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

+ CS(COMM) 172/2026

BENNETT COLEMAN AND COMPANY LIMITEDPlaintiff

Through: Ms. Mamta Rani Jha and Mr. Akhil
Saxena, Advocates.

versus

SEERA RAJA BABU M.R. SEERA, & ORS.Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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20.02.2026

I.A. 4854/2026 (Additional Document)

1. The present application has been filed on behalf of the plaintiff under Order XI Rule 1(4) of the Code of Civil Procedure, 1908 ('CPC') as applicable to commercial suits under the Commercial Courts Act, 2015 ('CC Act') seeking leave to place on record additional documents.

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

3. Accordingly, the application stands disposed of.

I.A. 4855/2026 (Pre-Institution Mediation)

4. This is an application filed by the plaintiff seeking exemption from instituting Pre-Litigation Mediation under Section 12A of the CC Act.

5. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar vs. T.K.D. Keerthi: (2024) 5 SCC 815*, exemption from the requirement of Pre-Institution Mediation is granted.

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6. The application stands disposed of.

I.A. 4856/2026 (Exemption from filing fair clear and true/typed copies of documents)

7. This is an application filed on behalf of the plaintiff under Section 151 of CPC seeking exemption from filing clear and true typed copies of the documents.

8. Exemption is allowed, subject to just exceptions. The clear and typed/translated copies of the documents with proper margins of the dim annexures be filed within four weeks with an advance copy to the defendants.

9. The application stands disposed of.

I.A. 4857/2026 (Seeking Additional time to file Court fees)


10. The present application has been filed by the plaintiff under Section 149 read with Section 151 of CPC, seeking exemption from payment of Court Fees at the time of the filing of the suit.

11. Considering the submissions made in the present application, an extension of two weeks is granted to affix the requisite court fees.

12. The application stands disposed of.

I.A. 4853/2026 (Order XXXIX Rules 1& 2, CPC)

13. Present application has been filed on behalf of the plaintiff under Order XXXIX Rules 1 & 2 of CPC, 1908 seeking *ex-parte ad-interim* injunction against the defendants.

14. Plaintiff is aggrieved by the impersonation of its brand by defendant no.1, who is stated to be operating a network of unauthorized social media handles principally @ toimovies_ on Instagram, Facebook and Threads. The defendant is alleged to have slavishly copied the plaintiff's TOI unique red circular logo/  thereby creating a false impression and association with the plaintiff. It is stated that the defendant no.1 in collusion with defendant




nos. 2 to 6 is actively monetising the plaintiff's reputation through a calculated scheme of fraud. Particularly, that the defendant is engaging in commercial exploitation by circulating a rate card for the paid promotions ranging from USD \$25 to USD \$50 per month, defrauding innocent third party intending advertisers.


15. Plaintiff claims that in order to create an atmosphere of trust, the defendant nos. 1 to 6 has embedded a direct hyperlink to the plaintiff's official website (www.timesofindia.com) in their Instagram bio.

16. Plaintiff claims to have been established in the year 1838 by the first publication of the edition of the "Times of India" and claims to have a legacy spanning 188 years. Plaintiff claims that over the long passage of time, the mark "TIMES" and the acronym "TOI" have gained such reputation, that they have now turned to be source identifiers synonymous with the plaintiff's standards of journalism. Plaintiff also claims that the trademarks have acquired a secondary meaning and any reference to the word "TIMES" or the acronym "TOI" in relation to media, news or allied services, is immediately linked to plaintiff exclusively.

17. Plaintiff claims to be the registered proprietor of the trademark "The Times of India" with the first registration dated 30.07.1943 in Class 16. Subsequently, more than 100 trademarks for the said marks and its formatives have been registered. The trademark "The Times of India" is claimed to have been declared a well-known trademark *vide* the Trade Marks Journal 2144 on 19.02.2024.


18. Plaintiff claims to have conceptualized a distinct visual identity in the year 2010 and adopted the unique "TOI" device/ . The plaintiff also claims the said device to be an original artistic work and asserts itself to be the owner of such original artistic work. Plaintiff states that the logo features a



distinctive font and palette. A dedicated mobile application i.e. Times of India News app was launched in the year 2011 featuring the device “” as its App icon.

