIMITEDPlaintiff

Through: Mr. Prashant Jain, Mr. Siddharth
Yadav and Mr. Nageshwar Kumar,
Advocates

Versus

PURPLLE.LIVE & ORS.Defendants

Through: Mr. Mrinal Ojha, Mr. Debarshi
Dutta and Mr. Arjun Mookerjee,
Advocates for D-28
Mr. Tejas Karia, Mr. Varun Pathak,
Mr. Shyamal Anand and Mr. Akhil
Shandilya, Advocates for D-44

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **21.08.2024**

I.A. 36943/2024 (*Exp from pre institution mediation*)

1. The plaintiff seeks exemption from instituting pre-litigation mediation.

2. Considering the averments made in the present application wherein the plaintiff seeks urgent relief and in view of *Yamini Manohar vs. T.K.D. Krithi 2023 SCC OnLine 1382* and *Chandra Kishore Chaurasia vs. R. A. Perfumery Works Private Limited. 2022:DHC:4454-DB*, the plaintiff is exempted from instituting pre-litigation mediation.

3. Accordingly, the present application is allowed and disposed of.

I.A. 36944/2024 (*Exp from advance service to D-34, 35, 42, 43*)

4. The plaintiff seeks exemption from advance service of defendant nos.34, 35, 42 and 43.

5. Learned counsel for the plaintiff submits that considering the

CS(COMM) 704/2024

Page 1 of 13



position involved and since urgent relief has been sought against defendant nos.1 to 27 and particularly since limited reliefs are being sought against defendant nos. 34, 35, 42 and 43, therefore, an exemption from effecting advance service is necessary.

6. For the reasons stated in the application as also taking into account the aforesaid factors and in the interest of justice, the plaintiff is granted exemption from effecting advance service upon the defendant nos.34, 35, 42 and 43.

7. Accordingly, the present application is allowed and disposed of.

I.A. 36942/2024(Exp)

8. Exemption allowed, subject to all just exceptions.

9. The applications stand disposed of.

I.A. 36941/2024(Addl.doc)

10. The present application has been filed on behalf of the plaintiff under Order 11 Rule 1(4) of the Code of Civil Procedure, 1908 as applicable to commercial suits under the Commercial Courts Act, 2015 seeking to place on record additional documents within thirty days.

11. The plaintiff will be at liberty to file additional documents within thirty days, *albeit*, strictly as per the provisions of the Commercial Courts Act, 2015 and Delhi High Court (Original Side) Rules, 2018.

12. Accordingly, the present application allowed is disposed of.

CS(COMM) 704/2024

13. The plaintiff vide the present suit seeks permanent injunction restraining infringement of trade mark, passing off, dilution, unfair competition and rendition of accounts.

14. Let the plaint be registered as a suit.



15. Upon filing of the process fee, issue summons of the suit to the defendants through all permissible modes returnable before the Joint Registrar on 26.11.2024.

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

17. Replication(s) thereto, if any, be filed by the plaintiff 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(s) of admission/ denial of documents filed by the defendants, without which the replication(s) shall not be taken on record within the aforesaid period of *fifteen days*.

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

19. List before the Joint Registrar for completion of pleadings on 26.11.2024. It is made clear that if any party unjustifiably denies any document(s), then it would be liable to be burdened with costs.

20. List before the Court on 13.01.2025.

I.A. 36940/2024(Stay)

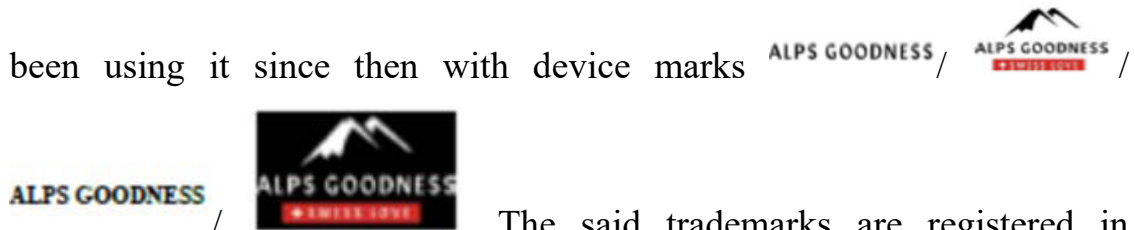
21. The plaintiff seeks temporary injunction against the defendants with respect to its registered trade marks PURPLLE and ALPS GOODNESS.

