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

+ **CS(COMM) 391/2025**

SAP SE

.....Plaintiff

Through: Mr. Ranjan Narula, Mr. Shakti Priyan
Nair & Mr. Parth Bajaj, Advocates.

versus

PARAG TUKARAM KOSURKAR AND ORSDefendants

Through: Mr. Rahul Vidhani, Advocate for D-1
& D-2.
Mr. Mrinal Ojha, Mr. Debarshi Dutta,
Mr. Arjun Mokherjee & Ms. Nikita
Rathi, Advocates for D-3.
Mr. Neel Mason, Ms. Ekta Sharma,
Ms. Pragya Jain & Ms. Surabhi
Katara, Advocates for D-8.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **28.04.2025**

I.A. 10674/2025 (under Order XI Rule 1 (4) of CPC)

1. The present application has been filed on behalf of the plaintiff seeking leave to file additional documents.
2. The plaintiff is permitted to file additional documents in accordance with the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018, within thirty (30) days.
3. Accordingly, the application is disposed of.

I.A. 10675/2025 (exemption from filing clear, certified and translated copies of documents)

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4. Allowed, subject to the plaintiff filing legible copies of the annexures within four weeks from today.
5. The plaintiff is exempted from filing original/ certified/ dim/ clearer/ translated documents at this stage.
6. The application stands disposed of.

I.A. 10676/2025 (u/s 12A of Commercial Courts Act, 2015)

7. As the present suit contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023 SCC Online SC 1382, exemption from the requirement of pre-institution mediation is granted.
8. The application stands disposed of.

CS(COMM) 391/2025

9. Let the plaint be registered as a suit.
10. Issue summons.
11. Summons are accepted by counsel appearing for the defendants no.1, 2, 3 and 8, who appear on advance notice and waive issuance of formal summons.
12. Let summons be issued to the remaining defendants through all permissible modes.
13. Written statement(s) shall be filed by the defendants within thirty days from the date of the receipt of summons. Along with the written statement(s), the defendants shall also file affidavit of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.
14. Liberty is given to the plaintiff to file replications, if any, within thirty

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days from the receipt of the written statement(s). Along with the replications filed by the plaintiff, affidavit of admission/denial of the documents of the defendants be filed by the plaintiff.

15. The parties shall file all original documents in support of their respective claims along with their respective pleadings. In case parties are placing reliance on a document, which is not in their power and possession, its detail and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

16. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

17. List before the Joint Registrar on 22nd July, 2025 for completion of service and pleadings.

18. List before the Court on 25th September, 2025.

I.A. 10673/2025 (under Order XXXIX Rule 1 and 2 of CPC)

19. The present suit has been filed seeking relief of permanent injunction restraining the defendants from infringing the trademarks of the plaintiff and passing off, along with other ancillary reliefs.

20. Issue notice.

21. Notice is accepted by counsel appearing for the defendants no.1, 2, 3 and 8.

22. Notice be issued to the remaining defendants through all permissible modes.

23. Mr. Rahul Vidhani, counsel appears on behalf of the defendants no.1 and 2 on advance service and makes the following submissions: -

- i. The impugned websites 'www.sapology.com', 'www.sapalogytraining.com' and 'www.saptrainingtech.com',

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shall be taken down within ten (10) days from today.

- ii. The aforesaid websites shall be made dysfunctional within two (2) days from today and all the traffic from there shall be redirected to the defendant's other website, i.e. www.itaccurate.com.
 - iii. The defendants no.1 and 2 shall take down all social media pages, the details of which are given in the plaint, including but not limited to Facebook, Instagram, YouTube, X (formerly known as Twitter), in respect of the aforesaid websites, i.e. 'www.sapology.com', 'www.sapalogytraining.com' and 'www.saptrainingtech.com'.
 - iv. The defendant no.1 shall not use any material on their website or social media accounts which would suggest that they are an authorized training agent of the plaintiff for the SAP products of the plaintiff and they shall also not use the logo of the plaintiff on their websites or social media.
 - v. The defendant no.1 shall take steps to change the name of the defendant no.2 company, so as to not include the name 'SAPOLOGY' and shall immediately change the name of the proprietorship firm of defendant no.1, which uses the name SAP of the plaintiff within one (1) week from today.
24. The aforesaid statements of the counsel for the defendants no.1 and 2 are taken on record.
25. The defendants no.1 and 2 shall be bound by the aforesaid statements.
26. Let an affidavit of compliance be filed within two (2) weeks from today, along with documents in support showing compliance.

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27. List before the Joint Registrar on 22nd July, 2025 for completion of service and pleadings.
28. List before the Court on 25th September, 2025.

AMIT BANSAL, J

APRIL 28, 2025/at

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