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

+ **CS(COMM) 235/2026**

LIFESTYLE EQUITIES C.V. AND ANR.Plaintiffs

Through: Mr. Sidhant Goel, Mr. Mohit Goel, Mr. Abhishek Kotnala, Mr. Kartikeya Tandon and Ms. Urvashi Singh, Advocates.

versus

**BHAVESHBHAI CHATURBHAI NAKRANI TRADING AS ARVI
TEX**Defendant

Through: None.

**CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

ORDER

% **13.03.2026**

I.A. 6405/2026 (Additional Documents)

1. 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 Commercial Courts Act, 2015 ('CC Act') seeking leave to place on record additional documents.

2. 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.

3. Accordingly, the application stands disposed of.

I.A. 6406/2026 (Seeking Additional time to file Court fees)

4. The present application has been filed by the plaintiffs 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.

5. Considering the submissions made in the present application, an



extension of two weeks is granted to affix the requisite court fees.

6. The application stands disposed of.

I.A. 6407/2026 (Exemption)

7. This is an application filed on behalf of the plaintiffs under Section 151 of CPC seeking exemption from filing clearer copies of dim 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 defendant.

9. The application stands disposed of.

I.A. 6408/2026 (Pre-Institution Mediation)

10. This is an application filed by the plaintiffs seeking exemption from instituting pre-litigation Mediation under Section 12A of the CC Act.

11. 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.

12. The application stands disposed of.

I.A. 6404/2026 (Order XXXIX Rules 1& 2, CPC)

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

14. Plaintiffs claim that the Beverly Hills Polo Club (BHPC) brand was established in the year 1982 and is now one of the leading brands under which the plaintiffs, through their licensees, sell various products including apparel, perfumes, deodorants, grooming products, shoes, watches and fashion accessories for men and women. The plaintiffs first launched their products, under the plaintiffs' marks, in the year 2007. In the year 2008, plaintiff No. 1



Lifestyle Equities C.V., through plaintiff No. 2 Lifestyle Licensing B.V., entered into an agreement dated 14.08.2008 with *Spencer's Retail Limited* for the distribution and sale of products under the plaintiffs' marks. Thereafter, pursuant to license agreement dated 26.12.2012, the Plaintiffs have tied up with *Apparel Group India Private Limited* for the distribution and sale of products under the plaintiffs' marks in India.

15. Plaintiffs claim that the marks are invented and inherently distinctive marks which constitute an essential feature of the plaintiffs' overall branding on all products sold by the plaintiffs. The plaintiffs' marks are prominent features on all branding initiatives of the plaintiffs, including store branding, advertising and promotional activities, amongst others. A key and essential element of the plaintiffs marks is the distinctive image of a "charging polo



pony, the rider, and the polo stick or mallet", i.e., .

16. Plaintiffs also claim that the marks right from their adoption and use, were immediately successful, and the plaintiffs rapidly emerged as a global premium brand. In order to protect and promote the unique and distinctive look of the plaintiffs' marks, the plaintiffs have also issued detailed brand guidelines that, *inter alia*, set out even the size and color of the plaintiffs' marks on their products.

17. It is the case of the plaintiffs that since the year 2007 in India, and otherwise since the year 1982 outside India, the plaintiffs' marks have been used by them extensively and continuously. This entails a use of the plaintiffs' marks for over eighteen years in India alone. In India the plaintiffs' marks have been registered in the name of plaintiff no. 1. The details of the registrations under the plaintiffs' marks is as under:



S. No.	Mark	Registration	Class	Date of Filing
1		586142	25	03.12.1992
2		1501954	3,9,18,24	07.11.2006
3		1593674	35	22.08.2007
4		2740491	3	20.05.2014
5		2740492	9	20.05.2014
6		2740493	18	20.05.2014
7		2740494	24	20.05.2014
8		2016560	09	31.08.2010



