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

% *Date of Decision: 28th April, 2026*

+ CS(COMM) 934/2024 and I.A. 43164/2024

MULTANI PHARMACEUTICALS LIMITEDPlaintiff
Through: Mr. Pravin Anand and Mr. Ashutosh
Upadhyay, Advocates.

versus

MAYURI BHUPAL BHAMAREDefendant
Through: Ms. Nupoor Maharaj, Advocate.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

JUDGEMENT

JYOTI SINGH, J.

1. This suit is instituted on behalf of the Plaintiff *inter alia* seeking a decree of permanent injunction restraining the Defendant and all others acting on its behalf from selling, exporting, offering for sale, advertising, manufacturing the impugned products in any manner whatsoever or using

the impugned marks MULTANI//  and/or any other mark identical or deceptively similar to Plaintiff's registered

trademarks MULTANI/ (Multani)//



Multani / **Multani**

, amounting to infringement of trademarks and/or passing off.

2. As stated in the plaint, Plaintiff originally started as a small clinic run by its founder in 1905 and in 1938, Multani Pharmacy was formally established and Plaintiff launched its first ever product MULTANI KUKA TABLETS. Plaintiff company was incorporated on 05.03.1986, originally as Multani Pharmaceuticals Pvt. Ltd., whereafter pursuant to special Resolution dated 02.08.1995, the name was changed to Multani Pharmaceuticals Limited. Plaintiff has been involved in manufacture and distribution of Ayurvedic, Unani and herbal medicines and is a research oriented organization driven by a constant endeavour to produce safe, efficacious and consistent remedies using Ayurvedic principles and over the years, through continuous and rigorous research, Plaintiff has successfully developed several pharmaceutical-grade herbal healthcare and cosmetic products and has brought the traditional Indian herbal medicinal products within reach of consumers, not only in India but also internationally, at highly affordable prices.

3. It is stated that Plaintiff operates under the house mark

MULTANI/ **मुलतानी** (Multani)/ **Multani** / **Multani** /

Multani

and offers a wide range of nearly 500 products under various categories such as personal care, healthcare, home care, Ayurvedic,



Unani medicines, nutraceuticals, food and consumables and cosmetics. Few of the well-known products of the Plaintiff include Multani KUKA Cough Syrup, Multani Chyawanprash, Multani Shaktiton Bal Tonik, Multani Rajbhog Prash, Multani Pachmeena and Multani Rovaan Keshtel, which have become household names by winning the trust of customers in India and globally. Plaintiff's product range spans from classical Ayurvedic medicines to Ayurvedic OTC products, catering to a wide spectrum of consumer needs.

4. It is stated that Plaintiff's journey spans over 86 years, marked by significant milestones that showcase its growth and commitment to Ayurvedic healthcare and a bird's-eye view is as follows:-

- a). In 1905, Vaidya Pt. Thakur Datta Multani began practicing Ayurveda in Lahore, sowing the seeds of Multani Pharmacy.
- b). In 1938, Plaintiff launched its first product MULTANI KUKA for sale in undivided India.
- c). In 1938, Multani Pharmacy was formally established and after partition, the company relocated to Delhi.
- d). 1970s saw global expansion of Ayurvedic Pharma Division, Tekhand, Delhi and by 1995, Plaintiff had started global expansion of Multani Pharmacy by exporting MULTANI products to various countries through merchant exporters based out of India.
- e). In 2003, Plaintiff established another manufacturing facility at Okhla, Delhi and later in 2008, a modern manufacturing unit was established in Haridwar, which later received WHO GMP (WHO Good Manufacturing Practices) certification.

5. It is stated that the trademark MULTANI was *bona fide* adopted by



the founder of the Plaintiff after his own name Vaidya Pt. Thakur Datta Multani and the mark has been honestly and extensively used for over eight decades. The trademark has been instrumental in building Plaintiff's reputation across pharmaceutical, cosmetic and food sectors, demonstrating company's versatility and commitment to quality and is also the house mark for all its products. The mark has acquired distinctiveness and has become synonymous with the Plaintiff. Plaintiff has also secured multiple registrations in the mark MULTANI across multiple Classes such as 01, 03, 05, 16, 18, 25, 30, 31 etc. The registrations are valid and subsisting and the details are as follows:-

S. No	Trademark	Registration Number	Date of Application	Products
1.	MULTANI PACHMEENA	416173	17.01.1984	Ayurvedic medicines in class 5
2.	MULTANI AYURVEDIC PHARMACY	416174	17.01.1984	Ayurvedic medicines in class 5
3.	MULTANI JEEVAK	416180	01.01.1955	Ayurvedic medicines in class 5
4.		1364142	15.06.2005	Soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices included in class 03.
5.		1769603	31.12.2008	Hair oils, essential oils and non- medicated cosmetics included in class 03.
6.		1364140	15.06.2005	Soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices included in class 03.

