



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

INTERIM APPLICATION (L) NO. 35071 OF 2025
IN
COMMERCIAL IP SUIT NO. 662 OF 2025

Reliance Industries Limited

...Applicant/Plaintiff

Versus

Abhay Kumar and Another

...Defendants

Mr. Vinod Bhagat, Ms. Prachi Shah, Ms. Twisha Singh, Ms. Sonam Pradhan, Ms. Rashmi Thakur i/b Mr. Vinod A. Bhagat for Plaintiff.

Coram : Sharmila U. Deshmukh, J.

Date : 24th November, 2025.

P. C. :

1. This is an action for infringement of trade mark and passing-off. The Interim Application has been moved after notice to Defendants. None appears on behalf of Defendants. In so far as Defendant No. 1 is concerned, the Affidavit-of-service states that Defendant No. 1 has refused to accept service, which constitutes valid service.
2. By an order of even date, Leave Petition has been allowed. The rival marks in questions are "JIO" and "Jio Taxi". It is stated that Plaintiff is the company which is incorporated in the year 1973 and is India's largest and most profitable private sector conglomerate with

huge networth. The Plaintiff is the registered proprietor of the trade mark "JIO" as well as its variants of which the word "JIO" constitutes leading and essential feature.

3. Mr. Bhagat, learned counsel appearing for Plaintiff has taken this Court through the registrations obtained by the Plaintiff in respect of the word and label mark "JIO". He further points out that the earliest registration of the mark "JIO" is of the year 2011 and in respect of class 39, which pertains to transport services, the trade mark "JIO" was registered in the year 2012. He would further point out the diversification of the Plaintiff into various industries including telecom industry which shows substantial growth and increase in number of broadband wireless subscribers to 282 million in June, 2017. He would further point out the diversification in fashion e-commerce site "Ajio.com" as well as the online store "JIOMART". He would further point out the various registrations, obtained by the Plaintiff in respect of mark "JioMart" with the earliest registration being of the year 2012. He would further submit that the word "JIO" forms part of domain name as well as corporate name of various subsidiary and associate company of Plaintiff. He would further submit that in the year 2015, the Plaintiff created and designed stylist artistic label represented in distinct form. He would submit that the Plaintiff's mark has been recognized as a well-known trade mark.

4. He would further submit that the Plaintiff became aware of the Defendant's existence in April, 2025 when the Plaintiff came across the Defendant's impugned domain name as well as website www.jiotaxicab.com which was deceptively similar to the Plaintiff's trade mark "JIO". He submits that upon visiting the website, the Plaintiff learnt that the mark is being used in respect of car rental taxi in Jharkhand. He submits that representative of the Plaintiff visited premises of Defendant No. 1 and availed its services which revealed the GST registration certificate. He submits that Plaintiff conducted an internet search which revealed that the impugned domain name has been recently registered on 8th October, 2020. He submits that it is only for the purpose of obtaining necessary disclosures that the Defendant No. 2 has been impleaded in the present proceedings. He would further submit that the search of the Trade Marks Registry revealed that the Defendant had filed an application for registration of the impugned mark "JIO TAXI" in 2020 which came to be rejected by citing the Plaintiff's mark. He submits that the statutory rights as well as the common law rights have been *prima facie* established and there are sufficient disclosures as far as Defendants are concerned.

5. I have considered the submissions and perused the record.

6. The proprietary right of the Plaintiff in the registered trade mark "JIO" is *prima facie* demonstrated from the Registration Certificates

placed on record with the earliest registration being in the year 2011 and in class 39, which relates to transport services, the Plaintiff has obtained registration for "JIO" In the year 2012. The Plaintiff and the RIL Group are one of the leading corporate entities in the industry having diversified interests in various fields and sectors. The Plaintiff have also ventured into e-commerce website for fashion as well as groceries, etc. using the mark "AJIO" and "JIOMART". From the record, it is *prima facie* demonstrated that the word "JIO" forms the leading and essential feature of the Plaintiff's various trade marks. The Plaintiff has also obtained registration of its domain name which includes the word "JIO" as part of its domain name and which also forms part of corporate name of its subsidiary and associate companies.

7. There is sufficient disclosures as far as Defendants are concerned. Though Defendant No. 1 has been duly served, there is no appearance caused on behalf of Defendant No. 1. The Defendant No. 1 is using the mark "JIO TAXI" which subsumes the entire registered mark of the Plaintiff. The Defendant No. 1 is also infringing the registered mark by using it as part of its domain name and trading name. The Plaintiff has conducted the relevant search in Trade Marks Registry, which revealed that Defendant's registration of "JIO TAXI" has been rejected by citing the Plaintiff's mark. It is therefore, *prima facie*

demonstrated that the Defendant's mark is deceptively similar to that of the Plaintiff's trade mark. There is no probable defense which could be available to the Defendant for using the well-known trade mark "JIO".

8. A strong *prima facie* case has been made out for grant of ad-interim relief in terms of prayer clauses (a), (b) and (c) which reads as under:-

"a. pending the hearing and final disposal of the suit, the Defendant No. 1 by themselves, their proprietor, servants, agents, assignees and all those connected with the Defendant No. 1 in their business be restrained by an order and temporary injunction of this Hon'ble Court from offering and rendering car rental and taxi services or from using in any manner whatsoever in relation to any other services, the impugned mark JIO, the impugned trading name JIO taxi and the impugned domain name/website www.jiotaxicab.com and/or any mark or name identical with and/or deceptively similar to the Plaintiff's trade marks JIO, so as to infringe upon on the Plaintiff's trade mark JIO registered under Nos. 2247460 and 3016543 amongst others in class 09; 2247360 and 2391638 amongst other in class 38; 2391639, 2466113 and 4951548 amongst others in class 39.

b. pending the hearing and final disposal of the suit, the Defendant No. 1 by themselves, their proprietor, servants, agents, assignees and all those connected with the Defendant No. 1 in their business be restrained by an order and temporary injunction of this Hon'ble Court from offering and rendering car rental and taxi services or from using in any manner whatsoever in relation to any other services or goods, the impugned mark JIO, the impugned trading name JIO Taxi and the impugned domain name/website www.jiotaxicab.com or any mark or name identical with and/or deceptively similar to the Plaintiff's aforementioned trade mark of JIO, so as to pass off their services as and for those of the Plaintiff or in some way connected or associated therewith.

c. pending the hearing and final disposal of this suit, this Hon'ble Court be pleased to pass an order directing the Defendant No. 2 to disclose on oath the further details including the name, address, phone number/s and such other

details of the registrant of the impugned domain name/website www.jiotaxicab.com and to share the same with the Plaintiff and further direct the Defendant No. 2 to suspend the account relating to the impugned domain name and/or website viz. www.jiotaxicab.com;"

9. List the Interim Application for further consideration on **16th December, 2025.**
10. Ad-interim relief granted to continue till the next date.

[Sharmila U. Deshmukh, J.]