9		2016561	14	31.08.2010
10		2016562	36	31.08.2010
11		2016563	42	31.08.2010
12		2016564	43	31.08.2010
13		2016565	44	31.08.2010
14		2016566	45	31.08.2010
15		4156882	24	24.04.2019
16		4156887	45	24.04.2019
17		4156878	09	24.04.2019
18		4156877	03	24.04.2019



19	 BEVERLY HILLS POLO CLUB	4156881	18	24.04.2019
20	 BEVERLY HILLS POLO CLUB	4156883	25	24.04.2019
21	 BEVERLY HILLS POLO CLUB	4156879	14	24.04.2019
22	 BEVERLY HILLS POLO CLUB	4156884	36	24.04.2019

18. Plaintiffs claim that the enormous success enjoyed by the plaintiffs under their marks is also apparent from the tremendous revenues generated by them. The sales turnover attributable to the plaintiffs' marks in India alone runs into several crores of rupees. The revenue earned by the plaintiffs in the Financial Year ("FY") 2024-25 in India was Rs.47.21 crores as enumerated in para 23 of the plaint. With a view to promote the plaintiffs' marks, the plaintiffs have made and continue to make substantial investment in advertising and promotional activities on a worldwide basis including in India. The expenditure of the plaintiffs towards advertising and promotional activities in FY 2024-25 was Rs.1.41 crores as enumerated in para 24 of the plaint.

19. The plaintiffs claim to have been the recipient of numerous prestigious national and international awards and recognitions as enumerated in para 25 of the plaint. It is the case of the plaintiff that they maintain an active and extensive presence on several prominent social media platforms, with the aim



of engaging with its customers and promoting its services. The said social media platforms include Facebook, Twitter, YouTube and Instagram. The plaintiffs also claim to actively promote their goods/services offered under their marks on social media as enumerated in para 27 of the plaint.

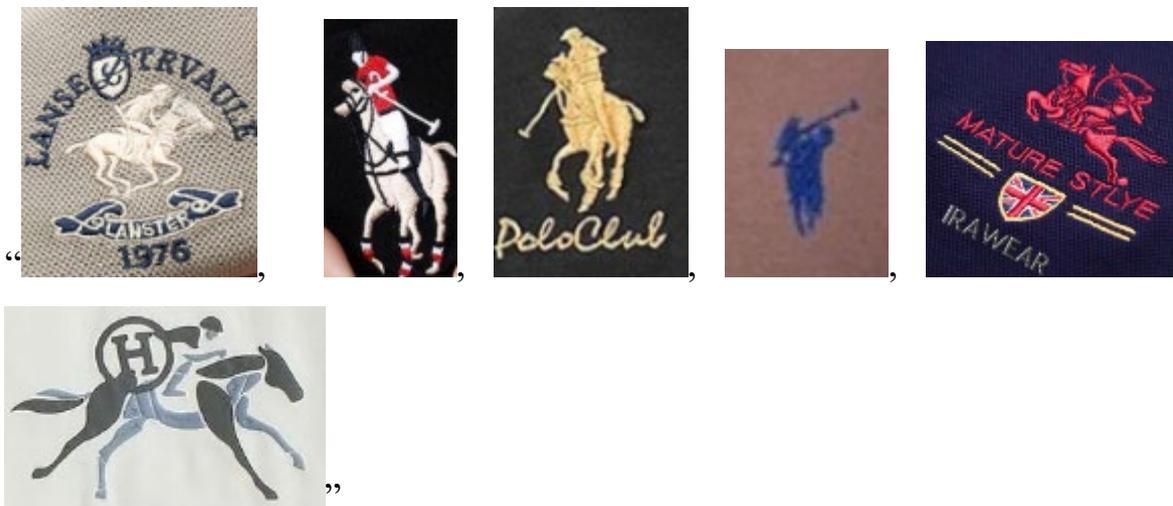
20. An illustrative list of the civil suits filed by the plaintiffs, where the Courts have granted injunctions as well as damages as enumerated in para 32 of the plaint, is as under:-

