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

+ **CS(COMM) 1113/2025**

ALLCARGO LOGISTICS LIMITED

.....Plaintiff

Through: Ms. Swathi Sukumar, Senior
Advocate with Mr. Himanshu Deora,
Ms. Rishika Aggarwal, Mr. Sanat
Saswadkar, Mr. Ritik Raghuwanshi,
Ms. S. Murthy & Ms. Pratibha Singh,
Advocates.

Versus

**VRS ALL CARGO PACKERS AND MOVERS PRIVATE
LIMITED & ANR.**

.....Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

01.12.2025

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I.A. 25891/2025

1. *Vide* order dated 16.10.2025, Notice was issued and the Defendants were directed to file Reply to the present Application within a period of four weeks after service of Notice.

2. The learned Counsel for the Plaintiff submits that the Notice of Summons, complete Suit Paper book, the applications and the order dated 16.10.2025 has been forwarded through email dated 07.11.2025 to Defendant No. 1 and through email dated 24.11.2025 to Defendant No. 2 and that an Affidavit of Service dated 24.11.2025 (“**Affidavit**”) in this regard has also been filed and is on record. The Affidavit further states that the physical copy of the Notice of Summons, the complete Suit Paper book, the applications, and the documents along with the order dated 16.10.2025,



has also sent on 12.11.2025 through speed post and courier to Defendant No. 1 with the present status showing as Dispatched and In-Transit.

3. Despite service of Notice in terms of the order dated 16.10.2025, none has appeared on behalf of the Defendants.

4. Accordingly, the learned Senior Counsel for the Plaintiff made the following submissions:

4.1. The Plaintiff is engaged in providing logistics services encompassing international supply chain solutions, Container Freight Stations-Inland Container Depots (CFS-ICD), Ground Express, Consultative Logistics, and Industrial and Logistics Parks (“**Plaintiff’s Services**”).

4.2. The Plaintiff adopted the arbitrary and fanciful Mark ‘ALLCARGO’ in the beginning of 1990s and has been providing and / or marketing the Plaintiff’s Services under the Trade Mark / Corporate Name ‘ALLCARGO’, and various stylized / formative Marks incorporating ‘ALLCARGO’ in a prominent manner, including but not limited to





4.3. The Plaintiff is the prior adopter and superior user of the Subject Marks. The Plaintiff has been continuously using the Subject Marks as part of its Corporate Identity / Business and in relation to promotional and publicity material, for over three decades in India. Therefore, any mark which contains 'ALLCARGO' or any similar term thereof in respect of the logistics chain and supply, is solely associated with the Plaintiff alone. The details of registration of the Subject Marks are reproduced below:

<u>Sr. No.</u>	<u>Mark</u>	<u>Reg. No.</u>	<u>Application Date</u>	<u>Status</u>	<u>Class</u>	<u>User Date</u>



1.	ALLCARGO	876465	15.09.1999	Registered	16	16.08.1993
2.		2227687	01.11.2011	Registered	39	18.08.1993
CONDITION: REGISTRATION OF THIS TRADE MARK SHALL GIVE NO RIGHT TO THE EXCLUSIVE USE OF THE DESCRIPTIVE MATTERS.						
3.		2227686	01.11.2011	Registered	39	02.09.2011
CONDITION: REGISTRATION OF THIS TRADE MARK SHALL GIVE NO RIGHT TO THE EXCLUSIVE USE OF THE DESCRIPTIVE MATTERS.						
4.		2227683	01.11.2011	Registered	39	18.08.1993
5.		2227682	01.11.2011	Registered	39	18.08.1993
6.		4352843	20.11.2019	Registered	39	17.04.2018
7.		4352842	20.11.2019	Registered	37	17.04.2018
8.		4352841	20.11.2019	Registered	36	17.04.2018
9.		5563536	09.08.2022	Registered	39	Proposed to be used
10.		5563535	09.08.2022	Registered	39	Proposed to be used
11.	ALLCARGO	5571690	17.08.2022	Registered	39	Proposed to be used
12.	ALLCARGO	5571689	17.08.2022	Registered	42	Proposed to be used



