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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 817/2025**

TATA SONS PRIVATE LIMITED AND ANRPlaintiffs

Through: Ms. Shwetasree Majumder, Mr.
Prithvi Singh, Mr. Rohan Seth, Mr.
Prithvi Gulati, Mr. Ritwik Marwaha &
Ms. Vanshika Singh, Advocates.

Versus

JOHN DOE AND ORSDefendants

Through: Ms. Anushka Sharda, Advocates for
Defendant No.3.
Ms. Manisha Agrawal Narain, CGSC
with Mr. Nipun Jain, Advocate for
Defendant No.4.

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

% **11.08.2025**

I.A. 19432/2025(Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The Application stands disposed of.

I.A. 19430/2025(Exemption from Pre-Institution Litigation Mediation)

3. This is an Application filed by the Plaintiffs seeking exemption from instituting pre-litigation Mediation under Section 12A of the Commercial Courts Act, 2015 (“**CC Act**”).
4. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in **Yamini Manohar v. T.K.D. Krithi**, 2023 SCC OnLine SC 1382, exemption from the requirement of pre-institution Mediation is granted.



5. The Application stands disposed of.

I.A. 19431/2025(O-XI R-1(4) of the Code of Civil Procedure, 1908)

6. The present Application has been filed on behalf of the Plaintiffs under Order XI Rule 1(4) of the Code of Civil Procedure, 1908 (“CPC”) as applicable to Commercial Suits under the CC Act seeking leave to place on record additional documents.

7. The Plaintiffs are permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.

8. Accordingly, the Application stands disposed of.

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9. Let the Plaint be registered as a Suit.

10. Issue Summons. The learned Counsel for Defendant Nos. 3 and 4 have appeared and accept Summons.

11. The Summons shall state that the Written Statement(s) shall be filed by the Defendants within 30 days from the date of the receipt of Summons. Along with the Written Statement(s), the Defendants shall also file an Affidavit of Admission / Denial of the documents of the Plaintiffs, without which the Written Statement(s) shall not be taken on record.

12. Liberty is granted to the Plaintiffs to file Replication(s), if any, within 30 days from the receipt of the Written Statement(s). Along with the Replication(s) filed by the Plaintiffs, an Affidavit of Admission / Denial of the documents of Defendants be filed by the Plaintiffs, without which the



Replication(s) shall not be taken on record.

13. In case any Party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

14. If any of the Parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

15. List before the learned Joint Registrar on 15.10.2025 for completion of service and pleadings.

I.A. 19429/2025

16. Issue Notice. The learned Counsel for Defendant Nos. 3 and 4 have appeared and accept Notice.

17. The Plaintiffs have filed the present Suit seeking relief of permanent injunction restraining the Defendants from infringing the Plaintiffs' Marks 'TATA' and 'TATA PAYMENTS' ("**Subject Marks**"), passing off and other ancillary reliefs.

18. The learned Counsel for the Plaintiffs submitted that Plaintiff No. 1 is a private limited company, incorporated in India in the year 1917. Plaintiff No. 2 is a public limited company, incorporated in India. The Plaintiffs are a part of the TATA Group of Companies. Plaintiff No. 2, is a wholly owned subsidiary of Tata Digital Private Limited, and serves as the financial services arm of the Plaintiffs' group and is engaged in providing a wide range of payment solutions and financial services. Plaintiff No. 2 secured an RBI Payment Aggregator (PA) license 01.01.2024 to process e-commerce transactions and act as a merchant payment service provider. Further, Plaintiff



No. 2 is a Reserve Bank of India-licensed Payment Aggregator and Prepaid Payment Instrument issuer.

19. The learned Counsel for the Plaintiffs submitted that Plaintiff No. 1 is the registered proprietor of the various TATA formative Trade Marks in India, with the earliest registration dating back to the year 1942. Plaintiff No. 1 holds over 1496 registrations for its TATA formative marks. The Plaintiffs owns more than 2,000 'TATA' formative domains, with the earliest domain name registration dating back to 15.10.1996, for the domain 'tata.com'. Plaintiff No. 2 owns the domain 'tatapayments.com' registered on 15.05.2019.