6. It is stated that Plaintiff has also secured registrations for MULTANI trademarks in international jurisdictions, which are also valid and subsisting and details are as under:-



S. No	Trademark	Country & Application no.	Date of Application	Class
1.	MULTANI	Sri Lanka 290284	14.03.2024	3: Soaps, perfumery, essential oils, hair lotions, dentifrices
2.	MULTANI	Qatar 17638	20.03.2024	3: Soaps, perfumery, essential oils, hair lotions, dentifrices
3.	MULTANI	Nepal 114852	19.03.2024	3: Soaps, perfumery, essential oils, hair lotions, dentifrices

7. It is stated that Plaintiff has extensively promoted its brand MULTANI and invested substantial amount of money every year on its promotion, publicity and advertisement through print and electronic media as also on social media platforms. Details of expenses incurred on advertising and promotion as certified by the Chartered Accountant, are as follows:-

Financial Year	Advertising Expenses of Plaintiff under the house mark MULTANI (Rupees in Lacs)
2014-15	466.74
2015-16	785/32
2016-17	1,012.07
2017-18	1,887.85
2018-19	2,317.12
2019-20	2,584.85
2020-21	1,907.57
2021-22	2,426.25
2022-23	2,308.99
2023-24	2,641.06



8. It is stated that the formidable and enviable goodwill and reputation garnered by the Plaintiff over the years by sale of its products under the trademark MULTANI is illustrated from the sales turnover and duly certified figures are as follows:-

Financial Year	Annual Turnover of Plaintiff (Rupees in Lacs)
2014-15	6,524.40
2015-16	8,238.20
2016-17	8,079.09
2017-18	10,315.66
2018-19	11,499.22
2019-20	14,610.92
2020-21	17,311.14
2021-22	20,438.34
2022-23	22,370.53

9. It is stated that Plaintiff has been diligent in protecting its intellectual property rights in the mark MULTANI and has successfully initiated multiple actions against its misuse. Details of the actions taken against third-party infringers and exploiters of the mark are furnished in paragraph 37 of the plaint.

10. It is stated that in August, 2024, Plaintiff became aware of Defendant's trademark application dated 09.12.2021 for registration of the



trademark . It was learnt that Defendant was using the impugned mark for manufacture and supply of identical products for skin care, hair care and body care such as anti-hair fall kits, face masks,



shampoos, handmade soaps etc and being aggrieved, Plaintiff filed the present suit.

Proceedings in the Suit

11. Summons were issued in the suit on 24.10.2024 and Court granted *ex parte* ad interim injunction restraining the Defendant from using the



impugned marks MULTANI/ and/or any other mark identical or deceptively similar to Plaintiff's registered trademarks. Thereafter, Plaintiff and Defendant amicably settled their disputes and Settlement Agreement was executed on 12.06.2025, which was placed on record. The proceedings in the suit, however, continued since Plaintiff pressed its relief for declaration of the trademark MULTANI as a well-known trademark in respect of Ayurvedic Pharmaceutical Products.

12. I have perused the terms of settlement and find the same to be lawful. Accordingly, the suit is decreed in favour of the Plaintiff and against the Defendant in terms of the settlement and the Settlement Agreement shall form a part of the decree. Plaintiff is held entitled to refund of the entire Court fees under Section 16 of the Court Fees Act, 1870.

Well-known trademark

13. Mr. Pravin Anand, learned counsel for the Plaintiff urges that the trademark MULTANI be declared as a well-known trademark in terms of Section 2(1)(zg) of the Trade Marks Act, 1999 ('1999 Act'), as per relief sought in paragraph 89(h) of the plaint in respect of Ayurvedic Pharmaceutical Products and has placed on record two notes of submissions in this regard.



