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

+ **CS(COMM) 1379/2025 & I.As. 32107-113/2025**

GOVERNMENT EMARKETPLACE

.....Plaintiff

Through: Mr. Sagar Chandra, Mr. Nikhil
Sonker and Mr. Lakshay, Advocates

versus

ANKIT JAIN & ORS.

.....Defendants

Through: Mr. Varun Pathak, Mr. Yash
Karunakaran and Ms. Varsha Jhavar,
Advocates for D-68
Ms. Mamta Rani Jha, Ms. Shruttima
Ehersa, Mr. Rohan Ahuja, Ms.
Aiswarya Debardarshini and Ms.
Jahanvi Agarwal, Advocates for D-70
& 71

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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22.12.2025

I.A. 32113/2025 (seeking leave to file requisite court fee)

1. This is an application filed under Section 149 read with Section 151 of the Code of Civil Procedure, 1908 ['CPC'] seeking leave to file the requisite court fees within one (1) week.
2. Since the court fees stand deposited, the application has become infructuous and accordingly, disposed of.

I.A. 32112/2025 (seeking exemption from serving advance copy)

3. This is an application filed under Section 151 of CPC seeking exemption to serve advance copy of suit paper book on the defendant nos.



17, 18, 20, 22-24, 26, 27, 29-31, 34-36, 38-46, 48, 55, 58, 59, 61 and 82.

4. In view of the fact that the plaintiff has sought an urgent ad-interim injunction, the exemption from effecting advance service upon the said defendants is granted.

5. Accordingly, the application stands disposed of.

I.A. 32111/2025 (seeking exemption from Section 80 CPC)

6. This is an application filed under Section 151 of CPC seeking exemption from serving two (2) months' notice upon defendant nos. 79-81 under Section 80 of CPC.

7. For the reasons stated in the application and considering that these defendants are proforma defendants, the exemption is granted.

8. The application stands disposed of.

I.A. 32110/2025 (seeking exemption from pre-litigation mediation)

9. This is an application filed under Section 12A of the Commercial Courts Act, 2015 read with Section 151 CPC seeking exemption from instituting pre-litigation mediation.

10. Having regard to the facts that the present suit contemplates urgent interim relief and in light of the judgement of the Supreme Court in **Yamini Manohar v. T.K.D. Keerthi**¹, exemption from the requirement of pre-institution mediation is granted to the plaintiff.

11. Accordingly, the application stands disposed of.

I.A. 32109/2025 (seeking exemption from filing clear copies)

12. This is an application filed under Section 151 of CPC seeking exemption from filing clearer, typed, translated copies, vernacular and

¹ (2024) 5 SCC 815



originals of certain documents.

13. Subject to the plaintiff filing clearer, typed, translated copies, vernacular and originals of certain documents within a period of 30 days from today, exemption is granted for the present, failing which, the plaintiff will not be entitled to rely upon these documents.

14. Accordingly, the application is disposed of.

I.A. 32108/2025 (seeking leave to file additional documents)

15. This is an application filed under Order XI Rule 1(4) of the Code of Civil Procedure, 1908 ('CPC') [as amended by the Commercial Courts Act, 2015] read with Section 151 CPC seeking leave to file additional documents within thirty (30) days.

16. The Plaintiff, if it wishes to file additional documents will file the same within thirty (30) days from today, and it shall do so strictly as per the provisions of the Commercial Courts Act and the Delhi High Court (Original Side) Rules, 2018.

17. Accordingly, the application is disposed of.

CS(COMM) 1379/2025

18. The present suit has been filed seeking permanent injunction restraining the infringement of trademark, copyright, passing off along with other ancillary reliefs.

19. The plaint be registered as a suit.

20. Issue summons to the defendants nos. 62 to 67 by all permissible modes on filing of process fee. Affidavit of service be filed within two (2) weeks.

21. The defendants will file the written statement(s) within thirty (30) days. The defendants shall also file affidavit(s) of admission/denial of the



documents filed by the plaintiff, failing which the written statement(s) shall not be taken on record.

22. The plaintiff is at liberty to file replication thereto within thirty (30) days after filing the written statement(s). The replication shall be accompanied by affidavit of admission/denial in respect of the documents filed by defendants, failing which the replication shall not be taken on record.

23. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

24. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

25. Mr. Varun Pathak, learned counsel on behalf of the defendant no. 68; and Ms. Mamta Rani Jha, learned counsel on behalf of the defendant nos. 70 and 71 appeared on advance notice. They confirm the receipt of the suit paper-book.

26. No summons is being issued to defendant nos. 68 to 81 as they are proforma parties, impleaded to comply with the Court's orders.

27. Summons to Defendant Nos. 1 to 61 are deferred to await action by the social media intermediaries as per IT Rules 2021.

28. List before the Court on **02.02.2026**.

I.A. 32107/2025 (Under Order XXXIX Rule 1 and 2 CPC)

29. This is an application filed on behalf of the plaintiff under Order XXXIX Rule 1 and 2 read with Section 151 of the CPC.

30. Mr. Sagar Chandra, learned counsel for the plaintiff sets up the plaintiff's case as under: -

30.1 He states that plaintiff is a non-profit company under the Ministry of



Commerce and Industry, Government of India ('GoI') operating the National Public Procurement Portal known as 'Government e Marketplace' ['GeM'].

30.2 He states that GeM is an online public procurement platform launched by the GoI on 09.08.2016 under the trademark 'GOVERNMENT E MARKETPLACE/GeM' at 'www.gem.gov.in' to promote transparent, efficient and inclusive public spending. GeM is a largely paperless, cashless and contactless marketplace enabling end-to-end procurement of goods and services by Central and State Governments, PSUs, autonomous bodies and local bodies, offering multiple procurement modes, e-bidding, reverse e-auctions, integrated payments and grievance redressal.

30.3 He states that the plaintiff adopted and has continuously used since 2016 the domain name, trademarks, tradenames, logos and labels of 'GOVERNMENT E MARKETPLACE' and 'GeM' ['GeM trademarks'], details of which is given at paragraph nos. 11 and 12 of the plaint, in relation to comprehensive e-marketplace and procurement services. The said marks are validly registered under the Trade Marks Act, 1999, and the associated logos constitute original artistic works protected under the Copyright Act, 1957.

30.4 He states that plaintiff has made substantial and continuous investments in promoting its services under its GeM trademarks. This is reflected through revenue of approximately Rs. 1035.79 lakhs in FY 2024–25. The plaintiff has also won various awards and recognitions for its services under its GeM trademarks.

30.5 He submits that in October 2025, plaintiff's investigations revealed a coordinated pattern of misuse of its GeM trademarks, involving issuance of



fake training certificates in the name of the plaintiff, unlawful collection of fees for GeM registration in the name of the plaintiff, cross-promotion, and extraction of sensitive personal data of third parties under the guise of association with the plaintiff. The defendants, including defendant nos. 2 to 67 and unidentified John Doe entities, are alleged to have acted jointly to operate websites and social media accounts offering unauthorised GeM-related advisory and support services while falsely using the plaintiff's GeM trademarks to misrepresent official association.

30.6 He contends that this conduct of defendant nos. 1 to 61 amounts to deliberate trademark and copyright infringement, passing off, unfair competition, cyber-squatting and cheating by impersonation, causing public deception, dilution of the plaintiff's marks, and irreparable harm.

30.7 He states that defendant nos. 68 to 81 are proforma defendants impleaded for the purpose of compliance of the Court's orders.

Directions

31. This Court has heard the learned counsel for the plaintiff and has perused the record.

32. Mr. Varun Pathak, Advocate enters appearance on behalf of defendant no. 68/Meta and Ms. Mamta Rani Jha, Advocate enters appearance on behalf of defendant nos. 70/Google and 71/YouTube.

The said defendants are directed to treat the present plaint as a complaint to them in accordance with The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021 ['IT Intermediary Rules'] and communicate their respective decision to the plaintiff within the statutory timeline of 15 days from today.

33. In addition, defendant nos. 69/LinkedIn is directed to treat this plaint



as a complaint to them as per the IT Intermediary Rules and to communicate its decision to the plaintiff within the statutory timeline of 15 days. The plaintiff is directed to serve a copy of this order on defendant no. 69 along with the complete paper-book.

