

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-63/2024-DS-II

Dated:08-01-2025

To,

All the Internet Service Licensees

Subject: CS(COMM) 1186 of 2024: Reliance Retail Limited Vs. Vivek Mishra & Ors. before the Hon'ble High Court of Delhi

Kindly find enclosed the Hon'ble Delhi High Court order dated **23.12.2024** on the subject matter.

2. Please refer to the **para 66(viii)** of the said court order in respect of blocking of **websites** enumerated in the Document-C attached with the said order.
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.

Digitally signed by

Shashi Kumar

Date: 08-01-2025 09:49:08

Director (DS-II)

Email: dirds2-dot@nic.in

Encl:A/A

Copy to:

- i. DGT, DoT for necessary action w.r.t blocking of Mobile Nos. (as per para 66(ix))
- ii. DDG(AS) for kind information pl.
- iii. 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**.
- iv. Smt. Ishi Singh <ishi@saikrishnaassociates.com> Plaintiff Advocate for kind information. [Requested to take action as per Annexure].
- v. 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) 1186/2024, I.A. 49537/2024, I.A. 49538/2024, I.A. 49539/2024, I.A. 49540/2024, I.A. 49541/2024, I.A. 49542/2024 & I.A. 49543/2024

RELIANCE RETAIL LIMITEDPlaintiff

Through: Mr. Sidharth Chopra, Mr. Yatinder Gang, Mr. Akshay Maloo, Ms. Rimjhim Tiwari, Ms. Reeva Gujral Singhal and Ms. Taarika Pillai, Advs.

versus

VIVEK MISHRA & ORS.Defendants

Through: Mr. Mrinal Ojha, Mr. Debarshi Dutta, Mr. Arjun Mookerjee and Ms. Nikita Rathi, Advs. for D-9.
 M: 9830716622
 Ms. Nidhi Raman, CGSC with Ms. Archana Surve, GP, Mr. Aakash Mishra and Mr. Zubin Singh, Advs. for R-15 & 16
 M: 9555672532

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

%

23.12.2024

I.A. 49539/2024 (Exemption from filing certified/clearer/proper/translated copies of documents with proper margins)

1. The present is an application under Section 151 of the Code of Civil Procedure, 1908 ("CPC"), on behalf of the plaintiff, seeking exemption from filing certified/clearer/proper/translated copies of documents with proper



margins.

2. Exemption is granted, subject to all just exceptions.

3. Plaintiff shall file certified/clearer/proper/translated copies of documents with proper margins, on which the plaintiff may seek to place reliance, before the next date of hearing.

4. Accordingly, the present application is disposed of.

I.A. 49543/2024 (Exemption from undergoing Pre-Institution Mediation)

5. The present is an application under Section 12A of the Commercial Courts Act, 2015, read with Section 151 of CPC, seeking exemption from undergoing Pre-Institution Mediation.

6. Having regard to the facts of the present case and in the light of the judgment of Supreme Court in the case of *Yamini Manohar Versus T.K.D. Keerthi, 2023 SCC OnLine SC 1382*, and Division Bench of this Court in *Chandra Kishore Chaurasia Versus RA Perfumery Works Private Ltd., 2022 SCC OnLine Del 3529*, exemption from attempting Pre-Institution Mediation, is granted.

7. Accordingly, the application stands disposed of.

I.A. 49542/2024 (Exemption from advance service to the defendants)

8. The present is an application under Rule 22 of Delhi High Court Intellectual Property Rights Division Rules, 2022, read with Section 151 CPC seeking exemption from advance service upon defendant nos. 1 to 5 and 17.

9. The plaintiff seeks urgent interim relief. Therefore, in the peculiar facts and circumstances of this case, exemption from effecting advance service upon the defendant nos. 1 to 5 and 17, is granted.



10. For the reasons stated in the application, the same is allowed and disposed of.

I.A. 49541/2024 (Application seeking leave to file additional documents)

11. This is an application under Order XI Rule 1(4) read with Section 151 CPC as amended by the Commercial Courts Act, 2015, seeking leave to file additional documents.

12. The plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly as per the provisions of Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

13. The application is disposed of, with the aforesaid directions.

I.A. 49538/2024 (Application seeking directions to the Intelligence Fusion and Strategic Operations/ Cyber Cell, Special Cell, Delhi Police)

14. The present application has been filed under Section 151 of CPC seeking directions to the Intelligence Fusion and Strategic Operations/Cyber Cell, Special Cell, Delhi Police.

15. The instant suit has been filed for permanent injunction restraining the illegal and unauthorized adoption and use of the plaintiff's 'RELIANCE',



, 'INDEPENDENCE',



, 'Independence', etc. and/or any deceptive variants thereof which is identical and/or similar to the plaintiff's aforesaid trademarks in the product labels as well as the plaintiff's copyrights in its 'INDEPENDENCE'



images, etc. by defendant nos. 1 to 5 for the purpose of deceiving and/or duping members of the public and trade/by representing themselves to be associated/ affiliated with the plaintiff as an agent, dealer, distributor, etc.