14. It is submitted that Section 11(6) of the 1999 Act deals with the five factors which are required to be taken into consideration by the Registrar of Trade Marks while determining whether a trademark can be declared as a well-known trademark and as per the Scheme of the 1999 Act, Section 11(7) provides the factors that Registrar must consider while deciding whether the trademark is known or recognised in the relevant section of the public for the purpose of sub-Section (6) and that Plaintiff has placed on record relevant data with corroborating and supporting documents which is sufficient to show that it satisfies the parameters under each of the five factors enumerated in Clauses 1-5 of Section 11(6) of the 1999 Act. In the context of the five-factor test, the documents on record reflect as follows:-

(I) **Factor 1 Section 11(6)(i)**: Knowledge and recognition in relevant section of the public in India obtained because of promotion:

- (a) Plaintiff boasts of 1000 distributors and its products are widely sold at every pharmacy and on multiple e-commerce websites including Amazon, Flipkart, Tata 1mg, Zepto, Insta Mart, Meesho, Snapdeal, Myntra etc.
- (b) Plaintiff's products catalogues curated for various stores across India;
- (c) Lahore Advertisement of MULTANI KUKA tablets published in 1938 and Advertisements on several TV channels such as NDTV, AAJ TAK, India TV, TV9 Bharatvarsh, Republic Bharat, ABP News, News 24, Bharat Express, Live Times, News 18, Zee Punjabi, PTC etc.;
- (d) Extracts from Plaintiff's registered website registered in 2012;



- (e) Extracts from Plaintiff's social media accounts on YouTube since 2017, Facebook since 2012 and Instagram since 2019;
- (f) Advertisements for ayurvedic products under the House Mark MULTANI featuring Mr. Boman Irani in Dainik Savera Times Newspaper, at least since 2019 and Mr. Shakti Kapoor and Ms. Soha Ali Khan;
- (g) Tax invoices and newspaper certificates (Times of India, Punjab Kesari, Hind Samachar, Dainik Savera, Dainik Jagaran, Dharitri) and telecast certificates (Orissa TV), featuring the brand MULTANI, at least since 2005; and
- (h) CA certificate dated 13.08.2024 certifying the sales revenue in India under the brand MULTANI since 2015.

(II) **Factor 2 Section 11(6)(ii)**: The duration, extent and geographical area of any use of that trademark:

- (a) Lahore Advertisement of MULTANI KUKA tablets published in 1938;
- (b) Certificate of Incorporation of Multani Pharmaceuticals Private Limited dated 05.03.1986;
- (c) Drugs Manufacturing License dated 1990 issued in Plaintiff's name;
- (d) Certificate of Registration dated 09.10.2013 issued by the Ministry of Health of Moldova approving the sale of MULTANI KUKA cough syrup in Moldova;
- (e) Certificate of Good Manufacturing Practices issued by Ministry of Health and Family Welfare dated 06.10.2024;



- (f) Sales in India since the year 1938 in undivided India and abroad since 1995;
- (g) Internal export records and purchase orders evidencing sales in India and exports to various countries such as Armenia, Kazakhstan, Thailand, Russia, Nairobi, Uzbekistan; and
- (h) Revenues to the tune of Rs. 266 Crores in Financial Year 2023-2024 alone.

(III) **Factor 3 Section 11(6)(iii)**: The duration, extent and geographical area of any promotion of the trademark, including advertising or publicity and presentation, at fairs, or exhibition of the goods or services to which the trademark applies:

- (a) Plaintiff's products are widely sold at every pharmacy and on e-commerce websites including Amazon, Flipkart, Tata 1mg, Zepto, Insta Mart, Meesho, Snapdeal, Myntra etc.;
- (b) Lahore Advertisement of MULTANI KUKA tablets in 1938;
- (c) Extracts from Plaintiff's website registered in 2012;
- (d) Extracts from Plaintiff's social media accounts on YouTube, Facebook and Instagram (YouTube since 2017, Facebook since 2012 and Instagram since 2019);
- (e) Advertisements of ayurvedic products under the House Mark MULTANI featuring Mr. Boman Irani in Dainik Savera Times Newspaper at least since 2019;
- (f) Tax invoices and certificates for newspapers (Times of India, Punjab Kesari, Hind Samachar, Dainik Savera, Dainik Jagran, Dharitri) as also TV commercials (Orissa TV) featuring the brand



MULTANI since at least 2005;

- (g) CA certificate dated 13.08.2024 certifying the advertisement expenses in India under the brand MULTANI since 2014;
- (h) Advertisements of ayurvedic products under the House Mark MULTANI in Russian TV commercials; and
- (i) Products under the house marks MULTANI advertised on numerous TV channels, namely: (1) NDTV India; (2) AAJ TAK; (3) India TV; (4) TV9 Bharatvarsh; (5) Republic Bharat; (6) ABP News; (7) News 24; (8) Bharat Express; (9) Live Times; (10) News 18; (11) Zee Punjabi; (12) Fastway; (13) Pitara; (14) PTC; (15) 9X Tashan; (16) Surya Samachar; (17) Zee-Delhi NCR and Haryana; (18) Banwal News; and (19) Bhojpuri Cinema etc., as and advertisements aired in cinema halls in the form of slides/videos.