19. Plaintiff claims to have come across the infringing social media handle namely “toimovies” by defendant no.1 and defendant no.6/John Doe defendants on multiple social media platforms such as Instagram, Facebook, X, YouTube and Threads. Plaintiff issued a take-down notice on 04.08.2025 followed by another notice on 19.08.2025 to defendant no.7 and filed a take-down request on the above mentioned social media platforms. The defendant no.1 by e-mail dated 01.09.2025, requested the plaintiff to facilitate the restoration of the suspended handles. Once the objective was achieved, the defendant re-launched the said channels by merely adding an underscore i.e. “toimovies_”. The manner in which the defendant nos. 1 to 6 have dishonestly use the acronym “TOI” and misappropriating the plaintiff’s well-known trademark “The Times of India” is evident from the following:



20. According to the plaintiff, the defendant no.7 has been negligent in granting the infringing handle a verified Blue Tick. Plaintiff claims that the defendant nos. 1 to 6 have unauthorizedly and slavishly adopted the impugned marks Times of India/ TOIMovies_/TOI Movies/TOI-Movies for identical services which are structurally phonetically and visually identical to the plaintiff’s registered trademark and its formatives. The reproduction of plaintiff’s unique red circular device/ constituting original artistic work



infringes the subsisting copyright under the Copyrights Act, 1957. Mere addition of generic suffix like “movies” to the well-known trademark would not dilute the act of infringement. The use of the trademarks of the plaintiff unauthorisedly is purely for the purposes of defrauding the unwary public, leading to inevitable confusion and deception regarding the source of services. Riding on the coat-tails of the registered trademark of the plaintiff and the immense goodwill and reaping unfair/unauthorised commercial benefits would dilute the distinctiveness and integrity of the trademark “The Times of India”.

21. The plaintiff also claims to have published several supplements which are circulated alongwith newspapers [“The Times of India (publishing since 1861)”, “Navbharat Times (publishing since 1950”, “The Economic Times (publishing since 1961”, “Maharashtra Times (publishing since 1962” and “Sandhya Times (publishing since 1991)”] such as TIMES Property (published since 2001), TIMES Infoline, TIMES Wellness, TIMES Ascent, TIMES Drive, TIMES Life, TIMES Classifieds, TIMES Global, TIMES Nation, TIMES Sports, TIMES Business, TIMES City, TIMES Life, TIMES Matrimonial, TIMES Trends, Delhi TIMES, Bombay TIMES, Lucknow TIMES, Bangalore TIMES, Education TIMES, etc.

22. In para 15 & 16 of the plaint, the plaintiff has enumerated various trademark registrations. The first few registrations are extracted hereinbelow:-



Application No.	Trade Mark	Class	Date of Application	User Detail	Validity
83800		16	30/07/1943	30/07/1943	30/07/2027
142375		16	16/02/1950	16/02/1950	16/02/2027
286954		16	28/03/1973	01/11/1838	28/03/2028
552524		9	11/06/1991	16/06/1991	11/06/2035

23. In para 17 of the plaint, the plaintiff has enlisted the pending applications for the device mark TOI which is extracted hereunder:

Application No.	Trade Mark	Class	Date of Application	User Detail	Validity
2447243	TOIFA	09	21/12/2012	Proposed to be used	21/12/2022
3252055	TOISA	09	05/05/2016	03/04/2015	05/05/2026
3252061		09	05/05/2016	03/04/2015	05/05/2026
2447245	TOIFA	35	21/12/2012	Proposed to be used	21/12/2032
2447246	TOIFA	38	21/12/2012	Proposed to be used	21/02/2022
3252064		42	05/05/2016	03/04/2015	05/05/2026

24. In para 18 of the plaint, the plaintiff has provided a tabulated form of
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successful enforcement actions and the orders passed by various Courts while the plaintiff sought to protect its registered trademark or domain names etc. thereby establishing that it has zealously protected its trademarks and the acronym. The details of orders passed by this Court is extracted hereinbelow

