

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

**INTERIM APPLICATION (L) NO. 33184 OF 2025
IN
COMMERCIAL IP SUIT (L) NO. 32986 OF 2025**

Akshay Hari Om Bhatia ... Applicant/Plaintiff

In the matter between

Akshay Hari Om Bhatia ... Applicant/Plaintiff

Versus

John Doe and Ors. ... Defendants/Respondents

Dr. Birendra Saraf, Senior Advocate a/w Mr. Janay Jain, Monisha Mane Bhangale, Bijal Vora & Chandragupta Patil i/b Parinam Law Associates for the Plaintiff.

CORAM : ARIF S. DOCTOR, J.

DATE : 15th OCTOBER 2025

P.C.

1. The Plaintiff has, by way of the present Suit, sought, *inter alia*, the protection of his personality rights, his right to privacy, and his right to live with dignity as granted under Article 21 of the Constitution of India, and also the protection of his moral rights under the Copyright Act, 1957. The Plaintiff uses the screen name "Akshay Kumar" right from the beginning of his career spanning more than 35 years and has, over the years, been identified by that

screen name, "Akshay Kumar". The Plaintiff asserts that personality rights, his right to privacy, and his right to live with dignity, as well as his moral rights are being infringed and violated through unauthorized use, commercial exploitation, and misrepresentation on social media and e-commerce platforms and across the internet by various entities, some of whom are impleaded as Defendants.

2. The Plaintiff has, in the plaint, demonstrated his reputation as a renowned film actor, producer, and public figure with a distinguished career in the Indian film industry spanning over three decades. The Plaintiff has referred to the films (more than 150 in number) in which he has acted in paragraph 23 of the plaint, further detailed in Exhibit A at page 155 of the plaint. The Plaintiff's performances in successful and acclaimed films, including "*Hera Pheri*", "*Airlift*", "*Khiladi*", "*Rustom*", "*Bhool Bhulaiyaa*", and "*Khakee*", have garnered him wide recognition as one of the foremost stars of his generation.

3. The Plaintiff has provided an illustrative list of the numerous awards and honors he has received in paragraph 30 of the plaint. Notably, he was conferred the *Padma Shri* in 2009 by the Government of India for his contribution to cinema. Thereafter, he received the *National Film Award for Best Actor* for his performances in "*Rustom*" and "*Airlift*" (2016). He has also been awarded two *Filmfare Awards*, namely for Best Villain (*Ajnabee*) in 2002 and Best Comedian (*Garam Masala*) in 2006. Further, the Plaintiff was also conferred an *Honorary Doctorate of Law* by the University of Windsor in 2008 and was the recipient of

the *Outstanding Achievement in Cinema* at *The Asian Awards* in 2011, amongst numerous other such accolades.

4. Further, the Plaintiff enjoys a substantial presence on social media platforms. As detailed in paragraph 31 of the plaint, the Plaintiff has over 66.6 million followers on Defendant No. 2's platform *Instagram*, over 49 million followers on Defendant No. 2's platform *Facebook*, and over 46 million followers on Defendant No. 3's platform *X* (formerly *Twitter*). This extensive digital following serves as tangible evidence of the Plaintiff's widespread popularity, substantial public recognition, and the considerable goodwill he commands in the public domain. It also reinforces the distinctiveness and exclusive public association of the Plaintiff's indicia, including his name, image, and persona, in the minds of the public.

5. Learned Senior Counsel points out that, as set out in paragraph 33 of the plaint, the Plaintiff has endorsement arrangements with reputed brands, which have associated themselves with the Plaintiff owing to his popularity, goodwill, and credibility amongst the public. Dr. Saraf submits that the Plaintiff has, over the years, built a distinct personal brand, such that the public associates his screen name and persona with qualities of trust, credibility, and excellence. The goodwill and recognition generated have created a strong nexus between the Plaintiff's reputation and the brands, products, and commercial activities with which he is associated.

6. Dr. Saraf submits that the Plaintiff's personality, including his name, screen name, signature, image, likeness, voice and tone, distinctive performance, appearance, and mannerisms, have become uniquely identifiable with him in the minds of the public. It is contended that the Plaintiff possesses an inherent and enforceable right to control, protect, and commercially exploit his personality, and that any unauthorized use or misappropriation thereof constitutes not only a violation of his personality/publicity rights but also his fundamental rights, as enshrined under the Constitution of India.

7. Dr. Saraf then drew the Court's attention to the specific instances that necessitated the filing of the present Suit, which are detailed in paragraphs 46 to 55 of the plaint and in Exhibits "F", "G", and "H" annexed thereto. It is submitted that the infringing activities are set out in the plaint in the following categories of misuse and unlawful exploitation.

- (i) The creation and dissemination of AI-generated deepfake videos and morphed images,
- (ii) Unauthorized voice cloning and impersonation,
- (iii) Sale of merchandise bearing the Plaintiff's likeness, and
- (iv) Other unlawful uses of the Plaintiff's persona, which collectively demonstrate the systematic and continuing nature of the violations complained of.