22. The plaintiff company was incorporated in India in the year 2011 and operates an Online Beauty and Wellness Store with trademark/ device

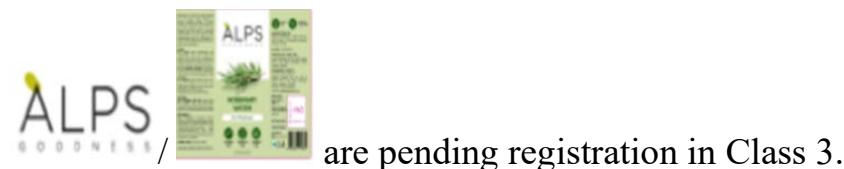


as PURPLLE/ which are duly registered in Class(s)3,9,16,30,35,41 and 44. Each of the said trademarks are valid and subsisting.

23. The Plaintiff adopted the brand “ALPS GOODNESS” for Cosmetics, Skin Care and Hair Care Products in the year 2018 and has been using it since then with device marks



. The said trademarks are registered in Class(s) 3,35 and 44. However, the applications with respect to trademarks



are pending registration in Class 3.

24. The plaintiff also is the registered proprietor of the domain names PURPLLE.COM, PURPLLE.IN, ALPSGOODNESS.COM. The sales of products of Alps Goodness have been ever increasing every year. Similarly, the plaintiff has spent been spending huge sums in promotion of its products every year as well.

25. The plaintiff in July, 2023 launched a product named ALPS GOODNESS ROSEMARY WATER for Hair Growth, pictorial representation of which is enumerated below:

DOCUMENT-B

LIST OF FAKE WEBSITES CREATED BY DEFENDANT NO. 1 TO 27 PURCHASED FROM DEFENDANT NO. 28 TO 31

Defendant No.	Infringing Domains	Creation Date	Domain Provider
1.	purp1le.live	16.07.2024	GoDaddy.com, LLC (Defendant No. 28)
2.	alpsgoodness.in	13.05.2024	GoDaddy.com, LLC (Defendant No. 28)
3.	alpsgoodness.shop	05.07.2024	GoDaddy.com, LLC (Defendant No. 28)
4.	alpsgoodness.co	29.07.2024	GoDaddy.com, LLC (Defendant No. 28)
5.	alpsrosemary.shop	19.05.2024	GoDaddy.com, LLC (Defendant No. 28)
6.	gardenalpsrosemary.shop	07.06.2024	GoDaddy.com, LLC (Defendant No. 28)
7.	swissalps.in	29.06.2024	GoDaddy.com, LLC (Defendant No. 28)
8.	alps.hair	22.05.2024	GoDaddy.com, LLC (Defendant No. 28)
9.	rosemarywater.shop	04.07.2024	GoDaddy.com, LLC (Defendant No. 28)
10.	rosemaryoriginals.in	26.06.2024	GoDaddy.com, LLC (Defendant No. 28)
11.	alpsrosemary.co.in	19.07.2024	NameCheap, Inc. (Defendant No. 29)
12.	alpsrosemary.live	02.07.2024	NameCheap, Inc. (Defendant No. 29)
13.	rosemarywateroriginal.com	15.06.2024	Spaceship, Inc. (Defendant No. 30)
14.	alpsgoodness.store	13.06.2024	Tucows Domains Inc. (Defendant No. 31)
15.	alpsrosemarywater.in	14.07.2024	Tucows Domains Inc. (Defendant No. 31)
16.	alpsrosemarywater.net	21.07.2024	Tucows Domains Inc. (Defendant No. 31)
17.	alpsrosemary.com	03.06.2024	Tucows Domains Inc. (Defendant No. 31)
18.	alpsrosemary.store	18.06.2024	Tucows Domains Inc. (Defendant No. 31)
19.	alpsrosemary.in	14.07.2024	Tucows Domains Inc. (Defendant No. 31)
20.	alpsrosemary.net	14.07.2024	Tucows Domains Inc. (Defendant No. 31)
21.	alpsrosemary.org	16.07.2024	Tucows Domains Inc. (Defendant No. 31)
22.	alpsrosemary.us	22.07.2024	Tucows Domains Inc. (Defendant No. 31)