13.	ALLCARGO	5571688	17.08.2022	Registered	37	Proposed to be used
14.	ALLCARGO	5571687	17.08.2022	Registered	36	Proposed to be used
15.	ALLCARGO	5571686	17.08.2022	Registered	35	Proposed to be used
16.	ALLCARGO	5571685	17.08.2022	Registered	6	Proposed to be used
17.		5658158	21.10.2022	Registered	42	Proposed to be used
18.		5658157	21.10.2022	Registered	37	Proposed to be used
19.		5658156	21.10.2022	Registered	36	Proposed to be used
20.		5658155	21.10.2022	Registered	42	Proposed to be used
RESTRICTION: MARK SHOULD BE USED AS REPRESENTED IN FORM OF APPLICATION.						
21.		5658154	21.10.2022	Registered	37	Proposed to be used
22.		5658153	21.10.2022	Registered	36	Proposed to be used
23.		5893469	14.04.2023	Registered	39	Proposed to be used
24.		5893468	14.04.2023	Registered	37	Proposed to be used
25.		5893467	14.04.2023	Registered	35	Proposed to be used



26.		5893466	14.04.2023	Registered	39	Proposed to be used
27.		5893465	14.04.2023	Registered	37	Proposed to be used
28.		5893464	14.04.2023	Registered	35	Proposed to be used
29.		5903833	21.04.2023	Registered	39	Proposed to be used
30.		5903832	21.04.2023	Objected	37	Proposed to be used
31.		5903830	21.04.2023	Registered	36	Proposed to be used
CONDITION: REGISTRATION OF THIS TRADE MARK SHALL GIVE NO RIGHT TO THE EXCLUSIVE USE OVER THE DESCRIPTIVE MATTER						
32.		5903829	21.04.2023	Registered	35	Proposed to be used
33.		5903571	21.04.2023	Registered	39	Proposed to be used
34.		5903569	21.04.2023	Registered	37	Proposed to be used
35.		5903567	21.04.2023	Registered	36	Proposed to be used



36.		5903565	21.04.2023	Registered	35	Proposed to be used
37.		5902722	21.04.2023	Registered	42	Proposed to be used
38.		5902721	21.04.2023	Registered	39	Proposed to be used
39.		5902720	21.04.2023	Registered	37	Proposed to be used
40.		5902719	21.04.2023	Accepted & Advertised	36	Proposed to be used
41.		5902718	21.04.2023	Registered	35	Proposed to be used
42.		5902717	21.04.2023	Registered	6	Proposed to be used
43.		5902661	21.04.2023	Registered	42	Proposed to be used
44.		5902660	21.04.2023	Registered	39	Proposed to be used
45.		5902659	21.04.2023	Registered	37	Proposed to be used
46.		5902658	21.04.2023	Registered	36	Proposed to be used
47.		5902657	21.04.2023	Accepted & Advertised	35	Proposed to be used
48.		5902656	21.04.2023	Registered	6	Proposed to be used



49.	 Ingenuity In Motion	5906531	24.04.2023	Registered	42	Proposed to be used
Conditions: MARK SHOULD BE READ AND USE AS A WHOLE.						
50.	 Ingenuity In Motion	5906530	24.04.2023	Registered	39	Proposed to be used
51.	 Ingenuity In Motion	5906529	24.04.2023	Registered	37	Proposed to be used
52.	 Ingenuity In Motion	5906528	24.04.2023	Registered	36	Proposed to be used
53.	 Ingenuity In Motion	5906527	24.04.2023	Registered	35	Proposed to be used
54.	 Ingenuity In Motion	5906484	24.04.2023	Registered	37	Proposed to be used
55.	 Ingenuity In Motion	5906486	24.04.2023	Registered	42	Proposed to be used
56.	 Ingenuity In Motion	5906483	24.04.2023	Registered	36	Proposed to be used
57.	 Ingenuity In Motion	5906526	24.04.2023	Registered	6	Proposed to be used
58.	 Ingenuity In Motion	5906482	24.04.2023	Registered	35	Proposed to be used
59.	 Ingenuity In Motion	5906485	24.04.2023	Registered	39	Proposed to be used