8. Prior to advertizing to the infringing content set out in the plaint, Dr. Saraf drew my attention to a recent instance of such infringement, discovered subsequent to the filing of the present Suit. In the said post [<https://www.instagram.com/reel/DPlgNE-D7Wa/?igsh=cWkzamcwZn10cjNq>], the Plaintiff was depicted making communally provocative statements. It is submitted that the said post was entirely an AI-generated deepfake video that falsely attributed views and expressions to the Plaintiff. Dr. Saraf emphasized that although the said post has since been taken down, the gravity of such fabrications, particularly given how alarmingly realistic the deepfakes appear, poses a serious risk not only to the Plaintiff's reputation but also to the safety and well-being of his family members, as they involve the unauthorized use of the Plaintiff's likeness and voice to convey inflammatory statements.

9. Dr. Saraf then proceeded to point out details of the various infringing activities that necessitated the filing of the present Suit, as more particularly set out in paragraphs 46 to 55 and in Exhibits "F", "G", and "H" of the plaint, and which are essentially summarized as follows.

a) Unauthorized creation and dissemination of AI deepfakes/morphed photos/videos.

(i) As pleaded in paragraphs 46.3 to 46.7 of the plaint, Defendant No. 1 (John Doe), operating on Defendant No. 4's platform, *YouTube*, published/uploaded a purported trailer video titled "*Maharshi Valmiki – Teaser Trailer | Akshay Kumar as VALMIKI | Paresh*

Rawal / Pankaj Tripathi / 2025". This AI-generated video depicts the Plaintiff in the role of *Maharishi Valmiki* by superimposing his likeness, along with those of other actors, onto dramatic scenes without his knowledge, involvement, or consent. It is submitted that the said video went viral in or around September 2025, gaining widespread circulation across multiple media outlets. The deceptively realistic nature of the video misled the public into believing it was genuine and had originated from the Plaintiff, resulting in severe public criticism and reputational harm to the Plaintiff.

- (ii) Dr. Saraf, thereafter, submitted that the controversy surrounding the said video even compelled the Plaintiff to issue a public clarification on 23rd September 2025, wherein he categorically distanced himself from the video and condemned the misuse of AI.
- (iii) Despite such clarification, and though the video was eventually taken down, Dr. Saraf submitted that the damage to the Plaintiff's reputation was severe and enduring. The publication of this deceptive video triggered significant outrage within the Valmiki community, which found the unauthorized and misleading portrayal of their revered saint to be deeply offensive. The same also culminated in public protests in Jalandhar, thereby wrongfully implicating the Plaintiff in communal disharmony.
- (iv) Dr. Saraf further drew my attention to two additional videos referenced in Paragraphs 46.1 and 46.8 of the Plaintiff, accessible at:

- (i) https://www.youtube.com/watch?v=h_9CS-5sIXo, and (ii) <http://www.youtube.com/watch?v=HUWEWz37Mgw>. These videos are fake, edited, or AI-generated depictions portraying the Plaintiff in fabricated movie trailers. In one such trailer, the Plaintiff is falsely shown to be depicting the role of Yogi Adityanath, the Chief Minister of Uttar Pradesh, with the said trailer having garnered over 20,00,000 views. In this light, Dr. Saraf submits that such unauthorized use not only infringes upon the Plaintiff's right of publicity but also damages his professional reputation, undermines the goodwill built over his career, and harms his genuine upcoming film projects.
- (v) Dr. Saraf then highlighted the circulation of AI-generated images/deepfakes by Defendant No. 1 on Defendant No. 2's platform, *Facebook*, which depict the Plaintiff in an obscene manner. The details of the infringing links, which are set out in paragraph 47.2 of the plaint, are as follows:

Sr.	Link
i.	https://www.facebook.com/share/1TV1k9odt1/?mibextid=wwXIfr
ii.	https://www.facebook.com/share/p/1A6AU79N8e/?mibextid=wwXIfr
iii.	https://www.facebook.com/share/p/1BaLBU3bCk/?mibextid=wwXIfr

iv.	https://www.facebook.com/share/p/1CjyPgWHxh/?mibextid=wwXIfr
v.	https://www.facebook.com/share/p/1BGdxXSkQH/?mibextid=wwXIfr
vi.	https://www.facebook.com/share/p/1JX1CXWhNN/?mibextid=wwXIfr
vii.	https://www.facebook.com/share/p/1JtpExpY7Y/?mibextid=wwXIfr