- a. The plaintiffs filed CS(COMM) 1277 of 2025 titled *Lifestyle Equities C.V. and Anr. V. Priyanka Alpeshbhai Polara Trading as M/s Vivaan Enterprise and Anr.* before this Court, wherein this Court *vide* order dated 01.12.2025 was pleased to pass an *ex-parte ad-interim* injunction order
- b. The plaintiffs filed CS(COMM) 1218 of 2025 titled *Lifestyle Equities C.V. and Ors. v. Hari Shankar Bilwal Trading As Hari Watch And Jewellery Company And Ors.* before this Court, wherein this Court *vide* order dated 13.11.2025 was pleased to pass an *ex-parte ad-interim* injunction order.
- c. The plaintiffs filed CS(COMM) 1015 of 2018, titled *Lifestyle Equities C.V. and Ors. v. Amazon Seller Services Pvt. Ltd.* before this Court, wherein the Court, *vide* orders dated 16.07.2018 and 22.11.2018, restrained the infringing defendant No.1 therein from selling counterfeit/infringing products bearing the plaintiffs' marks on the e-commerce website <www.amazon.in>.

21. Plaintiffs claim that sometime in the first week of February 2026, during a regular check on the internet conducted by the plaintiffs in the ordinary course of business, the plaintiffs came across defendant's use of the infringing marks for selling identical products as that of the plaintiffs including but not limited to polo t-shirts through his website i.e.,



<<https://www.classtrend.in>>. The infringing marks as enumerated in para 1 of the plaint, are extracted hereunder:-



22. The plaintiffs claim that on the defendant's website the defendant further provides direct links to his social media handles such as Facebook <<https://www.facebook.com/people/Classtrend/61565903879409/>> and Instagram <<https://www.instagram.com/classtrend.in/>>, wherein he is openly and extensively promoting and advertising the infringing products under the infringing marks. On the said information, plaintiff claims to have issued a cease-and-desist notice dated 19.02.2026 calling upon the defendant to cease use of the abovesaid infringing marks or any other marks identical/deceptively similar to the plaintiff's logo marks in any manner, whatsoever. It is submitted that the notice was duly received by the defendant *vide* email dated 19.02.2026 and by way of speed post and courier on 23.02.2026. The plaintiffs submit that despite being in receipt of the notice, the defendant has till date not responded to the same and continues to carry on with his infringing activities of offering for sale, selling of the infringing products and the infringing marks.

23. Plaintiffs state that in order to examine the quality of the infringing products bearing the infringing marks further instructed their legal



representative to purchase few such infringing products. It is submitted that accordingly, on behalf of the plaintiffs, legal representative of the plaintiffs was able to make purchase of the infringing products through the defendant's website on 13.02.2026, which were duly delivered to New Delhi on 19.02.2026. It is submitted that upon inspection of the infringing products, the same were found to be of extremely poor quality.

24. The plaintiffs submit that due to near identity of the infringing marks with the plaintiffs marks and the products sold thereunder being identical, the same is likely to cause initial interest confusion, point of sale confusion and post sale confusion, among the innocent members of public/person of average intelligence. Plaintiffs further submit that the defendant's adoption and use of the infringing marks is bound to create a false sense of affiliation or nexus between the plaintiffs and the defendant in the minds of the public, which is not only inaccurate but also harmful to the reputation and standing of the plaintiffs in the eyes of its customers.