60.	 Ingenuity In Motion	5906481	24.04.2023	Registered	6	Proposed to be used
61.		1268770	25.02.2004	Registered	39	31.12.1993
62.	  Geography simplified	1418534	02.02.2006	Registered	37	Proposed to be used
Condition: REGISTRATION OF THIS TRADE MARK SHALL GIVE NO RIGHT TO THE EXCLUSIVE USE OF WORD 'GEOGRAPHY SIMPLIFIED' THE MARK SHALL BE LIMITED TO THE COLOURS, RED, BLACK, BLUE, YELLOW AS SHOWN IN THE REPRESENTATION ON THE FORM OF THE APPLICATION.						
63.		2830956	22.10.2014	Registered	39	13.06.2008
64.		2830957	22.10.2014	Registered	39	13.06.2008
65.		2830958	22.10.2014	Registered	39	13.06.2008

The above registrations of the Subject Marks reflect 'ALLCARGO' as a dominant / prominent part of the Subject Marks. In addition to the statutory rights, the Plaintiff has also acquired common law rights in the Subject Marks by virtue of the extensive, exclusive, continuous and long running use of the Subject Marks throughout India and in various countries around the world.

4.4. The Plaintiff's diligent use of the Subject Marks in the course of trade and commerce has resulted in the generation of



substantial revenue, demonstrating the commercial success, market acceptance and operational scale of the Plaintiff's Services in the logistics industry. The Plaintiff's substantial revenue underscores the Plaintiff's position as a major player in the logistics industry and demonstrates the Plaintiff's financial capacity and business viability. The Plaintiff's consistent growth in revenue and business volume under the Subject Marks is also a testament to the distinctiveness, reputation and goodwill acquired by the Plaintiff in the Subject Marks.

- 4.5. The Plaintiff has incurred considerable expenses towards the marketing and promotion of the Subject Marks through various advertising mediums including but not limited to digital platforms, print media, electronic media, outdoor advertising, trade publications, industry exhibitions, and corporate communications.
- 4.6. The substantial promotional efforts and expenditure over the years has resulted in widespread recognition, strengthened consumer association and acceptance of the Subject Marks in the market. Such consistent and extensive promotional activities have contributed significantly to the distinctiveness of the Subject Marks, thereby enhancing the commercial value and consumer recall of the Subject Marks.
- 4.7. The Plaintiff also has presence on the World Wide Web and is the owner of the website, www.allcargologistics.com ("**Plaintiff's Website**"). The Domain Name of the Plaintiff's



Website was registered on 11.05.2011, and is valid and existing till date. The Plaintiff's Website prominently reflects the use of the Subject Marks by the Plaintiff and the Plaintiff's Services. The Plaintiff's Website is accessible to the public all over India and abroad. The use of the Subject Mark 'ALLCARGO' in the Domain Name of the Plaintiff's Website assists the Plaintiff in establishing an identity for the Plaintiff's Website. The Plaintiff also has presence over various social media networking websites, including but not limited to Facebook, LinkedIn, X, Instagram, YouTube etc.

4.8. The Plaintiff's prior adoption and continuous use of the Subject Marks, being inherently distinctive in relation to the Plaintiff's Services, have acquired enhanced distinctiveness by virtue of long, extensive, uninterrupted and continuous commercial use coupled with substantial promotional activities within India and abroad. Consequently, the Subject Marks have gained recognition and acceptance among the relevant trade and industry circles and are today exclusively identified with the Plaintiff's Services. The Plaintiff's Services provided under the Subject Marks have become synonymous with quality and reliability, establishing strong consumer preference and market acceptance and have acquired secondary meaning and are exclusively associated with the Plaintiff as the sole source and origin thereof.