(vi) Dr. Saraf thereafter pointed out certain AI-generated images depicting the Plaintiff in various manipulated and fabricated scenarios, designed to ridicule, demean, and harm his reputation, dignity, and public standing. These posts, created using AI technology, portray the Plaintiff in imaginary and absurd contexts, including, *inter alia*, a post titled “*When Bollywood celebrities forget to eat protein*”, posts wherein the Plaintiff’s likeness has been superimposed onto images of a young schoolboy and a girl with a toy, and such other distorted caricatured forms. Such depictions are wholly unauthorized, derogatory and constitute a misuse of the Plaintiff’s persona for commercial engagement and digital traction. The infringing links are set out in Paragraph 48 of the plaint as follows:

Sr.	Links	Ref. in Ex. F
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i.	https://www.instagram.com/p/DN-CRgADfI3/	Sr. 1
ii.	https://www.instagram.com/p/DOsWXvpjUBn/	Sr. 2
iii.	https://www.instagram.com/p/DNpQ7c7M1FU/	Sr. 3
iv.	https://www.instagram.com/p/DNcbvUEOACv/	Sr. 4
v.	https://www.instagram.com/p/DNALkIcsXhp/	Sr. 5
vi.	https://www.instagram.com/p/DMmgnqlMi9F/	Sr. 6
vii.	https://www.instagram.com/p/DL4C4edMblZ/	Sr. 7
viii.	https://www.instagram.com/p/DLy8yZJM-fp/	Sr. 8
ix.	https://www.instagram.com/p/DLjk2YWsoW2/	Sr. 9
x.	https://www.instagram.com/p/DLaBMTVM8iv/	Sr. 10
xi.	https://www.instagram.com/p/DLCNuNpMaWl/	Sr. 11
xii.	https://www.instagram.com/p/DKqyxfes2xy/	Sr. 12

xiii.	https://www.instagram.com/p/DJV-pdkOZ7m/	Sr. 13
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- (vii) Dr. Saraf further referred to a deepfake/morphed video mentioned in paragraph 48.3 of the plaint, wherein the Plaintiff is falsely depicted as promoting a betting and gambling application. The said video is accessible at the following link:

[https://x.com/Jessely35br/status/1752681354083569876?](https://x.com/Jessely35br/status/1752681354083569876?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1752681354083569876%7Ctwgr%5E6495708cbc3c46bd43a58abfd8b152461da02394%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fnewschecker.in%2Ffact-check%2Fdeepfake-ad-of-akshay-kumar-promoting-mobile-game-app-goes-viral)

[ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm](https://x.com/Jessely35br/status/1752681354083569876?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1752681354083569876%7Ctwgr%5E6495708cbc3c46bd43a58abfd8b152461da02394%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fnewschecker.in%2Ffact-check%2Fdeepfake-ad-of-akshay-kumar-promoting-mobile-game-app-goes-viral)

[%5E1752681354083569876%7Ctwgr](https://x.com/Jessely35br/status/1752681354083569876?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1752681354083569876%7Ctwgr%5E6495708cbc3c46bd43a58abfd8b152461da02394%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fnewschecker.in%2Ffact-check%2Fdeepfake-ad-of-akshay-kumar-promoting-mobile-game-app-goes-viral)

[%5E6495708cbc3c46bd43a58abfd8b152461da02394%7Ctwcon](https://x.com/Jessely35br/status/1752681354083569876?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1752681354083569876%7Ctwgr%5E6495708cbc3c46bd43a58abfd8b152461da02394%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fnewschecker.in%2Ffact-check%2Fdeepfake-ad-of-akshay-kumar-promoting-mobile-game-app-goes-viral)

[%5Es1_&ref_url=https%3A%2F%2Fnewschecker.in%2Ffact-check](https://x.com/Jessely35br/status/1752681354083569876?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1752681354083569876%7Ctwgr%5E6495708cbc3c46bd43a58abfd8b152461da02394%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fnewschecker.in%2Ffact-check%2Fdeepfake-ad-of-akshay-kumar-promoting-mobile-game-app-goes-viral)

[%2Fdeepfake-ad-of-akshay-kumar-promoting-mobile-game-app-](https://x.com/Jessely35br/status/1752681354083569876?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1752681354083569876%7Ctwgr%5E6495708cbc3c46bd43a58abfd8b152461da02394%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fnewschecker.in%2Ffact-check%2Fdeepfake-ad-of-akshay-kumar-promoting-mobile-game-app-goes-viral)