16. It is the case of the plaintiff that the rogue defendants, i.e., defendant nos. 1 to 5 are blatantly imitating the plaintiff's registered mark *inter alia* 'INDEPENDENCE' and 'RELIANCE', etc., which are registered by the plaintiff, to unauthorizedly offer distributorship/dealership/franchise of the plaintiff's brand 'INDEPENDENCE' business in various parts of the country. The rogue defendants are also copying the content such as advertisement videos, posters, product images, registered office address of the plaintiff, to lure the unwary customers and/or investors to invest large amounts of sum to gain the dealership/distributorship/franchise of the plaintiff's 'INDEPENDENCE' business.

17. It is submitted that the rogue defendants have created certain fake eligibility criteria for granting dealership such as land requirement, minimum amount of investment, etc. Some of these rogue defendants in their communications, also incorporate franchisee forms/brochures and applications to be filed by the interested customer.

18. It is submitted that these rogue defendants are attempting to exploit the sensitive information to perpetrate financial fraud against customers, duping them into making investment or financial transactions under the false pretence of offering franchise opportunities that these rogue defendants are not authorized to provide.

19. Thus, it is imperative that this Court directs the Intelligence Fusion and Strategic Operations/Cyber Cell, Special Cell, Delhi Police to



investigate and obtain relevant information about the rogue defendants and place the same before this Court.

20. Attention of this court has been drawn to the order dated 20th July, 2022, in *CS (COMM) 475/2022*, where, in similar circumstances, directions were issued by this Court for investigation and filing Status Report.

21. Considering the submission made before this Court, the Intelligence Fusion and Strategic Operations/Special Cell, New Delhi, Delhi Police (Cyber Cell), is directed to investigate and identify the exact details of defendant nos. 1 to 5, operating through mobile numbers, websites, social media platforms, websites, details of which are given in annexures attached to the present order.

22. Let a thorough investigation be carried out and a Status Report be filed by the Delhi Police (Cyber Cell), in this regard.

23. The plaintiff is at liberty to give any other documents or information to the Cyber Cell of the Delhi Police, as and when any new documents or information comes to the notice of the plaintiff.

24. The present order is directed to be delivered to the Standing Counsel, Delhi Police, Criminal, for compliance and necessary action.

25. With the aforesaid directions, the present application is disposed of.

CS(COMM) 1186/2024

26. Let the plaint be registered as suit.

27. Issue summons. Summons is accepted by learned counsel appearing for defendant nos. 9, 15 and 16.

28. Upon filing of the process fee, issue summons to the other defendants by all permissible modes. Summons shall state that the written statement be filed by the defendants within thirty days from the date of receipt of



summons. Along with the written statement, the defendants shall also file affidavit of admission/denial of the plaintiff's documents, without which, the written statement shall not be taken on record.

29. Liberty is given to the plaintiff to file replication within thirty days from the date of receipt of the written statement. Further, along with the replication, if any, filed by the plaintiff, an affidavit of admission/denial of documents of the defendants, be filed by the plaintiff, without which, the replication shall not be taken on record. If any of the parties wish to seek inspection of the documents, the same shall be sought and given within the timelines.

30. List before the Joint Registrar (Judicial) for marking of exhibits, on 18th February, 2025.

31. List before the Court on 19th May, 2025.

I.A. 49537/2024 (Application under Order XXXIX Rules 1 and 2 read with Section 151 CPC)

32. The present suit has been filed for permanent injunction restraining infringement of trademark rights, passing off, unfair trade practices, dilution, delivery up, etc.

33. It is submitted that the plaintiff has filed the present suit against the illegal and unauthorised adoption and use of the plaintiff's family of 'RELIANCE' and 'INDEPENDENCE' trademarks and 'INDEPENDENCE' product labels as well as the plaintiff's copyrights in its 'INDEPENDENCE' images, etc., by defendant nos. 1 to 5 and 17 ("rogue defendants") for the purpose of deceiving and/or duping members of the public and trade by representing themselves to be associated/affiliated with the plaintiff as an agent, dealer, distributor, etc.



34. It is submitted that the plaintiff is an Indian retail company and a group company of the Fortune 500 company i.e., Reliance Industries Limited (“RIL”), which is one of the most respected business houses in India. The plaintiff was incorporated in 1999 and is the largest retailer in India in terms of revenue. The plaintiff is engaged *inter alia* in providing retail services spanning various segments throughout the country including but not limited to grocery, consumer electronics, fashion & lifestyle and pharma products, since the last two and a half decades. The plaintiff has been ranked amongst the fastest growing retailers in the world. The plaintiff and its group company are the registered proprietors of various well-known trademarks, created as well as acquired.

35. It is submitted that the plaintiff holds various intellectual properties relating to the retail segment, including *inter alia*, the registered trademarks



“RELIANCE”, “Aapki Khushi Hamari Khushi” and its variants thereof. The corporate logo along with the trademark RELIANCE is used by all companies of the RIL Group and their combined use indicates association of the entity with the RIL group in the minds of the public at large. The plaintiff’s operating model unleashes the aspirational energy of the new, resurgent India, whereas its guiding philosophy rests on the tenets of enabling inclusion, growth and building sustainable societal value for millions of Indians.