4.9. By reason of such extensive use, promotion and consumer recognition, the Subject Marks are entitled to be considered as



well-known trade marks in India, particularly in relation to cargo and logistics industry, as defined under Section 2(1)(zg) of the Trade Marks Act, 1999.

4.10. In or around the second week of September 2025, the Plaintiff, from its market sources, learnt about Defendant No. 1, providing logistics services under the Marks ‘VRS



ALLCARGO’ / ‘Packers & Movers Pvt Ltd’, (“**Impugned Marks**”) which are identical and / or deceptively similar to the Subject Marks in respect of identical and / or overlapping services.

4.11. Thereafter, the Plaintiff conducted an online search to find out the source of the alleged activities, which revealed that Defendant No. 1 owns the websites www.vrsallcargopackers.com, www.vrsallcargopackers.in and www.vrsallcargo.in, (“**Impugned Websites**”), whose Domain Names were registered recently on 25.10.2024, 09.12.2024 and 07.11.2023 respectively. Defendant No. 2 is the Registrant of the Domain Names of the Impugned Websites.

4.12. On the Impugned Websites, Defendant No. 1 is using the Impugned Marks in prominent manner and claiming to be one of the safe cargo movers in domestic and home relocation



services and the offered services are claimed as logistics services, such as Packers and Movers, Household Shifting, Office Shifting, Bike and Car Transportation, Warehouse and Storage, Loading and Unloading (“**Impugned Services**”), which are identical to and / or overlapping with the Plaintiff’s Services. Defendant No. 1 is also claiming to be providing the Impugned Services across India, including in Delhi. The Impugned Services are listed on various online trade directories and third-party portals, such as IndiaMart, LogisticsMart, MovingSolutions, etc. Defendant No. 1 also has a social media presence under the Impugned Marks, including but not limited to Facebook, Instagram, X (Twitter), etc.

4.13. A comparison of some of the Subject Marks and the Impugned Marks is as below:

Subject Marks	Impugned Marks
ALLCARGO ALLCARGO LOGISTICS	VRS ALL CARGO
	



www.allcargologistics.com	www.vrsallcargo.in www.vrsallcargopackers.com www.vrsallcargopackers.in
Allcargo Logistics Limited	VRS All Cargo Packers and Movers Private Limited

4.14. The Impugned Marks are structurally, visually, phonetically and deceptively similar to the Subject Marks and appear to be a blatant copy of the Subject Marks with *mala fide* and fraudulent intention to ride upon the goodwill and reputation of the Subject Marks.

4.15. The status of applications for the registrations of the Impugned Marks (“**Impugned Applications**”) is as below:

S.N.	Trademark	Applicati on No.	Class	Date of Appl.	Status
1.		6976931	39	25/04/2025	Formalities Chk Pass
	Services: TRANSPORTATION, PACKAGING, AND STORAGE OF GOODS, PROVIDING SERVICE OF LOGISTICS, TRANSPORTATION, FREIGHT, OFFICE SHIFTING, CAR CARRIERS AND MAINLYSERVICES RENDERED IN TRANSPORTING PEOPLE OR GOODSFROM ONE PLACE TO ANOTHER (BY RAIL* ROAD, WATER, AIROR PIPELINE) AND SERVICES NECESSARILY				