23.	alpwellness.in	29.06.2024	Tucows Domains Inc. (Defendant No. 31)
24.	rosemarywater.in	10.07.2024	Tucows Domains Inc. (Defendant No. 31)
25.	rosemarystore.shop	05.07.2024	Tucows Domains Inc. (Defendant No. 31)
26.	healthyrosemaryhair.com	24.06.2024	Tucows Domains Inc. (Defendant No. 31)
27.	herbaladivasioil.net	02.08.2024	Tucows Domains Inc. (Defendant No. 31)

IN THE HIGH COURT OF DELHI AT NEW DELHI
(*Ordinary Original Commercial Jurisdiction*)

CS (COMM) No. OF 2024

IN THE MATTER OF:

MANASH LIFESTYLE PRIVATE LIMITED Plaintiff

VERSUS

PURPLE.LIVE & ORS. Defendants

MEMO OF PARTIES

MANASH LIFESTYLE PRIVATE LIMITED

Through its Authorized Representative

S-23, Green Park Main Market,

New Delhi - 110016

Also, at:

Unit No: 101 - B, 1st Floor, Raheja Plaza-I,

LBS Marg, Ghatkopar (West),

Mumbai - 400086, Maharashtra

...Plaintiff

Versus

1. PURPLE.LIVE

Email: abuse@godaddy.com

...Defendant No. 1

2. ALPSGOODNESS.IN

Email: help@alpsgoodness.shop,

abuse@godaddy.com

...Defendant No. 2

3. ALPSGOODNESS.SHOP

Email: order@alpsgoodness.shop,

abuse@godaddy.com

...Defendant No. 3

4. ALPSGOODNESS.CO

Email: abuse@godaddy.com

...Defendant No. 4

5. ALPSROSEMARY.SHOP

Email: abuse@godaddy.com

...Defendant No. 5

6. **GARDENALPSROSEMARY.SHOP**
Email: abuse@godaddy.com ...Defendant No. 6
7. **SWISSALPS.IN**
Email: gograssofficial@gmail.com,
abuse@godaddy.com ...Defendant No. 7
8. **ALPS.HAIR**
Email: abuse@godaddy.com ...Defendant No. 8
9. **ROSEMARYWATER.SHOP**
Email: abuse@godaddy.com ...Defendant No. 9
10. **ROSEMARYORIGINALS.IN**
Email: info@virtumart.in, abuse@godaddy.com ...Defendant No. 10
11. **ALPSROSEMARY.CO.IN**
Email: abuse@namecheap.com ...Defendant No. 11
12. **ALPSROSEMARY.LIVE**
Email: abuse@namecheap.com ...Defendant No. 12
13. **ROSEMARYWATERORIGINAL.COM**
Email: abuse@spaceship.com ...Defendant No. 13
14. **ALPSGOODNESS.STORE**
Email: domainabuse@tucows.com ...Defendant No. 14
15. **ALPSROSEMARYWATER.IN**
Email: herbaladivasi02@gmail.com,
domainabuse@tucows.com ...Defendant No. 15
16. **ALPSROSEMARYWATER.NET**
Email: info@alpwellness.in, alpsrosemary813@gmail.com,
domainabuse@tucows.com ...Defendant No. 16
17. **ALPSROSEMARY.COM**
Email: domainabuse@tucows.com ...Defendant No. 17