36. It is submitted that the plaintiff has adopted a multi-prong strategy and operates a wide array of store formats that cater to planned shopping needs, as well as daily or occasional needs of the customers across major consumption baskets of Grocery, Consumer Electronics, Fashion &






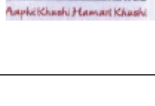
Lifestyle and Pharma. In the grocery consumption basket, the plaintiff operates Fresh Signature, Smart Superstore, Smart Bazaar, Smart Point, Freshpik, Shree Kannan Departmental, 7-Eleven and Jayasurya stores focused on food, fresh produce, bakery, dairy products, home and personal care products, as well as general merchandise items.

37. It is submitted that the plaintiff is the registered proprietor of the combined logo of the trade mark and name RELIANCE along with the corporate logo, along with the word "Retail" indicating that the mark is used for retail trade. Details of some of the registered trademarks of the plaintiff wherein RELIANCE along with the corporate logo occupies an essential and memorable feature, as are relevant for the present dispute, are reproduced hereunder:

Mark	Registration Number	Date	Class	Status
	Registration No. 2006915	10.08.2010	03	Registered and valid up to 10.08.2030
	2006921	10.08.2010	09	Registered and valid up to 10.08.2030
	2006923	10.08.2010	11	Registered and valid up to 10.08.2030
	2006926	10.08.2010	14	Registered and valid up to 10.08.2030
	2006933	10.08.2010	21	Registered and valid



				up to 10.08.2030
	2006936	10.08.2010	24	Registered and valid up to 10.08.2030
	2006937	10.08.2010	25	Registered and valid up to 10.08.2030
	2006941	10.08.2010	29	Registered and valid up to 10.08.2030
	2006942	10.08.2010	30	Registered and valid up to 10.08.2030
	2006943	10.08.2010	31	Registered and valid up to 10.08.2030
	2006944	10.08.2010	32	Registered and valid up to 10.08.2030

	2006945	10.08.2010	33	Registered and valid up to 10.08.2030
	2006946	10.08.2010	34	Registered and valid up to 10.08.2030
	2006947	10.08.2010	35	Registered and valid up to 10.08.2030
	2006950	10.08.2010	35	Registered and valid up to 10.08.2030



38. It is submitted that the aforesaid trademarks are valid and subsisting.
39. It is submitted that the trade name and trademark RELIANCE has gained enormous reputation and goodwill so much so that the word RELIANCE has today become a household name in India and the companies of the RIL Group are known and referred to as one of the pioneering architects of modern India. On account of the substantial monies spent and efforts put in by the plaintiff in conducting large scale promotional activities using the trademark and corporate name RELIANCE, the same is identified with and is distinctive of the plaintiff. Valuable common law rights have, thus, come to vest in the trademark and name RELIANCE, which is associated with the plaintiff.
40. It is submitted that the group company of the plaintiff, i.e., Reliance Consumer Products Limited (RCPL), launched its indigenous FMCG brand 'INDEPENDENCE' in December, 2022. This brand offers a diverse portfolio of consumer goods, including staples, processed foods, beverages, and other daily essentials, aimed at addressing Indian consumer needs with high-quality, affordable products.
41. It is submitted that the plaintiff applied for the registration of the word mark as well as the device marks of 'INDEPENDENCE' under various classes, including Class 20, 21, 29, 30, 31, and 32, during the period from September to December, 2024. It is pertinent to highlight that the adoption and launch of the 'INDEPENDENCE' brand by the plaintiff and its group company received significant media coverage, as reported in multiple news articles.
42. It is submitted that the mark 'INDEPENDENCE', launched under the aegis of the Reliance Group, enjoys substantial goodwill and reputation in



the market. Further, 'INDEPENDENCE' has quickly gained recognition for providing high quality, affordable products, tailored specifically for Indian consumers' needs. The brand stands for "truly Indian solutions for real Indian problems" encapsulated in its ethos "*Kan Kan Mein Bharat*" which resonates deeply with Indian households and fosters emotional attachment and inclusiveness. Leveraging the immense market equity of the Reliance brand—a name synonymous with trust, innovation, and widespread consumer loyalty—'INDEPENDENCE' has established itself as a symbol of empowerment for consumers, kirana stores, and trade partners. The extensive promotional campaigns across various media, including print, radio, and television, along with on-ground activations, have further solidified the brand's market presence. Thus, the use of the mark 'INDEPENDENCE' has become intrinsically associated with Reliance's promise of quality and indigenous excellence, making any unauthorized use or infringement detrimental to its established reputation and goodwill.

43. It is submitted that the goodwill and reputation of the mark 'INDEPENDENCE' is further demonstrated by its impressive inaugural sales of ₹3,000 crores in its debut year (2023). Further, by virtue of the continuous and extensive use of the 'INDEPENDENCE' marks in relation to grocery products such as atta, edible oil, rice, sugar, glucose biscuits, water, etc., and its affiliation with RIL, the mark has gained significant business success and traction among consumers. This has further enhanced the goodwill and reputation associated with the plaintiff and its group companies.