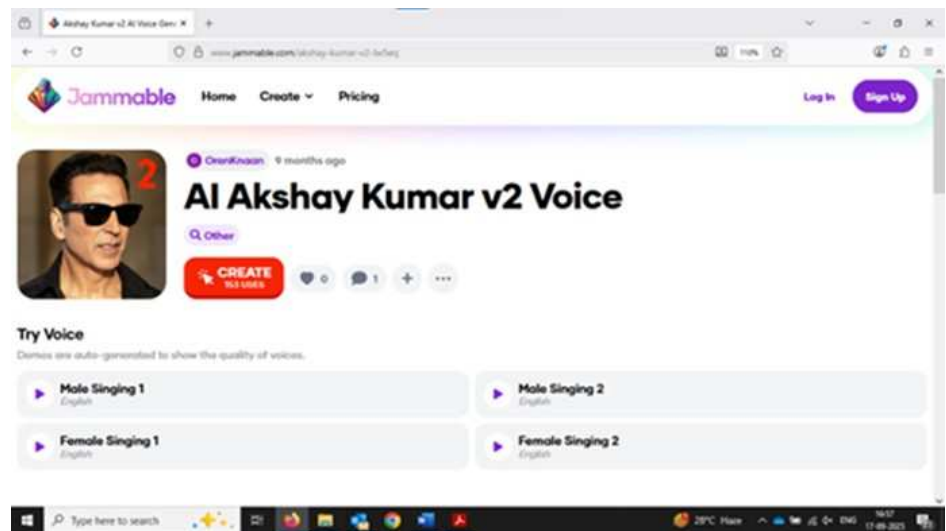
[goes-viral](https://x.com/Jessely35br/status/1752681354083569876?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1752681354083569876%7Ctwgr%5E6495708cbc3c46bd43a58abfd8b152461da02394%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fnewschecker.in%2Ffact-check%2Fdeepfake-ad-of-akshay-kumar-promoting-mobile-game-app-goes-viral). With respect to the said video, Dr. Saraf submits that

what is particularly alarming is the deceptively realistic nature of the video, wherein the lip synchronization is remarkably accurate and indistinguishable from genuine footage.

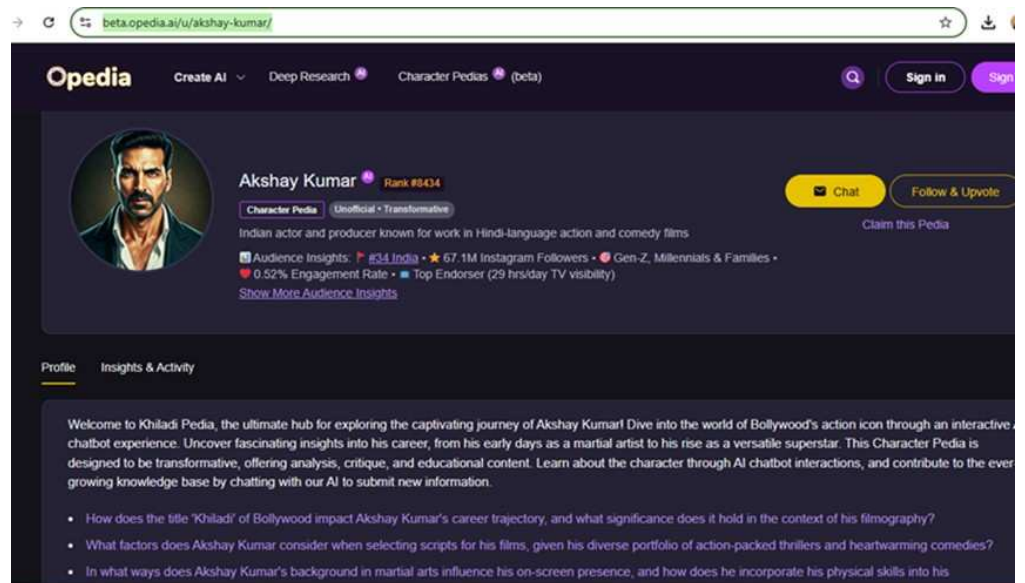
- b) Unauthorized offering of services (presumably via AI) impersonating or cloning the Plaintiff's voice and infringing upon his persona (paragraph 50 of the plaint):

- (i) Dr. Saraf submitted that Defendant No. 11 operates a platform that advertises and purports to enable the use of an "AI Akshay Kumar

v2 Voice” through its website, accessible at <https://www.jammable.com/akshay-kumar-v2-Iw5eq>. In a nutshell, this platform enables its users to generate new content using the Plaintiff’s voice. The illustrative image, as produced in the plaint, is reproduced hereinbelow.



- (ii) Further, Learned Senior Counsel stated that Defendant No. 12 has created an AI chatbot by unauthorizedly exploiting the Plaintiff’s personality rights, using his screen name and image in a manner likely to mislead the public into believing that the Plaintiff is associated with or has endorsed the said website at <https://beta.opedia.ai/u/akshay-kumar/>. The illustrative image produced in the Plaint is reproduced hereinbelow.



c) Unauthorized sale of merchandise/goods using images or AI-generated images of the Plaintiff.