Case details	Relief Granted
Bennett, Coleman & Co. vs. Times AD & Anr. CS(OS) No.1660/1994	The court ruled in favour of the plaintiff, specifically regarding "Times of India". A permanent injunction was issued restraining the defendants from publishing or circulating under the mark/ name "Times AD" or any other similar mark.
Times Internet Ltd. vs. Raman Gulati & Ors. CS(OS) 2360/2008	Injuncted the defendant from using the website www.indiatimetrade.com by order dated 11.11.2008 passed by this Court.
Bennett, Coleman & Co. vs. Himanshu Tripathi CS(COMM) 1823/2009	Injuncted by order dated 23.09.2009 passed by the Hon'ble Delhi High Court. Further the matter was subsequently decreed <i>vide</i> order dated 20.01.2010 in favour of the plaintiff and against the defendants.
Bennett, Coleman and Company Limited vs. Timespro Consulting LLP & Ors. CS(COMM) 723/2022	The defendants, its franchisees and all persons claiming right through them were permanently injuncted as on 05.02.2024 by the Hon'ble Delhi High Court from using marks similar to plaintiff's TIMES, TIMESPRO, TIMES PROPERTY or TIMES. Further, the defendants were directed to surrender in favour of the plaintiff, the domain name timesproconsulting.com and/or any other domain name/email containing marks identical or deceptively similar to plaintiff's TIMES, TIMESPRO, TIMES PROPERTY or TIMES formative marks.

25. In para 19 of the plaint, the plaintiff has provided a table of the steady increase in its average daily circulation and readership figures from FY 2000-2001 to 2021-2022. Plaintiff claims trans-border reputation and boasts international acclaim. Plaintiff claims to be enjoying an unrivalled national market dominance claimed to be based on statutory data as enumerated in para 21 of the plaint. It also claims a digital monopoly and search engine association to evidence its widespread presence in the digital sphere.

26. Plaintiff states that in the year 2011 it launched its dedicated mobile application. It claims that the said mobile app has a very high volume of



traffic indicating its formidable reputation as mentioned in para 24 of the plaint. The Facebook screenshot indicating 12 million followers is reproduced hereunder:



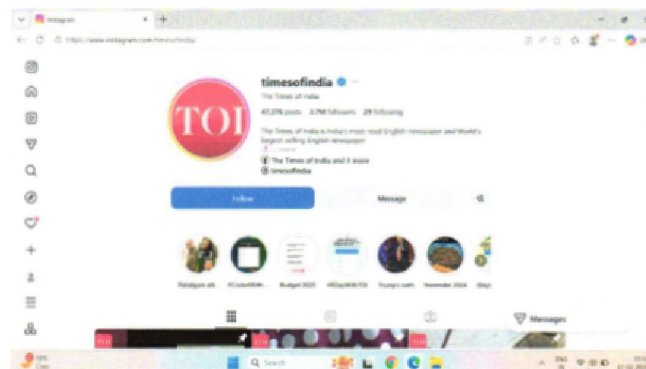
TIMES OF INDIA - Facebook Page

Followers - 12 Million

Available at the link:

<https://www.facebook.com/TimesofIndia/>

Date of Screenshot: 17.02.2026



TIMES OF INDIA - Instagram Page

Followers - 3.7 Million

Available at the link:

<https://www.instagram.com/timesofindia/>

Date of Screenshot: 17.02.2026

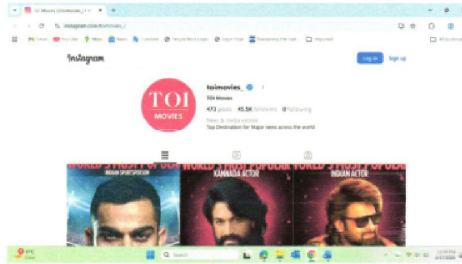
27. In para 27 of the plaint, the plaintiff has provided a table of the annual revenue figures from FY 1997-1998 to FY 2021-2022 (Rs.829.74 crores to Rs.4992 crores) sales and promotional expenditure figures from FY 1997-98 to 2021-2022 (Rs.8.58 crores to Rs.272.09 crores).