44. It is submitted that the trademark 'INDEPENDENCE' is inherently distinctive, as the grocery products sold under this mark bear no direct



connection or association with the literal meaning of the word ‘INDEPENDENCE’. Consequently, the plaintiff has established valuable common law rights in the trademark ‘INDEPENDENCE’ concerning grocery products, and the mark has become synonymous with the plaintiff.

45. It is submitted that since its launch, the plaintiff has invested substantial time, money, and effort in establishing its brand ‘INDEPENDENCE’ under the aegis of the Reliance Group. The same has been achieved through various promotional activities, including advertising, social media campaigns, and other marketing initiatives. The plaintiff holds rights in the ‘INDEPENDENCE’ trademarks, including, *inter alia*,

‘INDEPENDENCE’,



‘Independence’, and their variants.

46. It is submitted that the plaintiff’s goods have been widely advertised and published through various media of publicity over the years. Owing to the continuous, extensive, open use and advertisement of the ‘INDEPENDENCE’ trademarks by the plaintiff, the said trademarks have earned a unique goodwill and reputation in the minds of the public, in the trade and markets so much so that the goods branded under the trademark ‘INDEPENDENCE’ have become distinctive of the plaintiff’s goods and any use of the mark ‘INDEPENDENCE’ in the industry is exclusively



identified with the plaintiff. The plaintiff's 'INDEPENDENCE' marks are thus recognized by a large section of the society, the masses, the people in the trade and the customers as a well-known trademark identified exclusively with the plaintiff.

47. It is submitted that the plaintiff further enjoys an established internet presence whereby a simple search for 'INDEPENDENCE' grocery on search engines such as Google, reveals reference to the plaintiff alone. Further, the plaintiff promotes its business and services for its 'INDEPENDENCE' brand through its popular social media handles – Instagram (@independence_brand_official) with 3,650 followers, Facebook <https://www.facebook.com/people/Independence-Brand/pfbid0SuEAhEWepQHsJKp2686G8phVo3aEYWT3EHXBCYR15KfxGUSxoPRvKtdXbTFJHzrGl/>, and YouTube <https://www.youtube.com/@IndependenceBrand> with 6.17K subscribers.

48. It is submitted that in view of the above, the plaintiff has acquired legal, vested, statutory and common law rights to the exclusive use of the 'INDEPENDENCE' trademarks and brand, on account of its creation, prior adoption, prior registration as well as for its exclusive and extensive commercial use. Thus, any unauthorized use of the plaintiff's registered marks which is identical and/or deceptively similar to the plaintiff's registered marks amounts to infringement of the said marks and also amounts to passing off.

49. It is submitted that the defendant nos. 1 to 5, along with other unknown perpetrators, are indulged in the illegal and fraudulent activities.

50. It is submitted that on 05th August 2024, the plaintiff received an email from Mr. Muiz Zargar, (customer of the plaintiff/member of the



public), stating that he has been offered a distributorship for the brand 'INDEPENDENCE' affiliated with the plaintiff, from a Facebook advertisement and further received a WhatsApp message from Mr. Vivek Mishra via phone number + 91 7363094908 and +91 9831479204 under the WhatsApp account name of 'Reliance Independence FMCG'. Mr. Vivek Mishra disguised, himself as the official distributor of the plaintiff, offering to venture out in a dealership/distributorship/superstockist of 'INDEPENDENCE' products and substantiated his legitimacy by providing brochures and a distributorship application form which illegally used the plaintiff's registered marks. On receiving the aforementioned email, the plaintiff internally investigated and found that a fake website has also been created, viz, 'rilindependence.online', impleaded herein as defendant no.1, wherein the same phone numbers as used by Mr. Vivek Mishra were provided in the 'Contact-Us' section of the said page. This clearly shows an association between the WhatsApp number/accounts and defendant no. 1's website. Further, on the said website 'INDEPENDENCE' and 'RELIANCE' mark/logos, photos were being misused on the pretext of providing the distributorship in beverages and food under the 'INDEPENDENCE' brand products. Subsequently, FIR has also been registered by the plaintiff on 24th October, 2024, in Brihanmumbai City, Police Station.

51. It is submitted that the website of the defendant no.1 offers fake distributorship and franchise by using the plaintiff's trade name, trademark and photographs of the plaintiff's products manufactured under the brand 'INDEPENDENCE'. The said website further sought details such as name, phone number and Email ID from people interested in the opportunity of dealership/franchisee of the brand 'INDEPENDENCE' in affiliation with



‘RELIANCE’.

52. It is submitted that recently, on 12th December, 2024, another customer of the plaintiff/member of the public ‘Jai Mahakal’ using Email ID ‘skshiv947@gmail.com’, contacted the plaintiff stating that “*Independence ke distribution me ek vykti fraud kar raha hai usko pakdvaaoai jail bhejiye reliance group ke naam par*”.