	CONNECTEDWITH SUCH TRANSPORT, AS WELL AS SERVICES RELATING TOTHE STORING OF GOODS IN A WAREHOUSE OR OTHERBUILDING FOR THEIR PRESERVATION OF GUARDING.				
2.	VRS ALL CARGO (word mark)	6870302	39	21/02/2025	Formalities Chk Pass
	Services: TAANSPORTATION, PACKAGING, AND STORAGE OF GOODS, PROVIDING SERVICE OF LOGISTICS, TRANSPORTATION, FREIGHT, OFFICE SHIFTING, CAR CARRIERS AND MAINLYSERVICES RENDERED IN TRANSPORTING PEOPLE OR GOODSFROM ONE PLACE TO ANOTHER (BY RAIL* ROAD, WATER, AIROR PIPELINE) AND SERVICES NECESSARILY CONNECTEDWITH SUCH TRANSPORT, AS WELL AS SERVICES RELATING TOTHE STORING OF GOODS IN A WAREHOUSE OR OTHERBUILDING FOR THEIR PRESERVATION OF GUARDING.				

4.16. The deception or confusion between the Subject Marks and the Impugned Marks is accentuated by the fact that the Impugned Services are identical and / or overlapping to that of the Plaintiff's Services and are being provided through same trade channels and to the similar consumer base. Defendant No. 1 is passing off the Impugned Services as that of the Plaintiff's Services.

4.17. Defendant No. 1 has adopted the Impugned Marks in various manners, including as Trade Mark, Trade Name / Company Name, Domain Names, Social Media Handles, etc., which are identical and / or deceptively similar to the Subject Marks / Plaintiff's Corporate Name / Domain Name of the Plaintiff's Website. Such adoption of the Impugned Marks by Defendant



No. 1 is in violation of the Plaintiff's statutory and common law rights in the Subject Marks and amounts to misrepresentation in the course of trade to prospective consumers. The Plaintiff has acquired goodwill and reputation across India and throughout the world and is now facing the risk of confusion among consumers due to the use of Impugned Marks in respect of identical services as that of the Plaintiff.

4.18. The Plaintiff has been actively engaged in business in India for decades and before Defendant No. 1's recent adoption of the Impugned Marks. The Impugned Marks completely incorporate the Subject Mark 'ALLCARGO' and mere addition of the term 'VRS' will not make the Impugned Marks distinguishable and is likely to give a false impression of an affiliation, association, connection with, endorsement, by the Plaintiff or that the Impugned Services originate from the Plaintiff, when no such nexus exists. Thus, the Impugned Marks are identical and / or deceptively similar in every aspect and is likely to cause confusion and deception in the minds of the customers and / or members of the relevant industry.

4.19. The deliberate adoption and use of the Impugned Marks by Defendant No. 1 is without due cause and is detrimental to the distinctive character and repute of the Subject Marks. A consumers of average intelligence and imperfect recollection, is bound to be misled into availing the Impugned Services



believing them to be the Plaintiff's Services and therefore the substandard quality of the Impugned Services will continue to cause damage to the Plaintiff and its goodwill and reputation in the Subject Marks.

- 4.20. Defendant No. 1's continuous use of the Impugned Marks dilutes and is bound to continue to dilute the distinctive character of the Subject Marks. Such debasement and erosion of the Plaintiff's existence cannot be adequately compensated monetarily. Defendant No. 1's alleged acts are depriving the Plaintiff of the profits wrongfully gained by Defendant No. 1 and immeasurably deprives the Plaintiff of the opportunity to exploit its intellectual property according to its own commercial strategies and options.
- 4.21. Reliance was placed on ***Renaissance Hotel Holdings Inc. v. B. Vijaya Sai***, (2022) 5 SCC 1, wherein the Supreme Court observed the mark 'SAI RENAISSANCE' to be infringing of the mark 'RENAISSANCE' of the plaintiff therein; ***Moonshine Technology (P) Ltd. v. Tictok Skill Games (P) Ltd.***, 2022 SCC OnLine Del 296, wherein this Court restrained use of the mark 'Baazi' on account of its deceptive similarity to the family of marks of the plaintiff therein, including the marks 'Baazi', 'Baazi Games', 'PokerBaazi', 'RummyBaazi' and 'BalleBaazi'; and ***Midas Hygiene Industries (P) Ltd. v. Sudhir Bhatia***, (2004) 3 SCC 90, wherein the Supreme Court observed the mark 'Magic Laxman Rekha' to be infringing of the mark 'Laxman Rekha'



of the plaintiff therein, to submit that these decisions establish that incorporation of a Subject Mark 'ALLCARGO' in its entirety whether with a prefix or suffix or as part of a composite expression shall amount to infringement of the Subject Marks.