(IV) **Factor 4 Section 11(6)(iv)**: The duration and geographical area of any registration of or any application for registration of that trademark under this Act to the extent they reflect the use or recognition of the trademark:

- (a) Registration certificates of Plaintiff's MULTANI trademarks issued by the Indian Trade Marks Registry, with the oldest registration dating back to 1984, showing multiple registrations in Classes 1, 3, 5, 16, 18, 25, 30, 31, 32, 37, 39, 40, 44 etc.;
- (b) International trademark applications filed in Sri Lanka, Nepal and Qatar for the trademark Multani; and
- (c) Registrations for trademark MULTANI under the Madrid protocol in Brunei, China, Egypt, EU, Indonesia, Israel, Japan, Kazakhstan,



Russia, Singapore and Turkey.

(V) **Factor 5 Section 11(6)(v)**: The record of successful enforcement of the rights in that trademark, in particular, the extent to which the trademark has been recognised as a well-known mark:

(a) Plaintiff has successfully opposed third party use of the mark MULTANI and has obtained favourable orders:

- Opposition against the trademark MULTANI KHAL in Class 31.
- Opposition against the trademark MULTANI in Class 34.
- Opposition against the trademark JYOSH MULTANI JEERA in Class 32.
- Opposition against the trademark MULTANI in Class 06.
- Opposition against the trademark MULTANI in Class 43.
- Opposition against the trademark MULTANI DI HATTI in Class 30.
- Opposition against the trademark MULTANI UBTAN in Class 05.
- Opposition against the trademark MULTANI in Class 05.

(b) CS (COMM) No. 341 of 2019 which was settled and decreed in favour of the plaintiff vide order dated 19.11.2019.

(c) CS (COMM) 740/2024 enforcing rights in MULTANI KUKA was settled and decreed in favour of Plaintiff vide order dated 14.02.2025 and the mark KUKA was declared 'well-known' by this Court.

15. Having considered the submissions made by Mr. Pravin Anand,



learned counsel for the Plaintiff and upon examination of the material on record, I am of the view that the trademark MULTANI has acquired extensive recognition and association within the relevant section of the public in the concerned industry with respect to Ayurvedic Pharmaceutical Products. Over a span of 86 years, Plaintiff has achieved several milestones in respect of use of the mark MULTANI for Ayurvedic Pharmaceutical Preparations and the goodwill and reputation earned by the brand is evident from the sales turnover and the money invested in promotion and advertisement. Several well-known magazines have carried advertisements promoting the mark MULTANI and there is consistent visibility of the mark in almost all pharmacies and e-commerce websites. Many celebrities have endorsed the products and brand has been bestowed with WHO-GMP Certification, which places the Plaintiff among the top Ayurvedic and Unani manufacturers in the country and this is significant because out of approximately 9,000 Ayurveda medicine manufacturing companies across India only about 50 including the Plaintiff, have earned this certification.

16. Plaintiff's long-standing reputation and extensive and continuous use of the mark MULTANI across jurisdictions reflects its significant commercial presence. The mark has received enviable recognition in India and abroad and this is testament of its distinctiveness in respect of Ayurvedic Pharmaceutical Products and resultant reputation and goodwill of the Plaintiff. Hence, the mark MULTANI satisfies the criteria and parameters set out in Section 11(6) and (7) of the 1999 Act for declaring it as a well-known mark for Ayurvedic Pharmaceutical Products.

17. Accordingly, in terms of paragraph 89(h) of the plaint, a decree of declaration is passed declaring the trademark MULTANI as a 'well-known'



trademark within the meaning of Section 2(1)(zg) of the 1999 Act in respect of Ayurvedic Pharmaceutical Products.

18. Decree sheet be drawn up accordingly.
19. Suit stands disposed of along with the pending application.

APRIL 28, 2026/YA

JYOTI SINGH, J.