18. **ALPSROSEMARY.STORE**
Email: domainabuse@tucows.com **...Defendant No. 18**
19. **ALPSROSEMARY.IN**
Email: adivasiherbalhairoil84@gmail.com,
domainabuse@tucows.com **...Defendant No. 19**
20. **ALPSROSEMARY.NET**
Email: info@alpwellness.in, adivasiherbalhairoil84@gmail.com,
domainabuse@tucows.com **...Defendant No. 20**
21. **ALPSROSEMARY.ORG**
Email: alpsrosemary@gmail.com,
domainabuse@tucows.com **...Defendant No. 21**
22. **ALPSROSEMARY.US**
Email: alpsrosemary6@gmail.com,
domainabuse@tucows.com **...Defendant No. 22**
23. **ALPWELLNESS.IN**
Email: info@alpwellness.in, alpwellness9@gmail.com,
domainabuse@tucows.com **...Defendant No. 23**
24. **ROSEMARYWATER.IN**
Email: domainabuse@tucows.com **...Defendant No. 24**
25. **ROSEMARYSTORE.SHOP**
Email: adivasiherbal9@gmail.com,
domainabuse@tucows.com **...Defendant No. 25**
26. **HEALTHYROSEMARYHAIR.COM**
Email: domainabuse@tucows.com **...Defendant No. 26**
27. **HERBALADIVASIOIL.NET**
Email: hairoiladivasi245@gmail.com,
domainabuse@tucows.com **...Defendant No. 27**
28. **GODADDY, LLC**

Through its Grievance Officer,
14455, N. Hayden Road, Scottsdale,
Arizona 85260, United States of America
Email: grievanceofficer@godaddy.com,
abuse@godaddy.com

...Defendant No. 28

29. NAMECHEAP, INC

Through its Grievance Officer,
4600 East Washington Street, Suite 305,
Phoenix, AZ 85034, United States of America
Email: legalandabuse@namecheap.com,
grievanceofficer@namecheap.com

...Defendant No. 29

30. SPACESHIP, INC

Through its Grievance Officer,
4600 East Washington Street, Suite 300,
Phoenix, AZ 85034, United States of America
Email: abuse@spaceship.com,
grievanceofficer@spaceship.com

...Defendant No. 30

31. TUCOWS DOMAINS INC.

Through its Grievance Officer,
96 Mowat Avenue, Toronto, Ontario,
M6K 3M1, Canada
Email: domainabuse@tu cows.com,
compliance@tu cows.com

...Defendant No. 31

32. SHOPIFY INC.

Through its Managing Director/ Authorized Representative,
151 O'Connor Street, Ground Floor, Ottawa,
Ontario, K2P 2L8, Canada
Email: safety@shopify.com

...Defendant No. 32

33. ATRIA CONVERGENCE TECHNOLOGIES PRIVATE LIMITED

Through its Managing Director/ Authorized Representative,
2nd & 3rd Floor, No. 1 Indian Express Building,
Queen's Road, Bangalore – 560001, Karnataka

