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

+ **CS(COMM) 109/2024**

SEQUOIA CAPITAL OPERATIONS LLC & ORS. Plaintiffs

Through: Ms. Priya Adlakha, Mr. Vardaan Anand, Mr. Shiv Mehrotra, Advocates for P-1.

Mr. Yatinder Garg, Mr. Akshay Mallo, Rajit Ghosh, Advocates for P-2 & 3.

versus

SEENE TRADER & ORS

..... Defendants

Through: Mr. Dileep Poolakkot, Mr. Mohd. Siddick, Mr. Shivam Sai, Advocates for D-9.

Ms. Nidhi Raman, CGSC with Mr. Zubin Singh, Advocate for R-7 & 8.

Mr. Tejas Karia, Ms. Swati Agarwal, Mr. Shashank Mishra, Mr. Mohit Singh, Ms. Akshi Rastogi, Ms. Vedika Rathore, Ms. Ritika Bansal, Ms. Rithika Mathur, Advocates on behalf of Whatsapp LLC.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **20.03.2024**

I.A. 5182/2024(u/O I Rule 10 and Order VI Rule 17 r/w Section 151 of CPC on behalf of Plaintiffs)

1. In terms of order dated 14th March, 2024, the Plaintiffs have intimated the WhatsApp accounts/ phone numbers that are sought to be blocked by the Plaintiffs. Ms. Priya Adlakha, counsel for Plaintiffs, states that barring one,



Plaintiff has not received any response to message/ notice. In fact, many of these phone numbers are no longer available on WhatsApp. The account holder who replied to the Plaintiff's message has also not contested the request. She states that an affidavit of compliance annexing therewith the copy of response received, has been filed. The same is however not on record. Let the same be placed on the court file before the next date of hearing.

2. In the above background, Ms. Adlakha prays for direction for blocking the Whatsapp account of the phone numbers, and requests for disclosure of Basic Subscriber Information ["BSI"] of the said accounts.

3. On the above two requests, Mr. Tejas Karia, counsel for WhatsApp LLC, without taking an adversarial stand, raises a pertinent question regarding the Court's jurisdiction to issue a direction to block the accounts of persons just because they are administrators of a WhatsApp group, whose title/ name/ description infringes a person's trademark, without their being any other material against them.

4. On the above issue, the Court would like to hear both sides.

5. Ms. Nidhi Raman, CGSC for Defendants No. 7 and 8 seeks further time to respond to the query of the Court noted in paragraph No. 8 of order dated 14th March, 2024.

6. List on 13th May, 2024.

SANJEEV NARULA, J

MARCH 20, 2024

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