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

+ **CS(COMM) 1398/2025 & I.As. 32382-88/2025**

MANASH LIFESTYLE PRIVATE LIMITED & ANR.Plaintiffs

Through: Ms. Swathi Sukumar, Sr. Advocate
with Mr. Ayush Dey, Mr. Nageshwar
Kumhar, Mr. Ritik Raghuwanshi, Ms.
Rishika Aggarwal, Ms. Pratibha
Singh and Ms. Shrudula Murthy,
Advocates

versus

FLIPKART INTERNET PRIVATE LIMITED & ORS.....Defendants

Through: Mr. Manish Jha, Sr. Advocate with
Ms. Shilpa Gupta, Ms. Surabhi Pande,
Mr. Raghav Goyal and Mr. Aditya
Singh Thakur, Advocates for D-1

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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22.12.2025

I.A. 32388/2025 (seeking permission for filing lengthy submissions)

1. This is an application filed under Section 151 of the Code of Civil Procedure, 1908 ['CPC'] seeking permission for filing lengthy list of dates and brief synopsis.

2. For the reasons stated in the application, the application is allowed.

3. Accordingly, the applications stand disposed of.

I.A. 32387/2025 (seeking exemption from advance service)

4. This is an application filed under Section 151 of CPC seeking exemption from advance service to the defendant nos. 2 to 12 and 18.



5. For the reasons stated in the application, the application is allowed.

6. Accordingly, the applications stand disposed of.

I.A. 32386/2025 (for exemption from filing volumes of documents)

7. This is an application filed under Section 151 of CPC seeking exemption from filing volumes of the documents.

8. For the reasons stated in the application, the application is allowed and the plaintiff is permitted to file all documents in a single volume, at this stage.

9. In case, the registry requires the documents to be segregated in different volumes, the plaintiff will act in accordance with the directions of the dealing assistant.

10. With the aforesaid directions, the application is disposed of.

I.A. 32385/2025 (seeking exemption from pre-litigation mediation)

11. 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.

12. 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 Plaintiffs.

13. Accordingly, the application stands disposed of.

I.A. 32384/2025 (seeking exemption from filing clear/legible copies)

14. This is an application filed under Section 151 of CPC seeking exemption from filing clear/legible copies and documents with proper

¹ (2024) 5 SCC 815



margins.

15. Subject to the Plaintiffs filing clear/legible copies and documents with proper margins within a period of 30 days from today, exemption is granted for the present, failing which, the Plaintiffs will not be entitled to rely upon these documents.

16. The application is disposed of.

I.A. 32383/2025 (seeking leave to file additional documents)

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

18. Plaintiffs, 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.

19. For the reasons stated in the application, the same is allowed.

20. Accordingly, the application is disposed of.

CS(COMM) 1398/2025

21. The present suit has been filed by the Plaintiffs under Section 27, 29 and 135 of the Trade Marks Act, 1999 [‘Act of 1999’] and Section 51 and 55 of the Copyright Act, 1957 seeking permanent injunction restraining infringement of trademark, and copyright, passing off, along with other ancillary reliefs.

22. The plaint be registered as a suit.

23. Issue summons.

24. Ms. Shilpa Gupta, learned counsel on behalf of the Defendant No. 1 accepts summons. She confirms the receipt of the suit paper-book and



waives the right of formal service of summons.

25. Summons be issued to the remaining Defendant nos. 2 to 16 by all permissible modes on filing of process fee. Affidavit of service be filed within two (2) weeks.

26. 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 plaintiffs, failing which the written statement(s) shall not be taken on record.

27. The Plaintiffs are at liberty to file replication thereto within thirty (30) days after filing of 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.

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

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

30. No summons has been issued to Defendant No. 17 since it is a proforma Defendant.

31. List before the learned Joint Registrar for completion of service and pleadings, marking of exhibits and admission/denial of documents on **05.02.2026**.

32. List before the Court on **22.05.2026**.

I.A. 32382/2025 (Under Order XXXIX Rule 1 and 2 CPC)

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



34. Ms. Swathi Sukumar, learned counsel for Plaintiffs sets up the Plaintiffs case as under: -

34.1 She stated that the Plaintiff No. 1 (incorporated in 2011) and its wholly owned subsidiary Plaintiff No. 2 (incorporated in 2024), are private limited companies engaged in the online beauty and wellness business under the brand PURPLLE, operating from Mumbai and New Delhi. The Plaintiffs run a leading e-commerce platform offering a wide range of beauty and wellness products, catering to millions of users and hosting over 1,000 brands, and have achieved unicorn status. Plaintiff No. 1 owns and controls all intellectual property relating to the DERMDOC and DERMDOC HONEST SCIENCE brands, while Plaintiff No. 2 manages digital commerce and online retail operations.