34. The grievance against defendant nos. 1 to 61 in the suit pertains to their actions on the social media intermediaries i.e., defendant nos. 68 to 71. This application against the said Defendant Nos. 1 to 61 will be considered if Plaintiff grievances survive after the response of defendant nos. 68 to 71.

35. At this stage, this application is considered only with respect to infringing activities of defendant nos. 62, 63, 64, 65, 66 and 67.

36. The plaintiff is a GoI undertaking operating a public procurement portal GeM since 2016, and is a registered proprietor of the trademarks, tradename, logos, label in 'GOVERNMENT E MARKETPLACE' and 'GeM'.

37. Learned counsel for the plaintiff has handed over a list of infringing acts of defendant nos. 62 to 67, which reads as under: -

Defendant No.	Impugned Activities
62.	• Uses the mark 'GeM' as part of its domain name http://www.gemconsultantshreesankar.com/ and emails shreesankargem@gmail.com, ceo@gemconsultantshreesankar.com • Uses the mark 'GeM' and 'GOVERNMENT E MARKETPLACE' as part of its Facebook groups/pages • Uses Trade Mark/ Logo/ Label 'GOVERNMENT E MARKETPLACE' & 'GeM' as part of Facebook profile pictures and cover photo as well as on its website
63.	• Uses the mark 'GeM' as part of its domain name https://entiregemsolutions.com and email info@entiregemsolutions.com • Uses the impugned trade name 'GeM Consultancy' on its website • Uses the Trade Mark/ Logo/ Label 'GOVERNMENT E



	MARKETPLACE' & 'GeM' on its website and as part of Facebook cover photo and posts. • Uses the name 'GeM' and 'GOVERNMENT E MARKETPLACE' as part of its Facebook groups/ pages' name and Instagram account Name • Uses the name 'GeM' and 'GOVERNMENT E MARKETPLACE' as part of its Instagram profile picture. • Issues certificates using the Trade Mark/ Logo/ Label 'GOVERNMENT E MARKETPLACE' & 'GeM'
64.	• Uses the impugned trade name 'GeM Portal Training' on its website • Issues certificate that has Trade Mark/ Logo/ Label 'GOVERNMENT E MARKETPLACE' • Uses the name 'GeM' and 'GOVERNMENT E MARKETPLACE' as part of its Facebook groups/ pages' name • Uses the Trade Mark/ Logo/ Label 'GOVERNMENT E MARKETPLACE' & 'GeM' as part of Facebook profile pictures • Uses the Trade Mark/Logo Label 'GOVERNMENT E MARKETPLACE' & 'GeM' as part of the video thumbnail on YouTube channel. • Uses the impugned name 'gem_portal' as YouTube handle name • Uses the Trade Mark/ Logo/ Label 'GOVERNMENT E MARKETPLACE' & 'GeM' as part of Instagram posts.
65.	• Uses GeM TRIANGLE on the website https://www.nationaltenders.com/about • Uses the mark 'GeM' and 'GOVERNMENT E MARKETPLACE' as part of its Facebook groups/pages • Uses Trade Mark/ Logo/ Label 'GOVERNMENT E MARKETPLACE' & 'GeM' as part of Facebook profile pictures and cover photo • Uses the Trade Mark/ Logo/ Label 'GOVERNMENT E MARKETPLACE' & 'GeM' as part of YouTube video thumbnail.
66.	• Uses the mark 'GeM' as part of its domain name www.gemexpert.in and email contact@gemexpert.in. • Uses the impugned trade name 'GEM EXPERT' on its website.
67.	• Uses the mark 'GeM' as part of its domain name https://gemconsulters.in and email gemconsulters@gmail.com • Uses the impugned trade name 'GeM Consultancy' on its



	website.
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38. The material placed on record and a perusal of above table shows that the defendant nos. 62, 63, 66 and 67 without any authority are unlawfully and prominently using the plaintiff's trade mark, logo and label 'GOVERNMENT E MARKETPLACE', to falsely project official association so as to extract money and sensitive data from the unwary public; and are issuing fake certificates, thereby prima facie establishing infringement by these defendants. Additionally, defendant nos. 62, 63, 66 and 67 have adopted and are using the plaintiff's registered trademark 'GeM' as part of their domain names and even on their websites/webpages, depicting services alleged to be associated with the plaintiff. Such unauthorised use of plaintiff's trademarks is ex-facie dishonest, likely to cause confusion and deception amongst users of the government platform, and results in dilution of the plaintiff's marks causing irreparable injury to the plaintiff.