53. It is submitted that on receiving the aforementioned Emails, and several similar complaints from its customers, the plaintiff conducted a detailed search and came across several websites and social media pages conducting similar fraudulent businesses while being disguised as an agent of the plaintiff. These fake enterprises/websites/pages akin to defendant no.1 are the rogue defendants indulged in targeting unwary customers visiting these fraudulent pages, as a bait, by unauthorizedly offering them the chance to run a franchise in the name of ‘INDEPENDENCE’ or using the ‘RELIANCE’ name.

54. It is submitted that these rogue defendants are also apprehended to collect huge sums of money by impersonating the plaintiff and/or plaintiff’s employees/ agents. Therefore, the rogue defendants, in order to falsely induce and gain trust of such unsuspecting customers, are using the brand names, logos, tagline, images, official website address, identical/deceptively similar colour schemes, etc., of the plaintiff’s registered marks. The rogue defendants are also using, *inter alia*, the ‘RELIANCE’ and ‘INDEPENDENCE’ family of marks, and calling upon such innocent customers to purchase/invest in their fraudulent scheme of ‘dealership’ and/or ‘distributorship’ of the plaintiff.



55. It is submitted that the rogue defendants' websites incorporate franchise forms and applications to be submitted by the interested customer, which seeks particulars such as phone numbers, investment amount, business type, etc. Further, from the evidence collected and based on the information displayed on the fraudulent pages of the defendant nos. 1 to 5, it appears that the modus operandi of the rogue defendants is to, *inter alia*, dupe innocent members of the public into believing that the rogue defendants are representatives of the plaintiff and that the fraudulent pages, bearing the plaintiff's registered marks, images and product labels, Email ID, addresses have been created by the plaintiff, thereby inducing members of the public into participating in the aforesaid false/fake application for a franchise of the 'INDEPENDENCE' business upon payment of monies. The use of the identical colour combination, logos, images, product labels, etc, is misleading. Unsuspecting members of the public are misled to believe that they are viewing the plaintiff's official website and applying for a genuine franchise advertised by the plaintiff for its 'INDEPENDENCE' business.

56. It is submitted that it is difficult to ascertain the quantum of money extorted by the rogue defendants from the members of the public and the chain of networks operated by them. From the fraudulent activities of the rogue defendants, it is clear that their only intent is to dupe and defraud unwary customers of their hard-earned monies by falsely representing themselves as agents/representatives of the plaintiff. Furthermore, even though the entities behind each of the fraudulent pages identified herein *vis-a-vis* the rogue defendants are distinct, a common cause of action arises against these entities, as such fraudsters are using the plaintiff's registered marks to defraud and dupe general public and consumers of the plaintiff.



57. It is submitted that since the defendant nos. 1 to 5 are indulging in similar activities and are duping the public with common *mala fide* intentions, these entities/persons have been joined as defendants in the present suit. Further, considering the common modus operandi used by these defendants, it is apprehended that defendant nos. 1 to 5 are connected to each other. It is, thus, evident that the rogue defendants are designed to deceive the public using the plaintiff's trademarks/brand and reputation in a systematic and planned scam.

58. It is submitted that the rogue defendants have not been authorized to use the plaintiff's registered marks, including, inter alia 'RELIANCE', 'INDEPENDENCE'. Thus, any such use by the rogue defendants, amounts to infringement of the exclusive rights owned by the plaintiff, within the purview of the Trademarks Act, 1999.

59. The rogue defendants, by virtue of using identical trademark/ logos,



viz., *inter alia*, 'RELIANCE', 'RELIANCE RETAIL', 'Aapki Khushi Hamari Khushi' and 'INDEPENDENCE' trademarks including, *inter alia*, 'INDEPENDENCE',



and its variants

thereof, have passed off and infringed the plaintiff's trademark rights as per Section 29 of the Trademarks Act 1999.

60. It is further submitted that the rogue defendants are unauthorisedly



using plaintiff's original artistic work including, *inter alia*, INDEPENDENCE brand related, posters, product images, colour scheme and/or tag lines, amounting to infringement of the plaintiff's copyrights under Section 51 of the Copyright Act, 1957. The adoption and use of the said impugned pirated artwork by the rogue defendants is clearly dishonest, deceitful and an act of fraud.

61. It is submitted that by way of the unauthorized adoption of the plaintiff's marks, the rogue defendants have deliberately used an identical mark in order to induce consumers having average intelligence and imperfect recollection, under the mistaken belief, that they emanate from the plaintiff and bear an association with the plaintiff's popular and globally recognized brand. Consumers are bound to be confused when confronted with the use of the 'RELIANCE', and 'INDEPENDENCE' Logo in any manner whatsoever by the rogue defendants.

62. It is submitted that the blatant and unrestricted use of plaintiff's aforesaid trademarks in relation to services which do not belong to the plaintiff, viz. offering online application for franchise, will lead to the gradual whittling away and eventual erosion of the uniqueness and exclusivity that is associated solely with plaintiff's said trademarks.

63. It is submitted that the activities of the rogue defendants will undoubtedly result in the diminishing capacity of plaintiff's registered marks from serving their basic purpose, i.e., identifying plaintiff's goods as emanating from the plaintiff. Therefore, the rogue defendants' abovementioned activities constitute dilution by blurring as well as tarnishment.