34.2 She states that the Plaintiff No. 1 adopted the trademark DERMDOC in 2018 for cosmetic and skincare products and subsequently launched the variant DERMDOC HONEST SCIENCE in 2021, registration details of which are given at paragraph 8 of the plaint, both of which marks have been used continuously and extensively since adoption across a wide range of products.

34.3 She states that the Plaintiffs have invested substantially in their promotion and nationwide commercialization through online platforms, retail stores and e-commerce marketplaces, with the expenses of F.Y. 2023-2024 being 6.48 crores. The Plaintiffs sales of their products under the brand/trademark DERMDOC of F.Y. 2023-24 has been 30.47 crores.

34.4 She states that in 2022, the Plaintiffs launched four advanced and dermatologically tested products under the trademark DERMDOC HONEST



SCIENCE, namely DermDoc 10% Niacinamide Face Serum/



DermDoc 10% Glycolic Acid Peeling Solution/



, DermDoc

Salicylic Acid/



and DermDoc 2% Kojic Acid Night Cream/



. The subject matter of the suit is the passing off and infringement of these products.

34.5 The Plaintiffs have extensively promoted DERMDOC products through conventional advertising as well as across their social media accounts having millions of followers, resulting in substantial brand visibility and a wide consumer reach.

Infringement Activities of Defendants

34.6 She states that the present suit arises is about a large-scale and coordinated infringement and counterfeiting operation on the e-commerce platform of Defendant No. 1/Flipkart, whereby numerous unauthorised sellers are exploiting the Plaintiffs' trademarks DERMDOC and DERMDOC HONEST SCIENCE and the Plaintiffs copyrighted packaging.

34.7 She states that Plaintiffs' investigations revealed that out of 102 seller accounts linked/attached to the Plaintiffs' listings on the platform of Defendant No. 1 only two were authorised sellers.



34.8 She states that Defendant No. 1, as the operator and administrator of the Flipkart platform, has failed to enforce brand-gating as well as verification and seller-onboarding safeguards, despite repeated written notices from the Plaintiffs and reporting persistent unauthorised attachments to DERMDOC listings from October 2024 onwards.

34.9 She states that Plaintiff believes that Defendant No. 1 had notice of the forged authorization documents furnished by unauthorized sellers and this has led to sale of counterfeit products of the Plaintiff on the e-commerce platform of Defendant No. 1. She states that the wilful acts and omissions of Defendant No. 1 have led to authorized sellers being de-listed whereas, the unauthorized sellers continue to make sales by exploiting Plaintiff's trademarks and copyright. She states that this is egregious.

34.10 She states that Defendant Nos. 2 to 8 are unauthorised sellers. She states that test purchases by the Plaintiffs from these Defendants conclusively establishes that all goods supplied by these defendants are counterfeit, bearing material defects in packaging and presentation while deceptively displaying the Plaintiffs' trademarks and corporate details, and some defendants even adopted seller names confusingly similar to DERMDOC, thereby impersonating authorised channels.

34.11 Following table shows the counterfeit products being sold by the Defendant Nos. 2 to 8 on the platform of Defendant No. 1: -



Plaintiffs' Products



Defendant's Products

Defendant No. 2's products

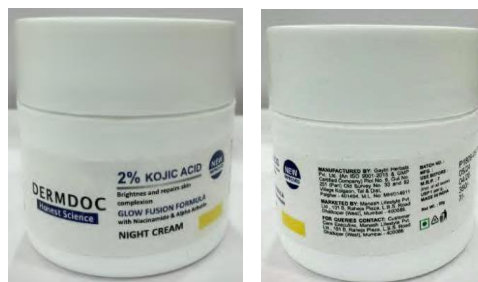


Defendant No. 3's products



Defendant No. 4's products







34.12 She states that Defendant Nos. 9 and 10 have attempted to fraudulently onboard themselves on the Defendant No. 1 platform as authorised sellers of DERMDOC products by submitting wholly forged and fabricated authorisation letters, invoices and email communications falsely purporting to have been issued by the Plaintiffs to Defendant No. 1.

She submits that upon intimation by Defendant No. 1 about Defendant Nos. 9 and 10, Plaintiffs confirmed, to Defendant No. 1 via email, that documents were entirely forged and the Plaintiffs immediately issued a cease-and-desist notice to Defendant Nos. 9 and 10 (which went unanswered).

34.13 She states that similarly Defendant Nos. 11 and 12 are impleaded for being beneficiaries of forged Letters of Authorisation purporting to have been issued by the Plaintiffs, which were uploaded online and used to misrepresent them as the ‘only authorised sellers’ of DERMDOC products on Defendant No. 1’s platform.