28. Some of the milestones that the plaintiff has achieved are clearly mentioned in para 28 of the plaint and are not reproduced herein *in extenso* to

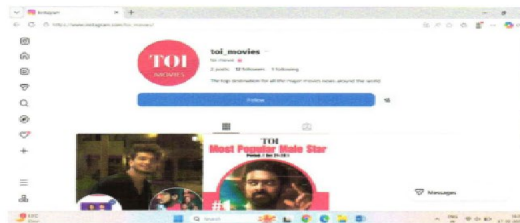


avoid prolixity.

29. In para 30 of the plaint, the plaintiff has placed on record illustrative screenshots as to how the defendants are not only infringing the trademark of the plaintiff but also impersonating the plaintiff based on the well-known trademarks. Some of such screenshots are reproduced hereunder:-



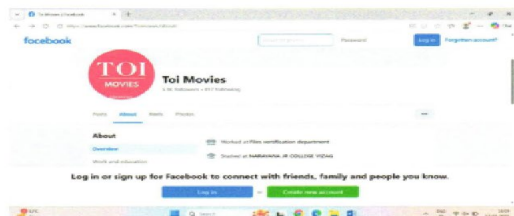
TOI MOVIES - Instagram Page (Username - toimovie_)
Available at the link: <https://www.instagram.com/toimovies/>
Followers: 45.4k
Date of Screenshot: 17.02.2026



TOI MOVIES - Instagram Page (Username - toi_movies)
Available at the link: https://www.instagram.com/toi_movies/
Followers: 12
Date of Screenshot: 17.02.2026

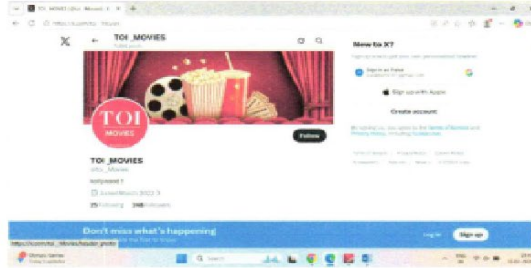


TOI MOVIES - Instagram Broadcast Channel
Available at the link:
<https://www.instagram.com/channel/AbZbpYqQ5FC5sVoa/>
Members: 16k
Date of Screenshot: 17.02.2026





TOI MOVIES – Facebook Page
 Available at the link: <https://www.facebook.com/Toimovies/>
 Followers: 5.1k
 Date of Screenshot: 17.02.2026



TOI MOVIES – X Page
 Available at the link: https://x.com/toi_movies
 Followers: 248
 Date of Screenshot – 16.02.2026



TOI MOVIES – Threads Page
 Available at the link: <https://www.threads.com/@toimovies>
 Followers: 1714
 Date of Screenshot: 17.02.2026

30. A comparative chart of the rival marks reproduced in the plaint is extracted hereunder:

Plaintiff's Logo/Device	Defendant's Logo/Device


31. Predicated on the above, the plaintiff alleges that the defendant nos. 1 to 6 have committed the following illegal acts and infringed the well-known trademark as also the acronym of the plaintiff:



- Infringement of Trademark;
- Infringement of Copyright;
- Passing off and Unfair Competition.

32. On the aforesaid contentions, the plaintiff seeks an *ex-parte ad-interim* injunction against the defendants.


33. Having heard Mr. Hemant Singh, learned counsel for the plaintiff, and perused the plaint and examined the documents on record it appears that an *ex parte ad interim* injunction is in order.


34. The overall consideration of the case put forward by the plaintiff and having regard to the fact that the trademark “The Times of India” has been recognized as a well-known trademark by the Trade Marks registry in the year 2024, the registered trademarks “TOI”, “Times” and the acronym TOI/  for which an application seeking registration is pending; the popularity indicated by the steady growth of readership; the sales and promotion figures provided by the plaintiff over the years; the digital reach achieved by its App etc., *prima facie*, evidence a strong case in favour of the plaintiff. The balance of convenience also appears to be tilted in favour of the plaintiff at this stage. The plaintiff would suffer irreparable loss and injury to not only its reputation and goodwill but the financial and monetary loss to innocent intending advertisers from the public in general, which may not be adequately compensated in monetary terms in case *ex parte ad interim* injunction is not granted.