64. Therefore, it is submitted that the plaintiff has been constrained to



file the present suit requiring the urgent intervention of this Court to injunct the illegal and fraudulent activities of the rogue defendants, considering the large-scale infringement and passing off of the plaintiff's well-known trademarks, committed by the rogue defendants, and to also issue orders which would enable the plaintiff to expeditiously discover the true identity(ies) of the rogue defendants. Further, to avoid further harm to the plaintiff and the general public, it is crucial that the plaintiff is able to promptly restrain such infringement and protect its rights in relation to the plaintiff's trademarks.

65. In view of the above circumstances, the plaintiff has demonstrated a *prima facie* case for grant of injunction and in case no *ex-parte ad-interim* injunction is granted, the plaintiff will suffer an irreparable loss. Further, the balance of convenience also lies in favour of the plaintiff and against the defendants.

66. Accordingly, till the next date of hearing, the following directions are issued:

i. Defendant nos. 1 to 5, by themselves, their owners proprietors, partners, 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, are restrained from using the plaintiff's trademarks 'RELIANCE'



'INDEPENDENCE',



'Independence', etc. and/or any deceptive variants thereof which



is identical and or similar to the plaintiff's trademarks in any manner thereby amounting to infringement of the plaintiff's trademarks/passing of plaintiff's trademarks/misappropriation, dilution and tarnishment of plaintiff's trademarks.

ii. The defendant no.6, i.e., Meta Platforms Inc. is directed to suspend the Facebook and Instagram accounts identified at Document-A (associated with defendant nos. 1 to 5) attached with the present order. Further, the said defendant is also directed to disclose the contact and other details of the account holder such as name, E-mail address, phone number, etc.

iii. Defendant no.7, i.e. LinkedIn is directed to suspend the LinkedIn account identified at Document-A, (associated with defendant nos. 1 to 5), attached with the present order. They are further directed to disclose the contact and other details of the account holder such as name, E-mail address, phone number, etc.

iv. Defendant no.8, i.e., WhatsApp LLC is directed to suspend the WhatsApp accounts in connection with the mobile numbers identified at Document-B (associated with defendant nos. 1 to 5), attached with the present order. Further, defendant no. 8 is also directed to disclose the Basic Subscriber Information ("BSI") reports.

v. Defendant nos. 9 & 10, i.e., Domain Name Registrants, are directed to suspend the domains as identified in Document-C, attached to the present order. Further, defendant nos. 9 & 10 are also directed to disclose the contact and other details of the owner/registrant of the said domains such as name, E-mail address, physical address, phone number, all IP addresses used by the defendants, whatever is available.

vi. Defendant nos. 11 to 14, are directed to block access to the rogue



defendants' website identified at Document-C attached to the present order.

vii. Defendant nos. 11 to 14 are also directed to disclose the relevant KYC details of the numbers identified at Document-D attached with the present order.

viii. Defendant no. 15, i.e., Department of Telecommunications (“DOT”) and Defendant no.16, i.e., Ministry of Electronics and Information Technology (“MEITY”), are directed to issue a notification calling upon the various internet and telecom service providers registered under it to block access to the various websites identified by the plaintiff in the instant suit at Document-C attached with the present order.

ix. Defendant nos. 15 and 16, i.e., DOT and MEITY, are directed to block access to the various mobile numbers identified by the plaintiff in the instant suit at Document-D attached with the present order.

67. The plaintiff is granted liberty that in case during the course of the present proceedings, any other domain/website or telephone number are identified using the infringing marks of the plaintiff, for the purposes, for which the present suit has been filed, the plaintiff shall be at liberty to file an affidavit in that regard.

68. The said affidavit shall be placed before the learned Joint Registrar (Judicial), who upon his/her satisfaction, shall extend today's order to such entities/phone numbers/domains names/social media accounts, also.

69. Issue notice to the defendants. Notice is accepted by learned counsels appearing for defendant nos. 9, 15 and 16.

70. Issue notice to the other defendants by all permissible modes, upon filing of process fee.

71. Let reply be filed within a period of four weeks.



72. Rejoinder thereto, if any, be filed within two weeks, thereafter.
73. Compliance of Order XXXIX Rule 3 CPC, be done within a period of two weeks, from today.
74. List before the Court on 19th May, 2025.

