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

+ **CS(COMM) 193/2019 & I.As.5399/2019, 11497/2019, 18216/2019,
15451/2021, 6069/2022, 31775/2024**

COLGATE PALMOLIVE COMPANY & ANR. Plaintiffs

Through: Mr. Saif Khan Mr. Achuthan
Sreekumar, Mr. Prajwal Kushwah
Ms. Imon Roy Mr. Achyut Tiwari Ms.
Kanupriya Chawla, Mr. Swastik
Bisarya Mr. Rohil Bansal Mr. Shivang
Sharma, Advs.

versus

NIXI & ANR.

..... Defendants

Through: Ms. Akshita Jain, Advocate for D-1
(M-9990526912).
Mr. Darpan Wadhwa; Mr. Mrinal
Ojha; Mr. Debarshi Dutta; Mr. Arjun
Mookerjee; Ms. Nikita Rathi; Ms.
Jewel Bhateja, Mr. Nikhil Gupta; Mr.
Yogesh Singh, Advs for D-3.
Mr. Danish Faraz Khan, Mr. Abhigyan
Siddhant and Mr. Rahul Sharma,
Advocates for UOI with Mr. Tanmay
Nirmal, Manager legal.
Mr. Tentu Satyanarayan, Director
(Legal), UIDAI & Mr. Tanmaya
Nirmal, Deputy Manager (Legal &
Policy), UIDAI (M-9899113033).
Mr. Kushagra Goel, Mr Lovesh Goel,
Ms. Tanya Singhal, Advs. for D-7.
Mr. Akshay Goel, Mr. Shivam Narang
& Mr. Lalit Kashyap, Advocates
SI Prince Kumar, PS Hauz Khas.
Mr. Sunil Gautam, SO, UIDAI.
Mr. Nishant Gautam (CGSC), Mr.
Vardhman Kaushik and Mr. Prithviraj
Dey, Advs. for MEITY.



CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% 31.05.2025

1. This hearing has been done through hybrid mode.

I.A. 6069/2022

2. This is an application under Order I Rule 10 of Code of Civil Procedure, 1908 filed by Defendant No. 7 - Mr. Rohit Nanda seeking deletion on the ground that his Aadhaar card had been misused for opening of the bank account linked with one of the infringing domain names/websites. In support of the same, reliance is placed on the report dated 26th March, 2022 submitted by the concerned Investigating Officer, P.S. Hauz Khas, New Delhi.

3. In view thereof, no relief is sought against Defendant No. 7 - Mr. Rohit Nanda.

4. The application is allowed and Defendant No. 7 is deleted from the array of parties. The application is disposed of.

CS(COMM) 193/2019, I.A. 5399/2019, I.A. 11497/2019, I.A. 18216/2019, I.A. 15451/2021 & I.A. 31775/2024

5. On 7th February, 2025, the Court had directed the parties to submit the following:

“22. Ld. Counsel for the Plaintiffs shall place one comprehensive compilation on record giving the following details:

(i) a list of all the domain names in each of the suits against which injunctions are being sought;

(ii) a table reflecting as to who are the Registrars and the Registries of the respective domain names against which injunctions have been sought in each suit.”



23. In addition, the Plaintiffs shall also place on record, the list of all the pending I.A.s in each of the suits with the reliefs sought in the said applications.

24. The Plaintiffs have collectively suggested Id. Counsels Mr. Prajwal Kushwaha (Mob. 7791065506) and Mr. Achyut Tewari (Mob. 8604633867) to act as nodal counsels for placing on record the above compilation along with the list of pending IAs.”

6. On the last date i.e., 27th May, 2025, the Id. Nodal Counsels had placed on record the said charts. Id. Counsels for the parties were directed to peruse the same and inform the Court of any changes/modifications/amendments etc. required in the charts.

7. Today, the updated chart has been handed over by the Id. Nodal Counsels and the Court has perused the same.

8. In the present case, till date, there are 7 infringing domain names which have been identified.

9. Id. Counsel for the Plaintiff submits that the order as passed on 20th October, 2023, deserves to be passed in respect of all the domain names. The operative portion of the said order reads as under:

“5. It is submitted by Id. counsel for the Plaintiff that previously various orders have been passed by the Court wherein the Court has enjoined such domain names as also the DNRs from transferring such domain names to any person in the future. He relies upon order dated 9th October, 2023 passed in Sony Interactive Entertainment Inc. v. Vikash Kumar [CS(COMM). 922/2022] wherein the Court held as under:

“13. At present, as Defendant 9 is the only DNR before this Court, Defendant 9 shall ensure that it does not allow registration, in favour of any person, for the domain name sonyplaystationstores.com.



Mr. Raja expresses a doubt as to whether such an order could be passed citing, in that regard, my earlier decision in Snapdeal Private Ltd. v Godaddycom LLC. There is a clear distinction between that case and this. In that case, the order that was sought was a blanket injunction against any domain name having the string “snapdeal” having been registered. I had stated – and continue to hold that view – that such an injunction could not be granted, as the court could not, in advance, presume that every domain name which included “snapdeal” as a part would necessarily be infringing. Such a direction could only be passed in respect of domain names which are actually before the Court. 14. In the present case, the said situation does not arise, as the domain name in question is sonyplaystationstores.com which this Court has already held, in its order dated 23 December 2022 to be prima facie infringing in nature. 15. At this juncture, Mr. Khan points out that Defendant 8-Big Rock is also a domain name registrar (DNR) who is impleaded in the present proceedings. 16. Accordingly, this order shall also extend to Defendant 8.”

6. Accordingly, there shall be an injunction against the use of the domain name www.colgateindia.in. **NIXI is also directed to ensure and give instructions that the following domain names are not permitted to be offered for sale to any third party except the Plaintiff in the future. Insofar as GoDaddy is concerned, it shall lock and suspend as also not offer to any third party the following domain names:**

- i) www.colgatepalmoliveindia.in;
- ii) www.colpal.in;
- iii) www.colgateindia.com;
- iv) www.hrcolgatepalmolive.com;
- v) www.colgateindia.in.”



10. Mr. Wadhwa, Id. Senior Counsel appearing for GoDaddy.com LLC., opposes any injunction *qua* re-registration of the same infringing domain names. It is his submission that only the use of a particular domain name makes it infringing and therefore, domain names falling in common pool cannot be restrained from re-registration by this Court.

11. It is also submitted by the Id. Sr. Counsel that the order dated 20th October, 2023 has been challenged in appeal by [GoDaddy.com](https://www.godaddy.com) LLC, and the said appeal being **FAO(OS)(Comm) 14/2024** titled **Godaddy.Com LLC v. Colgate Palmolive Company And Ors** is still pending.

12. Arguments heard. Judgement reserved.

13. Interim orders, if any operating, to continue.

PRATHIBA M. SINGH
JUDGE

MAY 31st 2025
Kk/msh