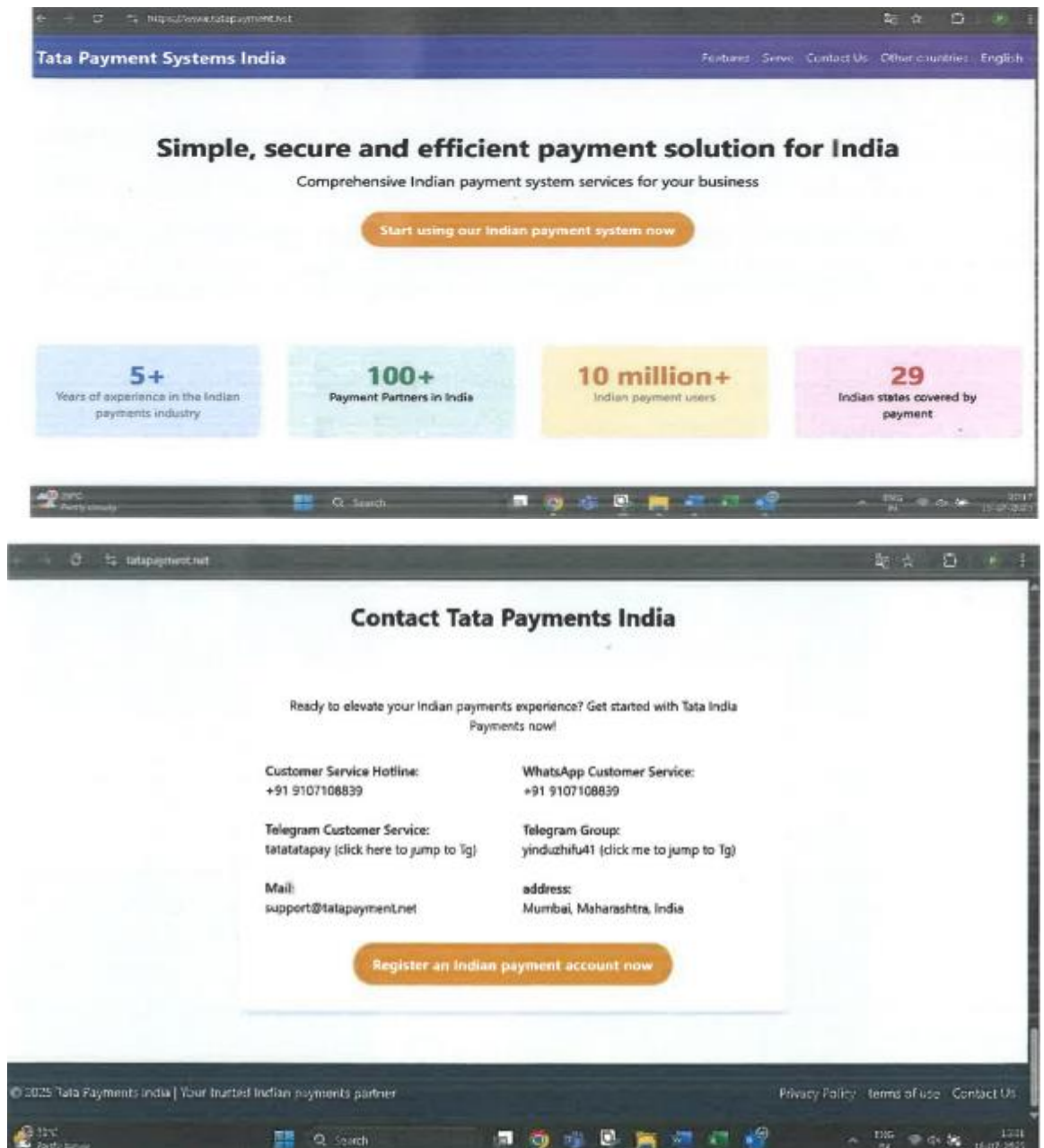
20. A table of the prominent Marks registered in favour of the Plaintiffs is produced hereunder:

S.No.	Trade Mark	Registration No.	Date of Application / Registration	Class
1.		6089	02/10/1942	9
2.	TATA	92645	16/02/1944	9
3.		109358	12/04/1945	9
4.		5418014	21/04/2022	9
5.		5418523	21/04/2022	16
6.		5418542	21/04/2022	25
7.	TATA PAYMENTS	4347420	14/11/2019	35,36,42



8.		5418539	21/04/2022	35
9.		5418857	21/04/2022	36
10.		5418859	21/04/2022	38
11.		5418860	21/04/2022	39
12.	TATA	1765705	18/12/2008	41
13.	TATA	1236896	16/09/2003	41
14.		5418862	21/04/2022	41
15.	TATA	1236897	16/09/2003	42
16.		5418863	21/04/2022	42
17.		1994178	15/07/2010	42,43,44,45
18.	TATA	1994180	15/07/2010	42,43,44,45
19.		5418865	21/04/2022	44
20.		5418866	21/04/2022	45
21.	TATA PAY	5276444	07/01/2022	9,16,25,35,36,38, 39,41,42,44,45
22.	TATA	5786788	31/01/2023	9,35,36,41,42

21. The learned Counsel for the Plaintiffs submitted that in the first week of July 2025, the Plaintiffs came across the website of Defendant No. 1's website, <https://www.tatapayment.net/> ("**Impugned Website**") which wholly incorporates the Subject Marks. The Impugned Website provides digital payment services for businesses and individuals across India and accepting and managing payments. Extracts from the Impugned Website are reproduced hereunder:



22. The Plaintiffs conducted a search for the Impugned Website, however, the registrant details for the Impugned Website were masked. However, the Impugned Website displayed the contact number +91 9107108839 and the email address support@tatapayment.net and privacy@tatapayment.net. The mobile number provided on the Impugned Website is currently inactive. The Impugned Website further mentioned Telegram accounts under the username