MINI PUSHKARNA, J

DECEMBER 23, 2024/kr



DOCUMENT- A (Infringing Social Media Pages)

S.No.	DOMAIN NAME	SOCIAL MEDIA PLATFORM
1.	https://www.linkedin.com/company/independence-fmcgfranchiseonlineapply/about/ (Defendant No. 5 @ Page No. 299-301 Folder IV, Vol II)	LinkedIn
2.	https://www.linkedin.com/company/reliance-consumer-products/posts/?feedView=all (Defendant No. 3 @ Page No. 267-272, Folder IV, Vol II)	LinkedIn
3.	https://www.linkedin.com/in/riliindipendce-fmcg-dealerships-and-distributorship-114070317/ (Defendant No. 4 @ Page No.279-282 and 288-289, Folder IV, Vol II)	LinkedIn
4.	https://www.facebook.com/groups/729243444149970/posts/1557598131314493/ (Defendant No. 5 @ Page No. 291, Folder IV, Vol II)	Facebook
5.	https://www.facebook.com/groups/729243444149970/posts/1732969853777319/ (Defendant No. 5 @ Page No. 290, Folder IV, Vol II)	Facebook



6.	https://www.facebook.com/independencefmcg (Defendant No. 5 @ Page No. 292-298 Folder IV, Vol II) Folder IV, Vol II)	Facebook
7.	https://www.instagram.com/campacoladistributor/ (Defendant No. 5 @ Page No. 302, Folder IV, Vol II)	Instagram



DOCUMENT- B (WhatsApp Numbers)

S.No.	Mobile Number	Relief Sought
1.	+ 91 7363094908 (Defendant No. 1 and 2 @ Pg 199-201, Fol IV Vol I, 241 Fol IV Vol II)	Disclosure and Blocking as: <ul style="list-style-type: none"> • using the Plaintiff's Marks, product images, colour scheme. • Claiming to be the distributor of the Plaintiff's brand 'INDPENDENCE'
2.	+91 9831479204 (Defendant No. 1 @ Pg 199-201, Fol IV Vol I and @ Pg 230-232 Vol II)	Disclosure and Blocking as using the Plaintiff's Marks, product images, colour scheme.
3.	+91 7069930147 (Defendant No.3 @ Pg 267 and 277-278, Fol IV, Vol II)	Disclosure and Blocking as: <ul style="list-style-type: none"> • using the Plaintiff's Marks, product images, colour scheme • claiming to be the distributor of the Plaintiff's brand 'INDPENDENCE'
4.	+91 9831238099 (Defendant No. 5 @ Pg 299 and 307, Fol IV, Vol II)	Disclosure and Blocking as the same is using images of the brand 'CAMPA' which owned and operated by the Plaintiff.
5.	+91 9332036995 (Defendant No. 5@ Pg 291 and 308, Fol IV Vol II)	Disclosure as the same is being used by the Defendant No. 5's Facebook post offering distributorship of the Plaintiff's brand 'INDPENDENCE'



DOCUMENT- C (Infringing Domains)

S.No.	Domain	Domain Name Registrar
1.	http://rilindependence.online/ @ Pg 236 and 241, Fol IV, Vol II, @ Pg 226 Fol IV, Vol I	Go Daddy.com, LLC
2.	https://relianceindependencefmcg.in/ @ Pg 200-201 Fol IV Vol I @ Pg 246-250 and 255-258, Fol IV, Vol II	GoDaddy.com, LLC
3.	http://www.ril.co.in/ @ Pg 267 Fol IV Vol II	GoDaddy.com, LLC
4.	http://rilindpgroup.com/ @ Pg 279 Fol IV Vol II	HOSTINGER operations, UAB



DOCUMENT- D (Telecom Service Providers)

S.No.	Mobile Number	Telecom Service Provider	Relief Sought
1.	+ 91 7363094908 (Defendant No. 1 and 2 @ Pg 259-264 Fol IV, Vol II and @ Pg 199-201 Vol I)	Airtel	Disclosure and Blocking
2.	+91 9831479204 (Defendant No. 1 @ Pg 230-232, Fol IV, Vol II and @ Pg 199-201, Vol I)	Airtel	Disclosure and Blocking
3.	+91 7069930147 (Defendant No. 3 @ Pg 267 and @ Pg 277-278, Fol IV, Vol II)	Vodafone (Vi)	Disclosure and Blocking
4.	+91 9831238099 (Defendant No. 5 @ Pg 299 and Pg 304 and 307, Fol IV, Vol II)	Airtel	Disclosure and Blocking
5.	+91 9332036995 Defendant No. 5 @ Pg 291 and @ Pg 305 and 308, Fol IV, Vol II)	Reliance Jio	Disclosure and Blocking
6.	+91 8637020545	Reliance Jio	Disclosure and Blocking
	Defendant No. 5 @ Pg 290 and @ Pg 306, Fol IV, Vol II)		

Code 50000

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

CS (COMM) NO. OF 2024

IN THE MATTER OF:

Reliance Retail Limited

...Plaintiff

Versus

Vivek Mishra & Ors.

