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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 311/2026**

MARRIOTT INTERNATIONAL INC.Plaintiff
Through: Mr. Pravin Anand, Ms. Vaishali Mittal,
Ms. Gitanjali Sharma and Mr. Shivang
Sharma, Advocates.

versus

SAVYA REALTY LLP & ORS.Defendants
Through:

CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **25.03.2026**
I.A. 7935/2026 (Additional Documents)

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

I.A. 7934/2026 (interrogatories)

4. This is an application under Order XI Rule 2 read with Section 151 CPC filed on behalf of plaintiff seeking administration of interrogatories upon the defendants.
5. Issue notice.
6. Let a reply to this application be filed within four weeks. Rejoinder



thereto, if any, be filed within two weeks thereafter.

I.A. 7936/2026 (Exemption)

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

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

9. The application stands disposed of.

I.A. 7937/2026 (Pre-Institution Mediation)

10. This is an application filed by the plaintiff seeking exemption from instituting pre-litigation Mediation under Section 12A of the CC Act.

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

12. The application stands disposed of.

I.A. 7938/2026 (Seeking Additional time to file Court fees)

13. The present application has been filed by the plaintiff under Section 149 read with Section 151 of CPC, seeking extension to file the Court Fees.

14. Considering the submissions made in the present application, an extension of two days is granted to affix the requisite Court Fees.

15. The application stands disposed of.

I.A. 7933/2026 (Order XXXIX Rules 1 & 2, CPC)

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

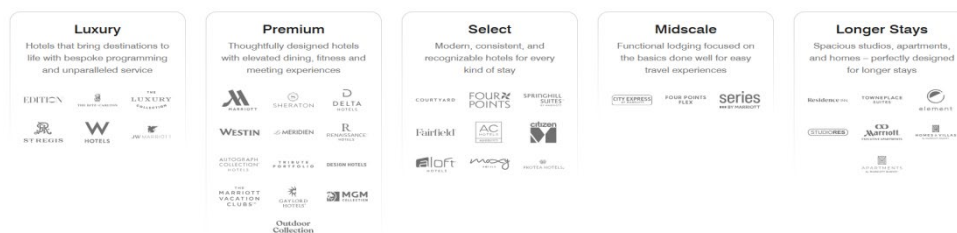
17. The plaintiff, Marriott International Inc. is stated to be a group



company of the Marriott Group incorporated in USA. Plaintiff is engaged in the business of operating a large number of hotels under various well-known brands like EDITION, MARRIOTT, JW MARRIOTT, ST. REGIS, W HOTELS, WESTIN, THE RITZ-CARLTON, RENAISSANCE, LE MERIDIEN, SHERATON, THE AUTOGRAPH COLLECTION, ELEMENT, ALOFT, FOUR POINTS BY SHERATON, COURTYARD, FAIRFIELD, THE LUXURY COLLECTION, MOXY HOTELS, CITY EXPRESS BY MARRIOTT, AC HOTELS, etc.

18. Plaintiff was founded in 1927 by J. Willard and Ellice Marriott in the USA and opened its first hotel in 1957 in Virginia, USA. It claims to be the largest hotel chain and a Fortune 500 Company. Plaintiff operates and franchises over 9300 properties comprising more than 1.7 million rooms across 144 countries under more than 35 brands worldwide. It also has 20 hotel reservation centres including centres in New Delhi. Plaintiff states that in the fiscal year 2024, its total revenue was over USD 25.77 billion. In India alone, the plaintiff reports over 1 billion USD revenue from its portfolio as of 2023. In para 8 of the plaint, the plaintiff has enlisted the annual gross sales and turnover worldwide which was pegged at more than USD 21 billion in the year 2004 which increased to more than USD 81 billion in the year 2022.

19. The plaintiff is stated to conduct its business in India through its subsidiary, Marriott Hotels India Pvt. Ltd., and operates several hotels and properties in India under its various brands, all of these contain a brand bar which includes the mark EDITION in marketing and promotional material in the properties in India, which is extracted hereunder:-





20. The bookings for EDITION properties are stated to be available through websites, www.marriott.com and www.editionhotels.com and service offices in Delhi, Mumbai etc. The website www.editionhotels.com is accessible worldwide including in India and prominently features the EDITION brand and all EDITION properties owned by the plaintiff worldwide. The table demonstrating the details of online visits globally and in India are extracted hereunder:-

Year	Online Visits Globally	Online Visits from IP addresses in India
2016	385,277,367	3,497,119
2017	436,259,900	3,647,654
2018	454,938,545	4,358,019
2019	668,490,792	16,632,700
2020	335,658,072	5,070,815
2021	602,877,405	11,797,288
2022	1,005,953,882	16,253,524
2023	1,108,545,660	18,557,258
2024	1,118,114,507	22,228,971
2025	1,206,915,736	28,679,895

