

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
IN ITS COMMERCIAL DIVISION**

**COMMERCIAL IP SUIT NO. 328 OF 2025**

Unilever Global IP Limited	...Applicant/Plaintiff
Versus	
Ashok Kumar & Ors.	...Defendants

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Ms. Laher Shah a/w Ms. Hasti Parekh i/b Ms. Laher Shah and Saif Jamali, for the Plaintiff.

Mr. Ritvik Joshi, for Defendant Nos.2, 3, 4, & 5.

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**CORAM : ARIF S. DOCTOR, J.**

**DATE : 16<sup>th</sup> OCTOBER, 2025.**

**P.C:**

1. Learned counsel for the parties have today tendered the Consent Minutes of the Order by which it is submitted that all the disputes and differences between the parties in the Captioned Commercial IP Suit have been amicably resolved. The Consent Minutes of the Order are duly signed by the Advocate for the Plaintiff as also Advocate for the Defendant Nos.2, 3, 4 and 5. The Defendant No.1 is John Doe.

2. Having due regard to the fact that the Consent Minutes of the Order are marked as "X" for identification and taken on record, the same are scanned and reproduced herewith.

**CORAM : ARIF S. DOCTOR, J.**

Date : 16/10/2025

*Taken on record and marked "X"*

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**IN IT'S COMMERCIAL DIVISION**

**COMIP SUIT NO. 328 OF 2025**

*16/10/2025*

**Unilever Global IP Limited,** )  
A company incorporated under the laws of )  
England and Wales, having its registered )  
office at Port Sunlight Wirral, Merseyside, )  
CH624ZD, United Kingdom ) .....Plaintiff No.01

**Hindustan Unilever Limited,** )  
a public limited company incorporated )  
under the Indian Companies Act, 1913, )  
having its registered office at Unilever )  
House, B.D. Sawant Marg, Chakala, )  
Andheri (East), Mumbai 400 099, )  
Maharashtra ) .... Plaintiff No.02

**Unilever Plc.,** )  
a company incorporated under the laws )  
of England and Wales, having its )  
registered office at Port Sunlight, )  
Wirral, Merseyside, CH624ZD, United )  
Kingdom and its corporate office at )  
Unilever House, 100 Victoria )  
Embankment, London EC4Y0DY, ) ..... Plaintiff No.03  
United Kingdom.

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**Versus**

**Ashok Kumar** ... Defendant No.01

**Faqir Chand Baldev Krishan** )

**Proprietor- Sashi Bushan** )

Shop – 506/2, Kesar Ganj Road, Ludhiana, )

Punjab - 141008 ) .... Defendant No.02

**Shanti Traders** )

**Proprietor – Bharat Bushan** )

Shop – 506/2, Kesar Ganj Market, )

Ludhiana, Punjab - 141008 ) .... Defendant No.03

**PM Trading Co.** )

**Proprietor – Ms. Shweta Mittal** )

1640, Bagh Khazanchian )

Ludhiana, Punjab - 141008 )

.... Defendant No.04

**Kuldip Rai Tarsem Lal** )

**Proprietor – Rajesh Kumar** )

Shop No. 229, Sabban Bazar, )

Ludhiana, Punjab - 141008 )

.... Defendant No.05

**CONSENT MINUTES OF THE ORDER**

1. By consent, Leave under Clause XIV of the Letters Patent Act LEAVE PETITION (L) No. 9646 OF 2025 be allowed.

2. The Plaintiffs above named have filed the present suit against the Defendants praying interalia reliefs relating to infringement of

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3.

their registered trademarks CLOSEUP and PEPSODENT, HUL, HINDUSTAN UNILEVER and U-LOGO and the copyright subsisting in the artistic works of CLOSEUP and PEPSODENT and for passing off the goods viz to dentifrices including toothpaste, tooth powder, mouth washes, dental cream, all oral hygiene products and preparations and/or any other like goods, by the Defendants by use of the impugned counterfeit marks CLOSEUP and PEPSODENT, HUL, HINDUSTAN UNILEVER and U-LOGO or under their pirated artworks/ trade dress/ artistic packaging and for other reliefs, as more particularly mentioned in the plaint.

3. The **Defendant No 02, i.e., Faqir Chand Baldev Krishan; Defendant No. 3 i.e., Shanti Traders; Defendant No. 4 i.e., PM Trading Co. and Defendant No. 5 i.e., Kuldip Rai Tarsem Lal (hereinafter referred to as Defendant Nos. 2 to 5)** acknowledge the proprietary rights of the Plaintiffs in their registered trademarks CLOSEUP and PEPSODENT, HUL, HINDUSTAN UNILEVER, and U-LOGO and copyrights subsisting in their original artistic works/ trade dress/ artistic packaging, being used by the Plaintiffs in relation to the aforementioned goods, as more particularly mentioned in the suit plaint.
4. The Defendant Nos. 2 to 5 agrees and undertakes that they shall not hereinafter use the impugned counterfeit marks depicted under the pirated artworks as mentioned in paragraph no. 2 as above, nor shall they use any mark/s or artwork/s identical with and/or deceptively/substantially similar to CLOSEUP and PEPSODENT, HUL, HINDUSTAN UNILEVER, and U-LOGO.