34.14 She states that Defendant Nos. 13 to 16, are believed to be key actors responsible for creation, circulation and use of forged brand-authorisation letters to facilitate unauthorised seller onboarding on Defendant No. 1’s platform. She states that the Plaintiffs traced a public SCRIBD profile ‘*ratexpress*’ hosting forged authorisation letters and sensitive internal business documents which have originated from these Defendants. She submits that these persons are also defendants in another pending infringement case² filed by the Plaintiffs, wherein the District Judge has granted injunction restraining these persons from infringing the Plaintiffs

² CS(COMM) 509/2024, titled as ‘Manash Lifestyle Private Limited v. Twinzkart Private Limited & Ors.’ pending before the Ld. District Judge, Commercial Court-02, South District, Saket Courts, New Delhi.



trademark in DERMDOC products.

34.15 She submits that Defendant No. 17/Scribd Inc. has been arrayed as a necessary party to facilitate discovery of records relating to forged DERMDOC authorisation letters uploaded on its platform under the user profile ‘*ратиexpress*’.

34.16 She states that Defendant No. 18 has been impleaded as a John Doe Defendant to represent unknown persons.

34.17 She submits that the abovesaid infringements arise from a single, coordinated and interlinked scheme of Defendant Nos. 2 to 16 rather than isolated acts. Defendant Nos. 2 to 16 operate as a unified network to infiltrate the Plaintiffs’ DERMDOC listings, while Defendant No. 1’s e-commerce platform by its acts and omissions enables such conduct.

34.18 She reiterates that Defendant No. 1 failed in its duties of verification, brand protection and listing control, thereby actively facilitating infringement by Defendant Nos. 2 to 12. She submits that despite repeated notices and alerts sent by the Plaintiffs, Defendant No. 1’s platform permitted displacement of authorised sellers, creation of duplicate listings and unchecked access to Plaintiffs trademarks.

34.19 She places reliance on the judgment of the coordinate Bench in CS(COMM) 709/2022³ to submit that the act of facilitating the infringement acts on Defendant No. 1’s platform has been enjoined by the Court.

Submissions by Defendant No. 1

35. Ms. Shilpa Gupta, learned counsel on behalf of the Defendant No. 1 enters appearance on advance service.

36. Mr. Manish Jha, learned senior counsel appearing for Defendant No.



1 states that after being served with an advance copy of the plaint, the Defendant No. 1 has initiated steps for restoration of the listings of the authorised sellers of the Plaintiffs, and the process will be completed within 48 hours from today.

36.1 He states that Defendant No. 1 will also ensure that the unauthorized and infringing listings activated by Defendant Nos. 2 to 12 are taken down within 48 hours.

36.2 He states that Defendant No. 1 will also provide all KYC details of Defendant Nos. 2 to 12 to the Plaintiffs within one (1) week.

36.3 He states that in this manner, the reliefs sought at paragraph 126 (a) (i), (iii) and (iv) of the captioned application will stand complied with.

37. Learned senior counsel appearing on behalf of the Plaintiffs states that Plaintiffs are also pressing for relief prayed for at paragraph 126(a) (ii), (v), (vi) and (vii), 126(b), 126(g) and 126(l) of the captioned application.

Findings and Analysis

38. This Court has heard the learned counsels for the parties and has perused the record.

39. The Plaintiffs are the prior adopters, and registered proprietors of the trademarks and copyright in DERMDOC and DERMDOC HONEST SCIENCE.

40. Having perused the comparison table at paragraph 34.11 above, this Court finds that the products offered for sale by Defendant Nos. 2 to 8 are a slavish and deceptive imitation of the Plaintiffs' products. The infringing products not only reproduce the registered trademarks DERMDOC and DERMDOC HONEST SCIENCE, but also copy the Plaintiffs' distinctive

³ Titled as Triology Solutions Pvt. Ltd. v. Flipkart Internet Pvt. Ltd. & Ors., 2023:DHC:6225



trade dress, packaging, colour scheme, product descriptions and overall get-up. The similarities are such that an average consumer is likely to be deceived into believing that the impugned products originate from, or are authorised by, the Plaintiffs, thereby establishing a prima facie case of infringement. If such activities are permitted to continue, this Court is satisfied that the Plaintiffs are likely to suffer irreparable harm which cannot be adequately compensated by damages, whereas no prejudice would be caused to the Defendants by restraining unlawful conduct. The scale of copying appears to suggest that this is a case of counterfeiting.

41. In the facts of this case, the diligent correspondence exchanged between the Plaintiffs and Defendant No. 1 shows that Plaintiff has taken reasonable steps to prevent the listings of the unauthorized sellers however, Defendant No. 1 has failed to take appropriate steps for brand-gating and preventing the listing of unauthorized sellers. The Plaintiffs have thus made out a strong prima facie case for grant of the ad-interim reliefs prayed for against Defendant No. 1 at prayer clauses.