(i) Dr. Saraf submitted that Defendant Nos. 1, 8, and 9 are unauthorisedly engaging in the sale of merchandise bearing aspects of Plaintiff's persona, screen name, and image, and the same is not only violating the Plaintiff's personality rights but also undermining his commercial brand value. The illustrative details of the infringing links, set out in paragraphs 51.1 to 51.2 of the plaint, are set out below:

Sr.	Links	Ref. in Ex. H
i.	https://www.iceposter.com/gty?search=Akshay%20Kumar&prods=1	Sr. 1
ii.	https://kashcollectiveco.com/products/akshay-kumar-vintage-t-shirt?	Sr. 2

<u>pos=1& sid=758af534e& ss=r</u>

- (ii) Dr. Saraf further highlighted that even on the websites of Defendant Nos. 5 to 7 (e-commerce platforms), rampant numbers of merchandise infringing upon the Plaintiff's personality rights are being listed and sold. He submits that these platforms are actively listing and enabling the sale of unauthorized products bearing the Plaintiff's screen name, image, and likeness, including posters, t-shirts, mugs, and bobbleheads. Such unauthorized commercial exploitation not only violates the Plaintiff's exclusive right of publicity but also constitutes unjust enrichment at the expense of the Plaintiff's goodwill and reputation. The illustrative details of the infringing links, as set out in paragraphs 51.3 to 51.8 of the plaint, are set out below:

Sr.	Platform	Links (Hyperlinked)	Ref. in Ex. H
i.	Def. No. 5	<u>Redbubble Link 1</u>	Sr. 4
ii.		<u>Redbubble Link 2</u>	Sr. 5
iii.		<u>Redbubble Link 3</u>	Sr. 6
iv.		<u>Redbubble Link 4</u>	Sr. 7
v.	Def. No. 6	<u>Etsy Link 1</u>	Sr. 8
vi.		<u>Etsy link 2</u>	Sr. 9
vii.		<u>Etsy Link 3</u>	Sr. 10

viii.		Etsy Link 4	Sr. 11
ix.		Etsy Link 4	Sr. 12
x.		Etsy Link 5	Sr. 13
xi.		Etsy Link 6	Sr. 14
xii.		Etsy Link 6	Sr. 15
xiii.	Def. No. 7	Flipkart Link 1	Sr. 16
xiv.		Flipkart Link 2	Sr. 17
xv.		Flipkart Link 3	Sr. 18

d) Unauthorized/unlawful use/infringement of Plaintiff's persona.

- (i) Dr. Saraf pointed out that Defendant No. 16 is selling a digital sticker pack featuring the Plaintiff, accessible at https://stickers.cloud/en/pack/akshay-kumar#google_vignette, as referred to in paragraph 52.2 of the plaint. He further submitted that Defendant No. 17 enables users to share short, looping animated clips (GIFs) featuring the Plaintiff's image and likeness on its platform, accessible at <https://giphy.com/search/Akshay-Kumar>, as referred to in paragraph 52.3 of the plaint. In this regard, he submits that the Plaintiff has never authorised the sale/offering of such stickers or GIFs bearing his screen name or image, and that the said Defendants are unauthorisedly exploiting the Plaintiff's persona for their own commercial gain.

- (ii) Dr. Saraf further brought the Court's attention to acts of Defendant No. 1 (John Doe/Ashok Kumar(s)), who have published posts on *Instagram*, and presumably on other social media platforms, that unauthorizably infringe upon the Plaintiff's persona. A perusal of these posts would indicate that advertisements for betting apps/websites have been superimposed on images or videos featuring the Plaintiff to falsely create the impression that the Plaintiff endorses or is associated with such platforms. The details of such infringing posts, referred to in paragraphs 52.6 and 52.7 of the plaint, are set out below:

Sr.	Link
i.	https://www.instagram.com/reel/DPemaTSD4Ah/?igsh=amZneHJpYjB6dXoy
ii.	https://www.instagram.com/reel/DPeWnr1D8C4/?igsh=aW00dWlhNjdhaDkz
iii.	https://www.instagram.com/reel/DPd9WJzDz6e/?igsh=MWd3anl2OW9mNnQ1aA==

- (iii) Dr. Saraf highlights that the Plaintiff has also come across instances of unidentified users creating profiles to impersonate the Plaintiff. The details of two such profiles, on Defendant No. 2's *Instagram* and *Facebook*, referred to in paragraph 53 of the plaint, are set out below:

Sr.	Link
i.	https://www.instagram.com/jr_khiladi_sandip/?hl=en
ii.	https://www.facebook.com/p/Akshay-kumar-action-king-of-bollywood-100059485752909/

10. Dr. Saraf further submitted that, in addition to the identifiable instances of infringement, numerous other entities and individuals continue to operate clandestinely, concealing their true identities. These unidentified persons engage in similar infringing activities, including the unauthorized creation, publication, and circulation of AI-generated, morphed, and deepfake content featuring the Plaintiff, as well as the sale and promotion of products and services unlawfully exploiting his persona. Due to the absence of verifiable information, the Plaintiff is presently unable to ascertain the identities or contact details of such infringers. Accordingly, while the Defendants whose particulars are known have been specifically impleaded by name, all such unknown or anonymous persons and entities have been collectively impleaded as "*John Doe*" (i.e., Defendant No. 1).