21. The plaintiff launched its brand EDITION/ **EDITION** in the year 2008, opened the first hotel under the trademark EDITION in USA in the year 2010 and has continuously used the said trademark globally. The trademark EDITION stands registered in India under Classes 35, 36, 41, 43 and 44. The details of the registration of the trademark EDITION in India are extracted hereunder:-



S.No	Trademark	Application No.	Class	Date of Registration	Status
1.	EDITION	1645613	35, 36, 41 & 42	24.01.2008	Registered
2.	EDITION	2383003	35, 36, 41, 43 & 44	22.08.2012	Registered

22. Plaintiff claims that its mark EDITION is well-known and reputed among Indian consumers which is sought to be demonstrated by the number of hotel rooms reserved at the EDITION properties worldwide. The said chart is extracted hereunder:-

Year	Room Nights booked by guests with addresses in India	Revenue from bookings by guests with addresses in India
2016	403	Revenue in Excess of US\$161,000
2017	467	Revenue in Excess of US\$169,000
2018	636	Revenue in Excess of US\$240,000
2019	3,972	Revenue in Excess of US\$1.3 million
2020	442	Revenue in Excess of US\$150,000
2021	700	Revenue in Excess of US\$281,000
2022	2,540	Revenue in Excess of US\$1.1 million
2023	2,984	Revenue in Excess of US\$1.4 million
2024	4,845	Revenue in Excess of US\$2.2 million
TOTAL	16,989	Revenue in Excess of US\$7,001,000

23. Plaintiff is the owner of the domain name www.editionhotels.com since 01.11.2007, apart from www.shopedition.com for selling the goods under the trademark EDITION/**EDITION** and also owns and operates the domain name www.theeditionbroadsheet.com. The services of the plaintiff



under the EDITION hotels are also advertised extensively on third party travel platforms such as Tripadvisor, MakeMyTrip, Trivago, Kayak, EaseMyTrip, Agoda, Goibibo and Booking.com amongst others. The Facebook page of the official EDITION hotels is followed by over 6300 persons, the YouTube channel which was created on 16.05.2014 has more than 1,95,000 subscribers and the Instagram page has more than 2,66,000 followers. The high quality services which are stated to have been recognised and appreciated by guests and members of industry have earned the plaintiff numerous awards and accolades which are enumerated in para 20 of the plaint. The plaintiff had also announced the launch of 'THE MUMBAI EDITION' which is expected to open sometime in the year 2028. It is claimed that this news of launch has been widely covered and promoted across major publications and news agencies in India since October, 2024. Plaintiff has claimed to have spent significant amounts of money on marketing, advertisement and promotion of its services under the trademark EDITION.

24. The plaintiff's trademark EDITION is stated to have received wide spread popularity and is featured in various international digital and print media publications which have wide circulations in India such as Travel and Leisure, Condé Nast Traveller, Time of India, The Hindu, Forbes, Vogue etc. The trademark EDITION is registered in numerous jurisdictions worldwide and the documents in support thereof are also filed with the plaint.

25. The plaintiff also has successfully opposed third party applications seeking to register the marks identical or similar to the trademark EDITION. Plaintiff states that the WIPO Arbitration and Mediation Centre by its decision dated 21.08.2014 has declared the trademark EDITION as well-known by virtue of its popularity and goodwill.

26. Plaintiff claims that on 14.11.2025, it became aware of the defendants' upcoming project titled "THE EDITION" as advertised in a national



newspaper – The Times of India. Upon receipt of such information, the plaintiff conducted online enquiries which revealed extensive use of the impugned mark by the defendants by way of online marketing. The defendants’ website www.savyarealty.com registered on 14.03.2024 was found to be hosting a dedicated page for advertising and marketing the impugned project under the impugned mark “THE EDITION”. The project is stated to be a luxurious residential project containing 3 and 4 BHK apartments. The project is in progress with an expected possession date of the year 2030. The project was also advertised on third party websites like 99Acres.com, squareyards.com, magicbricks.com and nobroker.in.

27. Plaintiff claims that its registered trademark EDITION is incorporated in its entirety as the prominent and essential component of the impugned mark. The onset investigation revealed a variety of promotional and advertising material including hoardings, brochures and business cards etc. One such signage is reproduced in para 38 of the plaint.

28. The impugned marks are also stated to be extensively used by the defendants and their employees in various e-mail addresses listed in para 39 of the plaint.

29. Based on the above, the plaintiff seeks an *ex-parte ad-interim* injunction against the defendants.

30. Having heard Ms. Vaishali Mittal, learned counsel for the plaintiff, perusing the pleadings on record and scrutinizing the documents, it appears that an *ex-parte ad-interim* injunction is warranted in the circumstances.