Email: nodal.term@actcorp.in

...Defendant No. 33

34. BHARAT SANCHAR NIGAM LIMITED

Through its Grievance Officer/ Authorized Representative,

5th Floor, Harish Chandra Mathur Lane,

Janpath, New Delhi -110001

Email: dgmadmbsnlco@gmail.com,

gm.admin@bsnl.co.in

...Defendant No. 34

35. MAHANAGAR TELEPHONE NIGAM LIMITED

Through its Grievance Officer / Authorized Representative,

5th Floor, Mahanagar Doorsanchar Sadan

9, CGO Complex, Lodhi Road,

New Delhi - 110003

Email: raco.mtnl@gmail.com, mtnlcsco@gmail.com ...Defendant No. 35

36. BHARTI AIRTEL LIMITED

Through its Managing Director/ Authorized Representative,

Airtel Centre, Tower-A, 6th Floor,

'A' Wing, Plot No. 16, Udyog Vihar,

Ph-IV, Gurgaon – 122016 Haryana

Email: amit.bhatia@airtel.com,

content.grievance@airtel.com

...Defendant No. 36

37. HATHWAY CABLE & DATACOM PRIVATE LIMITED

Through its Managing Director/ Authorized Representative,

'Rahejas', 4th Floor, Main Avenue,

Santacruz (W), Mumbai-400054

Email : ajay.singh@hathway.net, dulal@hathway.net,

sudhir.shetye@hathway.net

...Defendant No. 37

38. RELIANCE JIO INFOCOMM LIMITED

Through its Managing Director / Authorized Representative,

RCP 14 (TC 23), Phase 4,

B-Block, 3rd Floor, C 4 130 Twane- Belapur Road,

Gansoli, Navi Mumbai- 400701

Email: care@jio.com, hitesh.marthak@relianceada.com,

kapoor.guliani@ril.com, mahipal.singh@ril.com,
 sunil.kr.gupta@ril.com, shilpi.kant@ril.com,
 jyoti.jain@ril.com, rudraksha.sinha@ril.com,
 neelakantan.an@ril.com

...Defendant No. 38

39. SHYAM SPECTRA PRIVATE LIMITED

Through its Managing Director/ Authorized Representative,
 Plot 21-22, 3rd Floor Udyog Vihar,
 Phase IV, Gurgaon, Haryana - 122015
 Email: info@spectra.co, compliance@spectra.co

...Defendant No. 39

40. TATA TELESERVICES LIMITED

Through its Managing Director/ Authorized Representative,
 A, E & F Blocks Voltas Premises - T. B. Kadam Marg
 Chinchpokli, Mumbai - 400033
 Email: satya.yadav@tatatel.co.in

...Defendant No. 40

41. VODAFONE IDEA LIMITED

Through its Managing Director/ Authorized Representative,
 10th Floor, Birla Centurion, Century Mills Compound,
 Pandurang Budhkar Marg, Worli,
 Mumbai - 400030 Maharashtra
 Email: smitha.menon@vodafoneidea.com,
 pankaj.kapdeo@vodafoneidea.com, radhika.gokhale@vodafoneidea.com,
 sheena.thukral@vodafoneidea.com, florenzia.depores@vodafoneidea.com,
 raaj.goyel@vodafoneidea.com

...Defendant No. 41

42. THE DEPARTMENT OF TELECOMMUNICATIONS [DoT]

Through its Secretary,
 Ministry of Communications,
 Government of India, Sanchar Bhawan
 20, Ashoka Road, New Delhi – 110001
 Email: adetds2-dot@gov.in, secy-dot@nic.in, dirds3-dot@nic.in,
 adetds3.hq-dot@gov.in, members-dot@nic.in

...Defendant No. 42

**43. MINISTRY OF ELECTRONICS AND INFORMATION
TECHNOLOGY (MeitY)**

Through the Division of Cyber Laws & E-Security
Government of India, Electronics Niketan,
6, CGO Complex, Lodhi Road, New Delhi - 110003
Email: cyberlaw-legal@meity.gov.in,
gccyberlaw@meity.gov.in

...Defendant No. 43

44. META PLATFORMS INC.

Through its Managing Director/ Authorized Representative,
Unit 28 and 29, The Executive Centre, Level 18,
DLF Cyber City, Building No. 5, Tower A, Phase III
Gurgaon - 122002, Haryana India
Email: fbgoindia@support.facebook.com

...Defendant No. 44

45. JOHN DOE/ ASHOK KUMAR

...Defendant No. 45

**NOTE: DEFENDANT NOS. 1 TO 45 ARE THE MAIN
CONTESTING PARTIES.**

  
Prashant Jain, Siddharth Yadav & Nageshwar Kumhar (Advocates)
[D/587/1987] [D/1496/2009] & [D/1891/2019]
Advocates for the Plaintiff
For DEY & KUMHAR CO. (Advocates)
A-10, 3rd Floor, Jangpura Extension, New Delhi-110014
Phone +91 11 43586329, 43587161, +91 9818823289
E-mail: info@deyandkumhar.com