11. Dr. Saraf further submitted that, as the details and identities of Defendant Nos. 10 and 11 are presently not ascertainable, the Plaintiff has, for effective adjudication, also arrayed the Domain Name Registrars (DNRs) of the websites operated by the said Defendants as necessary parties to the present proceedings. The inclusion of the concerned DNRs is to facilitate the disclosure of all available information pertaining to the ownership and operation of the impugned websites.

12. It is submitted that the aforesaid Defendants (Defendant Nos. 1, 8 - 13 and 16 - 17) are engaged in the systematic misappropriation and unauthorized exploitation of the Plaintiff's identity for their own commercial and personal benefit. This ongoing infringement not only unlawfully diverts the economic value inherent in the Plaintiff's status but also poses a significant threat to the Plaintiff's professional career and public standing. By exploiting the Plaintiff's indicia, including his screen name, likeness, and reputation, these Defendants achieve significant and quantifiable advantages on social media and other online platforms, such as increased followers, engagement, and likes. Furthermore, the use of various aspects of the Plaintiff's personality, such as the creation of AI images/deepfakes/videos and GIFs, as well as the creation of false and obscene images of the Plaintiff, is not only an infringement of his personality rights but also a violation of his rights under Article 21 of the Indian Constitution.

13. With regard to the unauthorised appropriation and sale of merchandise bearing the Plaintiff's personality attributes, including his image and likeness, Dr. Saraf submits that such activities are likely to deceive the public into falsely believing that the Plaintiff is associated with or has endorsed the concerned commercial ventures. He submits that members of the public, relying upon the Plaintiff's goodwill, may consequently transact with such entities to their detriment. This concern is further amplified by specific instances (illustrated above), including the deliberate misuse of the Plaintiff's likeness in promoting betting and gambling applications, which creates a false and damaging impression of the Plaintiff's endorsement of such illicit activities.

14. Dr. Saraf further submits that the incident where the Plaintiff was falsely depicted as "*Maharishi Valmiki*" in a purported film trailer (referred to in paragraphs 46.3–46.7 of the plaint) exemplifies the extent of misrepresentation and misuse enabled by modern AI and deepfake technologies. Such unauthorized and deceptive portrayals, it is urged, not only violate the Plaintiff's personality and moral rights, but also possess the potential to mislead and harm the public at large.

15. Dr. Saraf then relied upon a number of cases to submit that unauthorisedly using a person's name, voice, dialogues, or images would be impermissible, and in such cases the courts cannot turn a blind eye. In this regard, he relied upon the following decisions: (i) *Asha Bhosle v. Mayk Inc*, 2025 SCC OnLine Bom 3485 (paragraph nos. 15 to 18); (ii) *Arijit Singh v. Codible*

Ventures LLP and Ors., 2024 SCC OnLine Bom 2445 (paragraph nos. 16, 17, and 18); (iii) *Anil Kapoor v. Simply Life India and Ors.*, 2023 SCC OnLine Del 6914 (paragraph nos. 38, 39, 41 and 43); *Jaikishan Kakubhai Saraf alias Jackie Shroff v. Peppy Store and Ors.*, 2024 SCC OnLine Del 3664 (paragraph nos. 12); *Aishwarya Rai Bachchan v. Aishwaryaworld.Com and Ors.*, 2025 SCC OnLine Del 5943 (paragraph nos. 33.25, 34 to 39); *Karan Johar v. Ashok Kumar/John Doe*, 2025 SCC OnLine Del 6108 (paragraph nos. 34, 35, 36 and 37) and *Suniel Shetty v. John Doe/Ashok Kumar*, Interim Application (L) No. 32198 of 2025 in Com. I.P. Suit (L) No. 32130 of 2025 (Bombay High Court) (paragraph nos. 11, 14, 15 and 18).

16. On this basis, Dr. Saraf submits that the Plaintiff is entitled to protection of facets of his personality, such as his name, screen name, image, likeness, voice, and signature, against unauthorized exploitation by third parties. Based on the aforesaid submissions, Dr. Saraf has pressed for urgent interim reliefs on an *ex parte* basis, relying on the averments detailed in paragraphs 82 and 86 to 88 of the plaint. He further submits that issuing notice to the Defendants would precipitate the harm the present application seeks to prevent, as it would provide them with an opportunity to inflict further harm and damage upon the Plaintiff's rights and reputation. In such an event, the entire purpose of the present interim application would be delayed and defeated.

17. Lastly, Dr. Saraf emphasized that Rule 3(1) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, requires

social media intermediaries to exercise due diligence and undertake reasonable efforts to ensure users do not host, display, modify, publish, transmit, store, update, or share any information that is obscene, deceives or misleads the addressee, or impersonates another person. Therefore, Defendant Nos. 2 (Meta Platforms, Inc.), 3 (X Corp.), 4 (Google LLC), and others possess the requisite authority to restrict the circulation of infringing content that violates the Plaintiff's personality rights.