...Defendants

MEMO OF PARTIES

Reliance Retail Limited
3rd Floor, Court House,
Lokmanya Tilak Marg, Dhobi Talao,
Mumbai, Maharashtra – 400002
E-mail: retail.ip@zmail.ril.com
Mobile No.: 7827227168

Also At:

601, Prakashdeep RWA,
Tolstoy Marg,
New Delhi - 110001
E-mail: retail.ip@zmail.ril.com
Mobile No.: 7827227168

...PLAINTIFF



VERSUS

1. Vivek Mishra
Website: rilindependence.online
Plot No:C60, G Block, Plot No:C60, Bandra Kurla Complex Rd,
Beside Bandra Est, Mumbai, Maharashtra 400051
Phone No: +91 9831479204 and +91 7363094908

2. relianceindependencefmcg.in
Email info@relianceindependencefmcg.in
Phone No: +91 7363094908

3. ril.co.in
Social Media:
<https://www.linkedin.com/company/reliance-consumer-products/posts/?feedView=all>
Phone No: +91 7069930147

4. rilindpgroup.com
Social Media:
<https://www.linkedin.com/in/riliindipendce-fmcg-dealerships-and-distributorship-114070317/>

5. <https://www.facebook.com/groups/729243444149970/posts/1732969853777319/>;
<https://www.facebook.com/groups/729243444149970/posts/1557598131314493/>;



<https://www.facebook.com/independencefmcg;>

[https://www.linkedin.com/company/independence-fmcgfranchiseonlineapply/about/;](https://www.linkedin.com/company/independence-fmcgfranchiseonlineapply/about/)

<https://www.instagram.com/campacoladistributor/>

Mobile Nos: +91 8637020545, +91 9332036995, +91 9831238099

6. Meta Platforms Inc.

Unit 28 and 29

The Executive Centre,

Level 18, DLF Cyber City, Building No. 5,

Tower A, Phase III, Gurgaon-122002

Through its Grievance Officer for India

E-mail: fbgoindia@support.facebook.com

7. LinkedIn Corporation

Legal Department

1000 West Maude Avenue

Sunnyvale, CA 94085

USA

Also at:

LinkedIn Technology Information Pvt. Ltd.

Tower A, Global Technology Park

Bangalore 560103

Email: privacy@linkedin.com , abuse@linkedin.com,

gdpr@linkedin.com, support@linkedin.com



8. Whatsapp LLC,
1 Meta Way, Menlo Park,
California 94025, USA
Email: grievance_officer_wa@support.whatsapp.com

Also At:

Whatsapp LLC,
Unit B8 and B10,
The Executive City Center,
Level 18, DLF Cyber City, Building No. 5,
Tower A, Phase – 3, Gurugram – 122002

9. GoDaddy.com, LLC
4th Floor, Statesman House, Barakhamba Road
Connaught Place, New Delhi,
Central Delhi, Delhi
Email: grievanceofficer@godaddy.com
abuse@godaddy.com

Also at:

14455 North Hayden Road,
Suite 219 Scottsdale,
AZ, 85260, United State.

10. Hostinger operations, UAB
Hostinger, UAB. Jonavos str. 60C, 44192
Email: support@hostinger.com



11. Bharti Airtel Ltd.
Airtel Centre, Tower-A, 6th floor
'A' Wing, Plot No.16, Udyog Vihar
Ph- IV, Gurgaon -122016
Email ID: amit.bhatia@airtel.com

12. Reliance Jio Infocom Limited
RCP 14 (TC 23), Phase 4,
B-Block, 3rd Floor,
C 4 130 Twane- belapur Road,
Gansoli, Navi Mumbai- 400701
E-mail: 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

13. Vodafone Idea Limited
Vodafone House,
Peninsula Corporate Park,
Ganpatrao Kadam Marg,
Lower Parel, Mumbai - 400 013 India

Also, at:
Birla Centurion,
10th Floor, Plot no.794,
B Wing, Pandurang Budhkar Marg,
Worli, Mumbai - 400 030 India
E-mail: smitha.menon@vodafoneidea.com;



pankaj.kapdeo@vodafoneidea.com
radhika.gokhale@vodafoneidea.com
sheena.thukral@vodafoneidea.com;
lavati.sairam@vodafoneidea.com

14. Bharat Sanchar Nigam Ltd.
Bharat Sanchar Bhawan, Regulation Cell
5th floor, Harish Chandra Mathur Lane
Janpath, New Delhi -110001
E-mail: ddg_reg@bsnl.co.in; sbkhare@bsnl.co.in;
averma@bsnl.co.in; sushmamishra71 @gmail.com

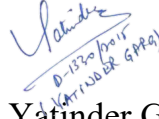
15. Department of Telecommunications
Ministry of Communications and IT,
20, Sanchar Bhawan, Ashoka Road, New Delhi-110001
Through its Secretary,
E-mail: secy-dot@nic.in, dirids2-dot@nic.in,
uoidhc@gmail.com, abhinesh.meena@gov.in

16. Ministry of Electronics and Information Technology
Electronics Niketan, 6 - CGO Complex,
Lodhi Road, New Delhi-110003
Through the Director General (DIT) Cyber Laws
E-mail: cyberlaw@meity.gov.in;
gccyberlaws@meity.gov.in; pkumar@meity.gov.in;
uoidhc@gmail.com



17. Ashok Kumar

...DEFENDANTS



Yours faithfully,

Yatinder Garg|Akshay Maloo| Rimjhim Tiwari
(D/1330/2015) | (D/4515/2018)| (D/4021/2022)

Saikrishna and Associates
Advocates for the Plaintiffs

+91 9999064036

yatinder@saikrishnaassociates

Place: New Delhi

Date: 20th December 2024

Note: Defendant No. 1 to 5 are the main contesting parties.



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.