 

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5. The Defendant Nos. 2 to 5 accordingly submits to a decree in terms of prayer clauses (a), (b), and (c) which reads as under:

(a) *the Defendants by themselves, their proprietor/partners, servants, agents, distributors, dealers, assignees, stockists and all those connected with the Defendants in their business be restrained by a perpetual order and injunction of this Hon'ble Court from manufacturing, printing, packaging, laminating, distributing, supplying/ importing and/or using in any manner whatsoever in relation to dentifrices including toothpaste, tooth powder, mouth washes, dental cream, all oral hygiene products and preparations, the impugned marks CLOSEUP and PEPSODENT, HUL, HINDUSTAN UNILEVER and U-LOGO or any mark/s identical with and/or deceptively similar to the Plaintiff's registered trademarks- i) HUL and HINDUSTAN UNILEVER listed at Exhibit "C" hereto; ii) U-LOGO listed at Exhibit C-1 hereto; iii) CLOSEUP, listed at Exhibit A-1 hereto; iv) PEPSODENT listed at Exhibit B-1 hereto; in respect of the goods covered by the Plaintiffs' aforesaid registrations and/or like goods or in any other manner whatsoever in respect of the goods covered by the Plaintiffs' aforesaid registrations and/or like goods or in any other manner whatsoever;*

(b) *the Defendants by themselves, their proprietor/partners, servants, agents, distributors, dealers, assignees, stockists and all those connected with the Defendants in their business be restrained by a perpetual order and injunction of this Hon'ble Court from manufacturing and/or trading, marketing, importing, distributing, selling and/or using in any manner whatsoever in relation to dentifrices including toothpaste, tooth powder, mouth washes, dental cream, all oral hygiene products and preparations, the pirated /*

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*impugned artistic works of CLOSEUP and PEPSODENT (appended at Exhibit E hereinabove) bearing color scheme, lay-out, get-up, style, artwork, trade dress and representation or any other artwork/s which is/are identical with and/or is/are substantially/strikingly similar to the Plaintiff's original artistic works of CLOSEUP (appended at Exhibits A-2 hereinabove), PEPSODENT (appended at Exhibit B-2 hereinabove), so as to infringe upon the Plaintiff No. 02's subsisting copyrights in the original artistic works for the aforesaid products;*

*(c) the Defendants by themselves, their proprietor/partners, servants, agents, distributors, dealers, assignees, stockists and all those connected with the Defendants in its business be restrained by a perpetual order and injunction of this Hon'ble Court from manufacturing and/or trading, marketing, importing, distributing, selling and/or using in any manner whatsoever in relation to any dentifrices including toothpaste, tooth powder, mouth washes, dental cream, all oral hygiene products and preparations, the impugned marks and the pirated impugned artistic or any mark/s or artistic works /trade dress identical with and/or deceptively similar to the Plaintiff's distinctive and prior used registered trademarks i.e. CLOSEUP and PEPSODENT, HUL, HINDUSTAN UNILEVER and U-LOGO and the copyright subsisting in the artistic works of CLOSEUP and PEPSODENT so as to pass off their goods and business as and for those of the Plaintiffs' or in some way connected or associated therewith;*

*CR*

*Ami*

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6. The goods which have been seized by the Court Receiver from Defendant No.2 to 5 have been kept in the custody of the Plaintiffs on superdari, shall be destroyed by the Plaintiffs at their own cost within eight weeks from today.
7. As regards the Plaintiffs claim of damages mentioned in prayer clause (e) of the plaint, the Defendant Nos. 2 to 5 hereby have paid an amount of Rs. 25,000/- (Rs. Twenty-Five Thousand only) each and individually as and by way of Demand Drafts. The said amounts are paid towards costs, mutually agreed upon, between the parties, and towards full and final settlement of this suit. The details of the said Demand Drafts are as under:

SN	Defendant No.	Demand Draft No.	Dated	Issued by
1.	Defendant No.2	501682	21/07/2025	ICICI Bank
2.	Defendant No. 3	002915	21/07/2025	Axis Bank
3.	Defendant No. 4	556924	22/07/2025	Kotak Mahindra Bank
4.	Defendant No. 5	002914	21/07/2025	Axis Bank

8. The Defendant Nos.2 to 5 undertake that they have not filed/will not file in the future any application/s seeking registration of the impugned counterfeit marks, i.e., CLOSEUP and PEPSODENT, HUL, HINDUSTAN UNILEVER, and U-LOGO, and impugned counterfeit artworks with the Registrar of Trade Marks as well as




Registrar of Copyrights respectively. In case the Defendant Nos 2 to 5 have filed any such application/s, the Defendant Nos 2 to 5 undertakes to withdraw all such applications/registrations within a period of 3 weeks from the date of executing these terms. The Defendant Nos. 2 to 5 shall simultaneously forward copies of such letters seeking withdrawal of its applications/registrations duly acknowledged by the Trade Marks Registry and/or Copyright Office, to the Plaintiff or its Advocates.

8. Refund of court fees as per rules.

9. By consent, the above Commercial IP Suit No. 328 of 2025; Interim Application (L) No. 8904 of 2025, be disposed of accordingly against Defendant No. 02 to 5 H.B.P.

Dated this 16<sup>th</sup> day of October 2025

**Adv. Laher Shah**

**Adv. Ritvik Joshi**

**Advocate for the Plaintiffs**

**Advocate for the Defendant Nos. 2 to 5**

3. The Suit is disposed of only against Defendant Nos.2 to 5.
4. The Suit shall continue against Defendant No.1.
5. Ad-interim relief to continue against Defendant No.1 till the next date.
6. Demand draft was tendered by Defendant Nos.2 to 5 to the Plaintiff as per clause 7 of the Consent Minutes of the Order. Learned counsel for the Applicant in Court today confirms receipt of the same.

**[ARIF S. DOCTOR, J.]**