31. In order to appreciate the controversy, it would be appropriate to compare the two trademarks in a tabulated form reproduced hereunder:-



PLAINTIFF'S MANNER OF REPRESENTATION	DEFENDANTS' MANNER OF REPRESENTATION
EDITION  https://www.editionhotels.com/ https://marriottresidences.com/luxury_brand/edition-residences/	THE EDITION  https://savyarealty.com/the-edition/

32. Except for the letter 'THE', the mark EDITION of the defendant is completely identical to the registered trademark EDITION of the plaintiff. The font also appears to be identical and both the marks are in capital letters. The logo or design in a form of a key of the second 'I' in the word 'EDITION' of the plaintiff's mark would really not create a distinction by virtue whereof both the marks can be stated to be distinctive or dissimilar. On the first glance, the mark of the defendants would clearly appear to be that of the plaintiff's. The trademark of the plaintiff, under Classes 35, 36, 41, 43 and 44, was registered initially in the year 2008 and subsequently on 17.02.2017, with the user date of 22.08.2012. Thus, prior in time to the project of the



defendants.

33. In the above comparative table, the image of the project of the defendants and the website, both encompass the registered trademark EDITION of the plaintiff. The plaint and the documents annexed therewith in support of its contentions clearly demonstrate that the trademark EDITION has been used by the plaintiff since the year 2008 worldwide and its services were available from India as well. Even otherwise, the plaintiff has its registered trademark EDITION much prior to the use of the impugned mark by the defendants. The documents annexed with the plaint, at this stage, demonstrate that the plaintiff has continuously been using, advertising and promoting its trademark EDITION in India for its services worldwide. The number of visits to its travel desks by consumers as also on its official website discloses that the trademark EDITION is not only known but also is popular among consumers in India, who seek to avail its high class services all over the world. Even though the plaintiff has no property in existence in India under the mark EDITION, the announcement of launch of THE MUMBAI EDITION in the year 2024, claiming to be available from the year 2028 coupled with the aforesaid assertions and documents, confer enough material for the plaintiff to maintain the present suit and also assert its statutory and common rights over its trademark EDITION. Some of the extracts from the third party websites showcasing plaintiff's launch of THE MUMBAI EDITION, are extracted hereunder:



11/02/25, 8:42 PM

Marriott International to bring the iconic EDITION Hotels brand to India with Mumbai launch, 268

DOCUMENT 11

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Marriott International to bring the iconic EDITION Hotels brand to India with Mumbai launch

Strategically located in the prestigious Bandra-Kurla Complex (BKC), The Mumbai EDITION will offer a prime position at the heart of one of the city's top commercial districts. The Mumbai EDITION will feature 182 luxurious guest rooms, including a penthouse suite, and boast a variety of upscale amenities. These include a lively lobby bar, rooftop terrace with pool, a spa and wellness facility, a fitness center, and multiple bars and restaurants. For business and social events, the hotel will offer 1,385 square meters of versatile meeting and banquet space.

Online Bureau · ETTravelWorld
Updated On Oct 7, 2024 at 03:29 PM IST

<https://travel.economictimes.indiatimes.com/news/hospitality/marriott-international-to-bring-the-iconic-edition-hotels-brand-to-india-with-mumbai-launch...> 1/7

Marriott International signs pact with Prestige Falcon Realty Ventures to bring the Edition hotels brand to South Asia

Expected to debut in 2028, The Mumbai Edition will mark the brand's first property in India, establishing a new benchmark for luxury hospitality in the region