35. Accordingly, the following directions are passed:

- a. Defendant nos.1 to 6, their partners, or proprietor, as the case may be, assigns in business, distributors, licensees, suppliers, agents, franchisees and any person claiming right through/for them are restrained from using the mark TIMES OF INDIA/TOI



MOVIES/TOI_MOVIES/TOIMOVIES_ or any other identical/similar trade mark/domain name/logo , either as trade mark/trade name/logo or as part of domain name, social media posts, creatives, in electronic or physical media or in any manner whatsoever for services including but not limited to content creation, general reporting in relation to entertainment industry, including the creation, publication, sharing, uploading, dissemination, transmission, forwarding, or re-forwarding of articles, updates, reels, and reviews concerning movies, television shows and political parties.

- b. Defendant nos 7 and 8 i.e, Intermediaries, are directed to permanently block, suspend and take down the infringing accounts of defendant nos.1 to 6, as appended as Annexure-A attached to this Order, that utilize the plaintiff's trademark "THE TIMES OF INDIA", "TOI" or the red circular device , whether as part of any account handle, profile pictures or post, forthwith;
- c. Defendant nos. 7 and 8 i.e., Intermediaries, are directed to disclose the complete Basic Subscriber Information (BSI) of the defendants, including their registered Names, Email Addresses, Phone Numbers, and IP Logs/Physical Addresses to the plaintiff within 3 weeks.
- d. As and when the BSI details specified in para (c) above are furnished to the plaintiff, they would be at liberty to file an appropriate application to implead such persons/individuals/entities within 48 hours of receipt of such information/details.
- e. If any further websites/infringing accounts/entities are discovered by the plaintiff, the plaintiff would be at liberty to file an application under Order 1 Rule 10 of the CPC alongwith the affidavit of evidence before the Joint Registrar (Judicial) and an application for extension of interim



order, before this Court.

36. Issue notice.

37. Let a reply to this application be filed by the defendant within four weeks from service. Rejoinder, thereto, if any, be filed within two weeks thereafter.

38. Compliance of Order XXXIX Rule 3 of CPC shall be done within ten days from date.

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39. In the aforesaid circumstances, let the plaint be registered as a suit.

40. Upon filing of the process fee, issue summons of the suit to the defendant through all permissible modes.

41. The summons shall state that the Written Statement shall be filed by the defendant within 30 days from the date of the receipt of summons. Alongwith the Written Statement, the defendant shall also file Affidavit of Admission/Denial of the documents of the plaintiff, without which the Written Statement shall not be taken on record.

42. Liberty is granted to the plaintiff to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the plaintiff, an Affidavit of Admission/Denial of the documents of defendant be filed by the plaintiff, without which the Replication shall not be taken on record.

43. 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.

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

45. List before the Joint Registrar (Judicial) on 28.04.2026 for completion of service and pleadings.

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46. List before the Court on 31.08.2026.

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FEBRUARY 20, 2026

kct/rl



ANNEXURE - A

List of Infringing URLs of the defendant nos. 1 to 6

Social Media Platform	Username	URL
Instagram	@toimovies_	https://www.instagram.com/toimovies_/ (Profile 1)
	@toi_movies	https://www.instagram.com/toi_movies/ (Profile 2)
	@toimovies_	https://www.instagram.com/channel/AbZbpYqQ5FC5sVoa/?igsh=d2VtNDN6OTFrd2Nh (Broadcast Channel)
Facebook	@Toimovies	https://www.facebook.com/Toimovies/
Threads	@toimovies_	https://www.threads.com/@toimovies_
X	@TOI_MOVIES	https://x.com/toi_m0vies (Profile 1)
	@toi-Movies	https://x.com/toi__Movies (Profile 2)