Place: New Delhi

Dated: 16th August 2024

Fwd: Issuance of Notification | Court Suit titled "Manash Lifestyle Private Limited Versus Purple.live & Ors." bearing its CS (COMM) No. 704 of 2024 before the Delhi High Court

ME Me <abhinesh.meena@gov.in>
Wed, 04 Sep 2024 9:55:12 AM +0530 •
To "jto2ds2-dot" <jto2ds2-dot@gov.in>

With Regards,

Abhinesh Meena
JTO-2(DS-II), Data Services Cell,
Sanchar Bhawan, DOT HQ,
New Delhi-110001
Ph. 23036760

==== Forwarded message =====
From: <info@deyandkumhar.com>
To: "Abhinesh Meena" <abhinesh.meena@gov.in>
Cc: "V Chinnasamy" <chinnasamy.v@meity.gov.in>, <info@deyandkumhar.com>, "Cyber Law Legal" <cyberlaw-legal@meity.gov.in>, "Sh Abhinesh Meena" <adetds2-dot@gov.in>, "Dr. Neeraj Mittal" <secy-dot@nic.in>, "UMESH KHEMNANI" <dirds3-dot@nic.in>, "Pukhraj Meena" <adetds3.hq-dot@gov.in>, "Rohit Sharma" <members-dot@nic.in>, "Group Coordinator, CLDG Division, Meity" <gccyberlaw@meity.gov.in>
Date: Wed, 04 Sep 2024 09:39:05 +0530
Subject: Issuance of Notification | Court Suit titled "Manash Lifestyle Private Limited Versus Purple.live & Ors." bearing its CS (COMM) No. 704 of 2024 before the Delhi High Court
==== Forwarded message =====



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Our Ref. No. D&K/227/2024-25

**New Delhi
4th September 2024**

MOST URGENT

THROUGH EMAIL (URGENT)

To,

Defendant No. 42

THE DEPARTMENT OF TELECOMMUNICATIONS [DoT]

Through its Secretary,

Ministry of Communications,

Government of India, Sanchar Bhawan

20, Ashoka Road, New Delhi – 110001

Email: adetds2-dot@gov.in, secy-dot@nic.in, dirids3-dot@nic.in,

adetds3.hq-dot@gov.in, members-dot@nic.in

...Defendant No. 42

To.

Defendant No. 43

MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY

(MeitY)

Through the Division of Cyber Laws & E-Security

Government of India, Electronics Niketan,

6, CGO Complex,

Lodhi Road, New Delhi – 110003

Email: cyberlaw-legal@meity.gov.in,

gccyberlaw@meity.gov.in

...Defendant No. 43

Next Date of Hearing : 26.11.2024 (JR) & 13.01.2025 (Court)

Ref: Court Suit titled "Manash Lifestyle Private Limited Versus Purple.live & Ors." bearing its CS (COMM) No. 704 of 2024 before the Delhi High Court

Respected Sir/Madam,

We act on behalf of the Plaintiff, Manash Lifestyle Private Limited.

Please be informed that the Plaintiff has instituted a Commercial Suit before the Delhi High Court, India bearing its **Case No. CS(COMM) 704/2024 titled as Manash Lifestyle Private Limited Versus Purple.live & Ors.** for the relief of Permanent Injunction to Restrain Passing Off, Infringement, Rendition Of Accounts, Delivery Up, etc. under the Trade Marks Act, 1999

The Hon'ble Justice Mr. Saurabh Banerjee has passed the *ad-interim* injunction in favour of the Plaintiff on the Court Order dated 21st August 2024. Later, the Plaintiff moved a Modification Application and the

same has been allowed through the Court Order dated 30.08.2024. The following prayers are allowed in the Court Order dated 30.08.2024.