39. Accordingly, until the next date of hearing, following directions are passed: -

- a. Defendant nos. 62-67, their directors/ proprietors/ partners, associates, assigns or assignees in interest, heirs, successors or successors in interest, permitted assigns, sister concerns or group companies, agents and all others acting for and on their behalf are restrained from using, soliciting, providing goods/services, selling goods/services, offering for sale goods/services and advertising in any manner, directly or indirectly, the Trade Mark/ Trade Name/ Logo/ Label 'GOVERNMENT E MARKETPLACE' /



- / and/or Domain Name/ Social Media Account Name/Email Address/Domain Name Extension containing the word 'GeM' or 'GOVERNMENT E MARKETPLACE' or any other Trade Mark/ Trade Name/ Logo/ Label/ Domain Name that may be identical or deceptively similar to Plaintiff's Trade Mark/ Trade Name/ Logo/ Label 'GOVERNMENT E MARKETPLACE' / 'GeM', 'www.gem.gov.in'.
- b. Defendant No. 72/Jio is directed to disclose KYC details including Name, Address, and Registration particulars of the below-mentioned phone numbers of Defendant Nos. 64 and 67:
- Defendant No. 64- 8920463288, 8709226748, 9518327077
 - Defendant No. 67- 7719553827
- c. Defendant No. 74/Vodafone is directed to disclose KYC details including Name, Address, and Registration particulars of the below-mentioned phone numbers of Defendant Nos. 64 and 67:
- Defendant No. 63- 7840099924
 - Defendant No. 66- 9889978039
- d. Defendant No. 75/Hostinger is directed to lock and suspend the domain names of Defendant Nos. 66 [<https://gemexpert.in>] and 67 [<https://gemconsulters.in/>]; and disclose registration details including



Name, Address, Email Address, and Phone Number linked to domain names of Defendant Nos. 66 and 67.

- e. Defendant No. 76/GODADDY.COM is directed to lock and suspend the domain names of Defendant Nos. 62 and 63 and disclose registration details including Name, Address, Email Address, and Phone Number linked to Defendant Nos. 62, 63, 64 and 65's domain names as provided below: -

Defendant No.62	Impugned Domain Name- • http://www.gemconsultantshreesankar.com/
Defendant No. 63	Impugned Website- • https://entiregemsolutions.com/
Defendant No. 64	Impugned Website – • https://tendersolution.co.in/
Defendant No. 65	Impugned Website- • https://www.nationaltenders.com/about

- f. Defendant No. 77/Amazon is directed to take down and suspend the links hosting webpages of Defendant Nos. 64 [<https://tendersolution.co.in/>] and 67 [<https://gemconsulters.in/>].
- g. Defendant No. 78/IAMEM is directed to take down and suspend the links hosting webpages of Defendant Nos. 65 [<https://www.nationaltenders.com/about>].
40. The remaining directions vis-à-vis Defendant Nos. 1 to 61 will be taken up for consideration after examining the response of the other parties.
41. Issue Notice to Defendant Nos. 62 to 67, 70, 72, 74, and 75 to 78 through all permissible modes, upon filing of process fees, returnable on the next date of hearing.
42. Let the reply to this application be filed by Defendant Nos. 62 to 67 within a period of four (4) weeks, from receipt of notice.



43. Rejoinder thereto, if any, be filed within a period of four (4) weeks thereafter.
44. Defendant nos. 72, 74, and 75 to 78 are directed to file their compliance affidavit within one (1) week.
45. Provisions of Order XXXIX Rule 3 of the Code of Civil Procedure, 1908, to be complied with within one (1) week from today.
46. List before the Court on **02.02.2026**.
47. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

DECEMBER 22, 2025/rhc/AM