18. Having perused the material on record, I must note that what is truly alarming in a number of these cases is the realistic nature of deepfake images/videos that are being created by using AI. Both in the context of images and videos, the morphing is so sophisticated and deceptive that it is virtually impossible to discern that the same are not genuine images/videos of the Plaintiff. The deepfake video of the Plaintiff making communally inflammatory statements and statements about Rishi Valmiki is deeply concerning. The consequences that can arise from such content being disseminated are indeed most grave and serious. Apart from violating and affecting the Plaintiff's personality and moral rights, such videos also pose a grave threat to the safety and well-being of the Plaintiff's family members and can also have an adverse and widespread impact on society and public order, which clearly appears to be the agenda of those who create such content. Hence, such content needs to be removed from the public domain immediately, not only in the interest of the Plaintiff but also in the larger public interest.

19. Additionally, the material on record discloses the egregious nature of the infringing material, particularly (i) the creation and dissemination of AI-generated morphed photos/deepfakes/videos depicting the Plaintiff; (ii) the unauthorised offering of services (including through AI) infringing upon Plaintiff's persona; (iii) the unauthorised sale of merchandise/goods infringing upon Plaintiff's persona, *inter alia*, using images or AI-generated images of the Plaintiff; (iv) the unauthorised/unlawful use or infringement of the Plaintiff's persona, being specially set forth in paragraph nos. 46 to 55 and in Exhibits "F", "G", and "H" of the plaint. The fact that the Plaintiff is an individual who is a renowned film actor and public personality is adequately set out in the Plaint. There can be little doubt about the fact that the Plaintiff is a renowned actor and that the Plaintiff's personality including his name, screen name, signature, image, likeness, voice and tone, distinctive performance, appearance, and mannerisms, have become uniquely identifiable with him in the minds of the public. It is submitted that the Plaintiff possesses an inherent and enforceable right to control, protect, and commercially exploit his personality, and that any unauthorised use or misappropriation thereof constitutes not only a violation of his personality/publicity rights but also his fundamental rights, as enshrined under the Constitution of India.

20. Hence, in my view, a case for granting the Plaintiff *ex parte ad interim* relief is made out. Given the gravity and potential for irreversible harm and injury, as apparent from what is set out above, I find that the grant of injunction

would be defeated by the delay of issuing notice, and thus, the present case warrants the immediate grant of *ex parte* interim reliefs.

21. I find merit in the submissions advanced by Dr. Saraf that, in addition to the identifiable infringers, there exist several other entities whose identities are presently unknown, concealed, or difficult to trace. Considering the clandestine, pervasive, and continuing nature of these infringing activities and the persistent harm being caused, the Plaintiff has rightly impleaded Defendant No. 1 (John Doe) to collectively represent such unidentified persons.

22. In view of the aforesaid, I grant the Plaintiff *ex parte* interim relief as follows:

(a) Pending the hearing and final disposal of the Interim Application, Defendant Nos. 1, 8 - 13 and 16 - 17 by themselves, their agents, servants, associates, and/or any person claiming through or under them, shall be restrained from violating the rights of the Plaintiff.

(i) By infringing and/or utilizing and/or misappropriating the Plaintiff's personality rights and/or moral rights in any manner, directly or indirectly using and/or exploiting and/or imitating any of the Plaintiff's indicia, namely: (i) the name including Plaintiff's Screen Name "Akshay Kumar" and any abbreviation, moniker or variation thereof; (ii) voice; (iii) image; (iv) likeness; (v) distinctive performance, appearance and mannerisms; and (vi) signature and any other uniquely identifiable attribute on any medium and in

any manner whatsoever including through Artificial Intelligence generated content, deepfake videos, voice cloned audio, edited or morphed visuals, metaverse environments and any future formats or mediums.

- (ii) By passing off their goods, services, schemes, content, promotions, or advertisements as emanating from, endorsed by, or associated with the Plaintiff by use of any of his indicia, namely: (i) the name including Plaintiff's Screen Name "*Akshay Kumar*" and any abbreviation, moniker or variation thereof; (ii) voice; (iii) image; (iv) likeness; (v) distinctive performance, appearance and mannerisms; and (vi) signature and any other uniquely identifiable attribute on any medium and in any manner whatsoever.
- (iii) By importing, manufacturing, warehousing, selling, offering for sale, advertising, or otherwise dealing in any goods or services, including counterfeit merchandise, or operating any schemes or content that exploit the Plaintiff's indicia, namely: (i) the name including Plaintiff's Screen Name "*Akshay Kumar*" and any abbreviation, moniker or variation thereof; (ii) voice; (iii) image; (iv) likeness; (v) distinctive performance, appearance and mannerisms; and (vi) signature and any other uniquely identifiable attribute on any medium and in any manner whatsoever.