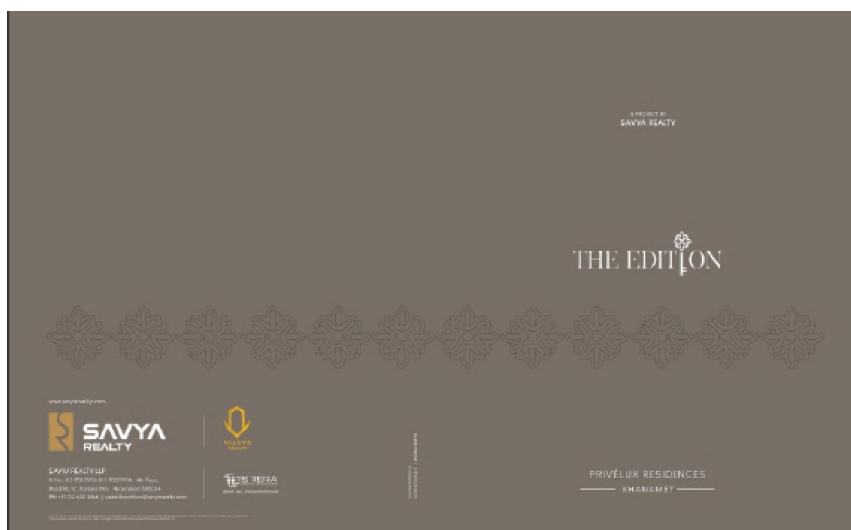
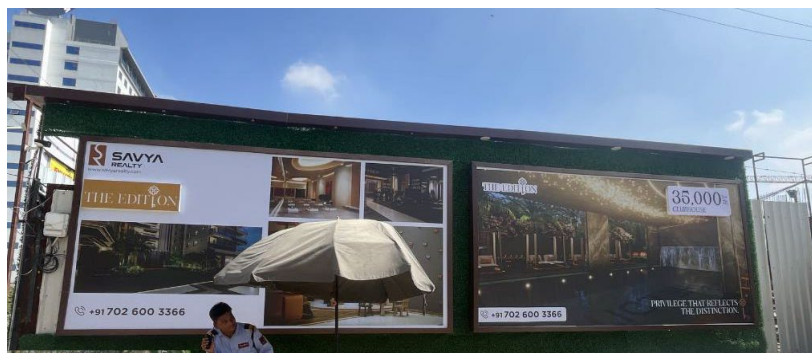
Published on: Oct 18, 2024 8:42 PM IST
By [HT Real Estate News](#)

Marriott International, Inc has announced the signing of an agreement with Prestige Falcon Realty Ventures Private Limited to bring its brand The Edition to South Asia, with a 182-key The Mumbai Edition.

Expected to debut in 2028, The Mumbai Edition will mark the brand's first property in India, establishing a new benchmark for luxury hospitality in the region, the company said in a statement.



34. Some of the images of the impugned project of the defendants containing the impugned mark THE EDITION are reproduced hereunder:-



From the above literature and images, it appears that the defendants are offering similar services, if not, identical to that of the plaintiff and the use of the mark EDITION may tend to persuade its consumers into believing that the project THE EDITION of the defendants is either completely that of the plaintiff; or under license or authorisation from it; or in some manner or the other associated with the plaintiff. An unwary consumer may be misled into believing any of the aforesaid three aspects. Plaintiff has asserted that it has no association with the defendants. In such case, the adoption and the use of the mark EDITION by the defendants seem to be unauthorized and the mark is deceptively similar visually, phonetically, structurally as also conceptually, having regard to the facts of the case.



35. In view of the above, the plaintiff has made out a *prima facie* strong case in its favour. The overwhelming documents on record tilt the balance in favour of the plaintiff. The plaintiff is likely to suffer great loss and injury which may not be adequately compensated in monetary terms if the defendants are not enjoined immediately.

36. In view of the above, the following directions are passed:

- a. The defendants, their partners, directors, principal officers, servants, agents, affiliates, subsidiaries, sister concerns, representatives and all others acting for and on their behalf are restrained from using the impugned mark “THE EDITION/



including as part of the Defendants’ residential real estate project name, promotional material, website www.savyarealty.com, including the webpage <https://savyarealty.com/the-edition/>, email addresses including sales.theedition@savyarealty.com and and/or any other mark, logo, label, trade name, domain name, email address or identifier which is identical with or deceptively similar to the Plaintiff’s

trademark EDITION/EDITION, in any manner whatsoever as part of a project name, trade or corporate name, domain name, on websites, social media accounts, third-party real estate portals and platforms, as well as in email addresses, metatags, metadata or purchased keywords in relation to advertising, promotion or other online references to the Defendants’ real estate services or any other goods or services;

- b. The defendants, and all acting on their behalf are directed to maintain accounts of all revenues, bookings, enquiries and



commercial transactions generated through the use of the
impugned mark “THE EDITION/  in relation
to their residential real estate project and related services.

37. Issue notice.

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

39. Compliance of Order XXXIX Rule 3 of CPC shall be done within ten days from date.

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40. In view of the aforesaid submissions, let the plaint be registered as a suit.

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

42. The summons shall state that the Written Statement shall be filed by the defendants within 30 days from the date of the receipt of summons. Alongwith the Written Statement, the defendants shall also file Affidavit of Admission/Denial of the documents of the plaintiff, without which the Written Statement shall not be taken on record.

43. Liberty is granted to the plaintiff to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the plaintiff, an Affidavit of Admission/Denial of the documents of defendants be filed by the plaintiff, without which the Replication shall not be taken on record.

44. In case any party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.



45. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.
46. List before the Joint Registrar (Judicial) on 07.07.2026 for completion of service and pleadings.
47. List before the Court on 28.09.2026.

TUSHAR RAO GEDELA, J

MARCH 25, 2026

Sumit/rl