4.22. Therefore, the Plaintiff has a *prima facie* case in its favour. The balance of convenience is also in favour of the Plaintiff and against the Defendants. The Plaintiff shall suffer irreparable loss, injury and damage to its business, goodwill and reputation if Defendant No. 1 is not immediately restrained from continuing the alleged acts.

5. *Prima facie*, the Impugned Marks adopted and used by Defendant No. 1 are visually, phonetically, structurally and deceptively similar to the Subject Marks. To an unwary consumer of average intelligence and imperfect recollection, the Impugned Marks and the Subject Marks are likely to appear identical, thereby leading to confusion regarding the source or origin of the services offered thereunder.

6. The material placed on record shows that the Plaintiff is the prior adopter and continuous user of the Subject Marks, having adopted the same in the early 1990s in relation to the Plaintiff's Services. The Plaintiff's longstanding use of the Subject Marks, their presence across multiple trade channels including digital and physical platforms, coupled with considerable promotional expenditure and commercial use, has enabled the Subject Marks to acquire goodwill, reputation and considerable public recognition indicating that the Subject Marks have come to be identified exclusively with the Plaintiff's Services by consumers and members of trade.



7. The material placed on record also shows that Defendant No. 1 has adopted and used the Impugned Marks in a manner that incorporates the Subject Mark 'ALLCARGO' in its entirety. The details of registration placed on record also demonstrate that the Plaintiff has secured statutory protection for the Subject Mark 'ALLCARGO' including the Word Mark 'ALLCARGO' across multiple classes. These registrations establish that Subject Mark 'ALLCARGO' is enjoyed by the Plaintiff also as a standalone registered Word Mark. The adoption of the Impugned Marks incorporating 'ALLCARGO' as dominant part of the Impugned Marks for identical and / or overlapping services, therefore, gives rise to a likelihood of confusion, enabling Defendant No. 1 to ride upon the reputation and goodwill associated with the Subject Marks.

8. Having considered the submissions made on behalf of the Plaintiff, a *prima facie* case is made out in favour of the Plaintiff. The balance of convenience also lies in favour of the Plaintiff, as continued use of the Impugned Marks would erode the distinctiveness of the Subject Marks and dilute the goodwill and reputation built over decades. The Plaintiff is likely to suffer irreparable injury, particularly in the logistics and cargo sector where consumer confusion may have serious commercial and reputational consequences, and where loss of distinctiveness or goodwill cannot be compensated monetarily.

9. Accordingly, till the next date of hearing, it is directed that:

- (i) Defendant No. 1, its partners / directors, associated / affiliated companies and entities, subsidiaries, directors, wholesalers, distributors or proprietors, as the case may be, its principals, employees, agents or anyone acting for or on its behalf and all those



connected with it in its business are restrained from providing, rendering, marketing, trading, selling and / or using in any manner, the Impugned Marks ‘VRS ALLCARGO’ /



‘ and / or any other Trade Mark / Trade Name that may be phonetically, visually, structurally and deceptively similar to the Subject Marks and / or any formative mark incorporating the Subject Mark ‘ALLCARGO’, in respect of services identical or similar to the Plaintiff’s Services.

(ii) Defendants No. 2 is directed to suspend / block the Impugned Websites www.vrsallcargopackers.com, www.vrsallcargopackers.in and www.vrsallcargo.in within 24 hours of receipt of copy of this Order, from the Plaintiff.

10. The compliance of Order XXXIX Rule 3 of the CPC be done within two weeks.

11. List before this Court on 17.03.2026.

TEJAS KARIA, J

DECEMBER 1, 2025

‘gsr’