(b) Pending the hearing and final disposal of the Interim Application,

Defendant Nos. 1, 8 - 13 and 16 - 17, by themselves, their agents,

servants, associates, and/or any person claiming through or under them, are directed to forthwith remove, delete, take down, suspend, and disable access to the Infringing Content (more particularly set out in paragraphs 46 to 54 and Exhibits F to H of the present Application) and/or content similar or identical to the Infringing Content that misuses the Plaintiff's indicia, namely: (a) the name, including Plaintiff's Screen Name "*Akshay Kumar*" and any abbreviation, moniker, or variation thereof; (b) voice; (c) image; (d) likeness; (e) distinctive performance, appearance, and mannerisms; and (f) signature and any other uniquely identifiable attribute on any medium in any manner whatsoever, including but not limited to physical or virtual mediums such as websites, social media, etc.

- (c) Pending the hearing and final disposal of the Interim Application, Defendant Nos. 2, 3, and 4 are directed to take down/remove/disable access to all listings/pages/content identified as Infringing Content (more particularly set out in paragraphs 46 to 55 and Exhibits F to H of the present Application) which exploit/misuse the Plaintiff's indicia, namely: (a) the name, including Plaintiff's Screen Name "*Akshay Kumar*" and any abbreviation, moniker, or variation thereof; (b) voice; (c) image; (d) likeness; (e) distinctive performance, appearance, and mannerisms; and (f) signature and any other uniquely identifiable attribute within a period of one week from the date of receipt of this order.

- (d) Pending the hearing and final disposal of the Interim Application, Defendant Nos. 2, 3, and 4 are directed to take down/remove/disable access to any further infringing listings/pages/content of a similar nature to the Infringing Content (more particularly set out in paragraphs 46 to 55 and Exhibits F to H of the present Application) appearing on their portal/platforms/websites, upon being notified by the Plaintiff or by his authorized representative in writing, which exploit/misuse the Plaintiff's indicia, namely: (a) the name, including Plaintiff's Screen Name "*Akshay Kumar*" and any abbreviation, moniker, or variation thereof; (b) voice; (c) image; (d) likeness; (e) distinctive performance, appearance, and mannerisms; and (f) signature and any other uniquely identifiable attribute, subject to their right to communicate to the Plaintiff, with reasons, any objection to such removal.
- (e) Defendant Nos. 5 to 7 are directed to take down/remove/disable access to all listings/pages/content identified as Infringing Content (more particularly set out in paragraphs 46 to 55 and Exhibits F to H of the present Application) which exploit/misuse the Plaintiff's indicia, namely: (a) the name, including Plaintiff's Screen Name "*Akshay Kumar*" and any abbreviation, moniker, or variation thereof; (b) voice; (c) image; (d) likeness; (e) distinctive performance, appearance, and mannerisms; and (f) signature and any other uniquely identifiable attribute within a period of one week from the date of receipt of this order.

(f) Defendant Nos. 5 to 7 are directed to take down/remove/disable access to any further infringing listings/pages/content of a similar nature to the Infringing Content (more particularly set out in paragraphs 46 to 55 and Exhibits F to H of the present Application) appearing on their portal/platforms/websites, upon being notified by the Plaintiff or by his authorized representative in writing, which exploit/misuse the Plaintiff's indicia, namely: (a) the name, including Plaintiff's Screen Name "*Akshay Kumar*" and any abbreviation, moniker, or variation thereof; (b) voice; (c) image; (d) likeness; (e) distinctive performance, appearance, and mannerisms; and (f) signature and any other uniquely identifiable attribute, subject to their right to communicate to the Plaintiff, with reasons, any objection to such removal.

(g) Defendant Nos. 2 to 7 are directed, upon request and subject to any restrictions, to furnish to the Plaintiff the basic subscriber/seller information in their possession (including name, address, email ID, contact number, IP logs, registration details, and payment details) of the sellers/uploaders of the infringing listings/content so notified, to enable the Plaintiff to either implead them as parties to the present proceedings or place their relevant details before the Court in instances where found necessary.

(h) Defendant Nos. 18 & 19 are directed, upon request, to furnish to the Plaintiff the registration details of the domain names for the websites

available at <https://www.jammable.com/akshay-kumar-v2-Iw5eq> and <https://beta.opedia.ai/u/akshay-kumar/>; including the IP address and the person in whose name the same is registered. Thereafter, the Plaintiff shall be at liberty to take such further steps as it may deem fit and proper in the circumstances.

25. The Advocates for the Plaintiff shall serve notice of this Order on the Defendants forthwith and file an Affidavit of Service on the next date.

26. Compliance with Order XXXIX Rule 3 of the Code of Civil Procedure, 1908 is permitted by email, considering the large number of Defendants and the fact that for some Defendants, contact details are not known to the Plaintiff. Insofar as those Defendants for whom postal addresses are available, the Plaintiff shall, in addition to service by email, effect compliance by speed post service. The said compliance shall be done within three weeks of this order being made available.

27. List on 12th November 2025.

(ARIF S. DOCTOR, J.)