‘tatatatapay’ and a group ‘yinduzhifu41’, which contains Chinese text and appears to facilitate the establishment of overseas payment systems under the name ‘TATA Payment System for Rent’. Additionally, it was ascertained that the primary username of the account ‘tatatatapay’ is ‘zfx01’ and several other associated collectible usernames were identified, namely ‘yinduzhifuxitong’, ‘tatapaytech’, ‘tatapay15’, ‘atabusiness_bot’, ‘tatacaiwu’, as well as a channel named ‘yinduzhifu15’. The screenshots of the aforesaid accounts / groups / channels are reproduced hereunder:



23. The learned Counsel for Defendant No. 3 has submitted that Defendant No. 3 is ready to provide the details concerning the name, contact details, mode of payment, KYC details and IP address from which the Telegram accounts of the usernames/ group/ channel are operated, in a sealed cover to



the extent available with Defendant No. 3, provided that the Plaintiffs give an Affidavit with the undertaking that the confidentiality of the details provided by Defendant No. 3 will be maintained.

24. The Plaintiffs' name and Marks have been used by Defendant No. 1 with the clear intent to defraud and deceive the public. It is apparent that Defendant No. 1 is attempting to defraud the public by falsely claiming to offer digital payment services for businesses and individuals across India and accepting and managing payments under the Subject Marks through the Impugned Website and Telegram accounts/ groups/ channels. The unauthorized actions of Defendant No. 1, including the creation and operation of fraudulent Telegram groups and Impugned Website could give rise to substantial confusion, leading individuals to falsely believe that the Impugned Website and the Telegram Accounts/ Groups/ Channel are authorized, associated, and affiliated with the Plaintiffs.

25. Defendant No. 1 has attempted to take unfair advantage of the reputation and goodwill of the Subject Marks and has also deceived the unwary consumers of their association with the Plaintiffs by dishonestly adopting the Plaintiffs' Marks.

26. Having considered the submissions advanced by the learned Counsel for the Parties, the pleadings and the documents on record, a *prima facie* case has been made out on behalf of the Plaintiffs for grant of an *ex-parte ad-interim* injunction. Balance of convenience is in favour of the Plaintiffs and against Defendant No. 1. Irreparable injury would be caused to the Plaintiffs if an *ex-parte ad- interim* injunction is not granted.



27. The Plaintiffs have made out a *prima facie* case for grant of an *ex-parte ad-interim* injunction. Accordingly, till the next date of hearing:

- i. Defendant No. 1, by themselves / itself, their / its proprietors, directors, promoters, affiliates, representatives, partners, servants, agents, assigns and all those acting in concert with or claiming under or through it / them or otherwise howsoever, is restrained from directly or indirectly using the name 'TATA' and 'TATA PAYMENTS' and / or any deceptively similar variation thereof in relation to its business, products, services as a Trade Mark or as part of its trade name, trade style, corporate name, store name, domain name, web address, email address, social media handle, branding products, stationery and / or in any other manner whatsoever so as to infringe, pass off and / or dilute the registered Trade Marks of the Plaintiffs;
- ii. Defendant No. 2, Cloudfare Inc, is directed to block access and suspend registration of the Impugned Website, <https://www.tatapayment.net/>, or such other URLs that may subsequently be notified by the Plaintiffs to be infringing of its exclusive rights. Further, Defendant No. 2 is directed to file Affidavit(s) to provide the complete details concerning the name, contact details, mode of payment, KYC details and IP address used by the registrants of the Impugned Website.
- iii. Defendant No. 3, Telegram FZ-LLC, is directed to temporarily block the following Telegram accounts / channels / groups:



S.No.	Telegram Group
1.	http://t.me/yinduzhifu41

S.No.	Telegram Channel
1.	http://t.me/yinduzhifu15

S.No.	Telegram Accounts
1.	https://t.me/zfxt01
2.	https://t.me/tatatatapay
3.	https://t.me/zfxt01
4.	https://t.me/yinduzhifuxitong
5.	https://t.me/tatapaytech
6.	http://t.me/tatapay15
7.	http://t.me/tatabusiness_bot
8.	http://t.me/tatacaiwu

- iv. Defendant No. 3 shall, within four weeks from date, file in a sealed cover / password protected document, the IP addresses from which the Telegram accounts of the usernames are mentioned hereunder are operated, details concerning the name, contact details, mode of payment and KYC details of the above Telegram Accounts with a copy to the Plaintiffs. The Plaintiffs are directed to file an Affidavit with the undertaking that the confidentiality of the details provided by Defendant No. 3 will be maintained.
- v. In the event further accounts / groups / channels resembling the



nature of the 'TATA' or 'TATA PAYMENTS' Marks surface on Telegram, the Plaintiffs are at liberty to share the concerned URLs with Defendant No. 3, who shall thereafter remove / block access thereto, in accordance with law, without approaching this Court.

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

29. Let the Reply(s) to the present Application be filed within four weeks after service of pleadings and documents. Rejoinder(s) thereto, if any, be filed before the next date of hearing.

30. List before the Court on 24.11.2025.

TEJAS KARIA, J

AUGUST 11, 2025/ 'A'