3. For the reasons stated in the present application, the present application is allowed to the aforesaid extent enumerated as such the prayer sought in prayer (b) and (f) of para 38 of the order dated 21.08.2024 shall, after amendment, be read as under:

"38. Accordingly, till the next date of hearing:

xxx

b) The defendant no.28 is directed to block and suspend impugned domains i.e. purp1le.live, alpsgoodness.in, alpsgoodness.shop, alpsgoodness.co, alpsrosemary.shop, gardenalpsrosemary.shop, swissalps.in, alps.hair, rosemarywater.shop and rosemaryoriginals.in and to disclose the info regarding the registrants of the domain to the plaintiff within a period of four weeks;

xxx

f) The defendant no.44 is directed to block and suspend the operation of social media profiles and to disclose the information regarding the registrants in the social media profiles to the plaintiff, upon the plaintiff approaching the defendant no.44 with the links of the social media profiles as specified in para 20 of the present application within a period of four weeks."

4. Additionally, the below sub-paragraphs are also incorporated in the said order dated 21.08.2024:

"g. The Defendant No. 33 to 41, its directors, partners, proprietor, officers, affiliates, servants, employees and all others in capacity of principal or agent acting for and, on their behalf, or anyone claiming through, by or under it to permanently block the fake websites created by Defendant No.1 to 27.;

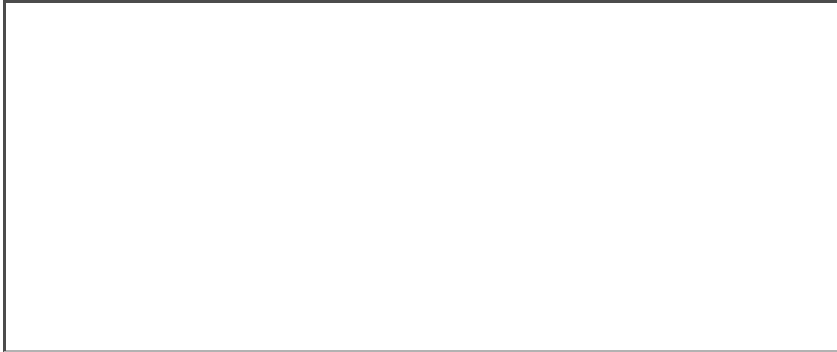
h. The Defendant 42, DoT and the Defendant No. 43, MeitY to issue a notification calling upon Internet Service Providers to block access to the fake websites of the defendant nos.1 to 27."

Kindly issue the notification to the Internet Service Providers [ISPs].

Kindly confirm receipt of this email. Kindly note that the next date in the matter is **26th November 2024 before JR and 13th January 2025 before the Court.**

Best Regards

Nageshwar Kumhar | Partner - Advocate
Regd. Trademark Attorney




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Annexure

Subject: Action requested to be taken by MEITY and Plaintiff for effective removal of content for viewing by public at large within India as per the said orders of Hon'ble Court.

It is observed that a number of orders of Hon'ble Court are issued for blocking of websites every month. There are around more than 2700 ISPs in India and these ISPs are connected among themselves in a mesh network. DOT is instructing each of the ISPs through emails/through its website for blocking of the websites as ordered by the Hon'ble Courts. Ensuring compliance of the orders by each of the ISPs is a time-consuming and complex task especially in view of multiplicity of orders of Hon'ble Courts, multiplicity of websites to be blocked and multiplicity of ISPs.

2. Allocation of Business Rules inter-alia states thus:-

'Policy matters relating to information technology; Electronics; and Internet (all matters other than licensing of Internet Service Provider).'

3. In view of above and in order to ensure effective removal by content for viewing by public at large, the plaintiff is requested to do a trace route of the web server hosting the said website. In case the web server happens to be in India, the plaintiff may inform the same to Meity who may direct the owner of such web server to stop transmission of content as per IT Act and as directed by the Hon'ble Court so that the content would be blocked from the source itself and the exercise of blocking by 2700 ISPs would not be required.

4. In case such server is located abroad i.e. outside India then access to such URL/website can be blocked through the international internet gateways which are much less in number. This would result in timely and effectively removal of undesirable content for viewing by public at large as is the requirement as per the orders of Hon'ble Court.