42. The balance of convenience lies in favour of the Plaintiffs, and the interests of justice warrant immediate protective directions to prevent further infringement, consumer deception and dilution of the Plaintiffs' trademarks.

43. Accordingly, until the next date of hearing: -

43.1. Defendant No. 1, its directors, executives, partners or proprietors, officers, servants, agents and/or all other persons acting for and on its behalf, are directed to forthwith take the following measures in respect of listings bearing the Plaintiffs trademarks DERMDOC and DERMDOC HONEST SCIENCE, and/or reproducing, displaying or exploiting the copyrighted packaging, labels, artworks and product images of the Plaintiffs in relation



to DERMDOC products. In this regard, Defendant No. 1 is directed to:

- i. Activate and enforce brand-gating/brand-authorization controls in respect of all listings bearing the Plaintiffs trademarks, links mentioned in Document- 20 and Defendant No. 1 restrained from permitting any seller, other than sellers expressly authorized in writing by the Plaintiffs, to latch onto, access, clone, modify or sell products under such listings.
- ii. Preserve and secure, without deletion, alteration or modification, all electronic records, backend logs, listing history data, seller-onboarding records, approval workflows, access logs, IP logs, metadata and transactional data relating to the listings of the Plaintiffs and the onboarding and activities of the Defendant Nos. 2 to 12, pending further orders of this Court.
- iii. Furnish a statement of sales in respect of products bearing the Plaintiffs trademarks sold on its platform by Defendant Nos. 2 to 12, including quantities sold, dates of sale, gross sale value.
- iv. Withhold, Suspend and not Disburse any further payouts payable to the Defendant Nos. 2 to 12 and to maintain such withheld amounts, subject to further directions of this Court.

43.2. Defendant Nos. 2 to 12, their proprietors, partners, directors, officers, servants, agents, representatives, distributors, retailers, ecommerce operators and all other persons acting for or on their behalf, are restrained from manufacturing, assembling, bottling, labelling, relabeling, selling, offering for sale, supplying, exporting, advertising, marketing, promoting or dealing in any manner whatsoever in counterfeit products bearing the Plaintiffs trademarks DERMDOC and DERMDOC HONEST SCIENCE or any other



identical or deceptively similar mark, label, trade name, seller name, seller ID, packaging, trade dress, carton design, artwork or product representation, product content, promotional image or batch detail, thereby amounting to infringement.

43.3. Defendant Nos. 13 to 16, their directors, partners, proprietors, officers, servants, agents, representatives, assigns and all other persons acting for or on their behalf, are restrained from directly or indirectly creating, preparing, circulating, uploading, publishing, distributing, submitting or relying upon any forged, fabricated or unauthorized brand authorization letters, trade mark certificates, purchase invoices, declarations or any other documents purporting to emanate from or be issued by the Plaintiffs in relation to its trademarks.

43.4. Defendant No. 17/Scribd Inc., its officers, employees, agents, representatives and all other persons acting for or on its behalf, is directed to forthwith disable access to, remove and take down all documents relating to the Plaintiffs trademarks DERMDOC and DERMDOC HONEST SCIENCE, including those uploaded under or associated with the Scribd profile operating under the username 'ratiexpress' at the below mentioned links:

- Link: <https://www.scribd.com/user/732035278/ratiexpress>
- Link: <https://www.scribd.com/document/810428584/Dermdoc-BAL>
- Link: <https://www.scribd.com/document/798465981/PAPERHOUSE-DERMDOC>

43.5. Defendant No. 1 is also directed to file details of all commission earned by Defendant No. 1 itself, by permitting sale through Defendant Nos. 2 to 12 for their entire period of ongoing infringement.

44. Additionally, considering the submissions made by the learned senior



counsel for the Defendant No. 1, Defendant No. 1 shall ensure the compliance of directions mentioned at prayer clause paragraph 126(a) (i), (iii) and (iv) of the captioned application within 48 hours.

45. Issue Notice to Defendant Nos. 2 to 17 through all permissible modes, upon filing of process fees, returnable on the next date of hearing.

46. Let the reply to this application be filed by Defendant Nos. 2 to 16 within a period of four (4) weeks, from receipt of notice.

47. Rejoinder thereto, if any, be filed within a period of four (4) weeks thereafter.

48. Defendant No. 1 and Defendant No. 17 are directed to file their compliance affidavit within one (1) week.

49. Provisions of Order XXXIX Rule 3 of the Code of Civil Procedure, 1908, to be complied with within one (1) week from today. Affidavit of service within two (2) weeks.

50. List before the learned Joint Registrar for completion of service and pleadings, marking of exhibits and admission/denial of documents on **05.02.2026**.

51. List before the Court on **22.05.2026**.

52. 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