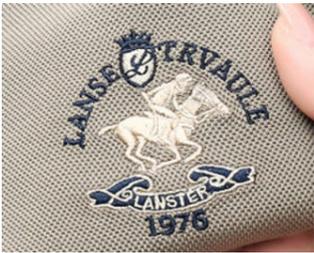
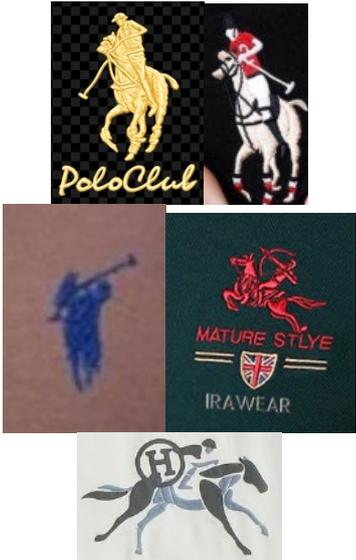
25. Plaintiffs further submit that an unwary consumer of average intelligence having imperfect re-collection is bound to get confused and deceived on coming across defendant's infringing marks, especially considering the tremendous reputation of the plaintiffs marks and the similarity of the rival products. Such a person is likely to also associate the infringing marks to the plaintiff which is detrimental to the goodwill and reputation associated with the plaintiffs' marks. Plaintiffs further submit that the defendant's objective is to earn undue and unjust monetary benefits, at the cost and expense of the reputation and goodwill associated with the plaintiff's marks.

26. Predicated thereon, the plaintiff seeks an *ex-parte ad-interim* injunction apart from other reliefs.

27. The existence of the plaintiffs since the year 1982 cannot be questioned



at this stage and the sales turnover and expenditure incurred over promotion and advertisement noted above are also a clear indicator of its immense reputation and goodwill garnered over the last seven decades. In order to appreciate the deceptive similarity between the products and the marks of the plaintiff and the defendant, it would be apposite to reproduce the comparative table hereunder:-

Plaintiffs Marks	Defendants Marks
	
	
Plaintiffs Products	Defendant's Products
	



28. Having perused the averments in the plaint, scrutinizing the documents placed on record, which includes the registrations obtained by the plaintiff in respect of the plaintiffs' marks in India as well as other jurisdictions; the sales, advertisement and promotional figures worldwide as also in India, in relation to the goods manufactured bearing the registered plaintiffs' marks of the plaintiff; the immense reputation and goodwill achieved over the last almost two centuries; the plaintiffs' marks comprises the distinctive image of

a charging polo pony with a rider holding a polo stick or mallet, i.e., giving it a unique and exclusive appearance, it appears that the plaintiff has made out a *prima facie* strong case for an *ex-parte ad-interim* injunction. The cumulative effect of the aforesaid pleadings, documents, registrations and the sales figures etc. clearly tilted the balance of convenience in favour of the





plaintiff. Clearly, the loss and injury suffered by the plaintiff would be more in terms of dilution of its brand and registered plaintiffs' BHPC logo marks and plaintiffs' marks, which may not be measured in monetary terms in case, *ex-parte ad-interim* injunction is not granted.

29. Accordingly, the following directions are passed:-

- a. Defendants, their partners, directors, shareholders, employees or proprietors as the case may be, its assigns in business, franchises, affiliates, subsidiaries, licensees and agents are restrained from using in any manner whatsoever, selling, offering for sale, advertising, directly or indirectly dealing in any products or services under the infringing marks or any other trademark/logo or device which is identical or deceptively similar to, or is a deceptive variant of, and/or includes, the plaintiffs' well-known BHPC logo marks, plaintiffs' marks and/or the



Polo Player device i.e. .

- b. Defendants are directed to take down/remove all the representations/references of the infringing marks including the listings for the infringing products from the defendants' social media accounts, defendants' website and any other digital platform.

30. Issue notice.

31. 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.

32. Compliance of Order XXXIX Rule 3 of CPC shall be done within ten (10) days from date.

CS(COMM) 235/2026

33. Let the plaint be registered as a suit.



34. Upon filing of the process fee, issue summons of the suit to the defendant through all permissible modes.
35. 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 plaintiffs, without which the Written Statement shall not be taken on record.
36. Liberty is granted to the plaintiffs to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the plaintiffs, an Affidavit of Admission/Denial of the documents of the defendant be filed by the plaintiffs, without which the Replication shall not be taken on record.
37. 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.
38. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.
39. List before the Joint Registrar (Judicial) on 15.05.2026 for completion of service and pleadings.
40. List before the Court on 16.09.2026.

TUSHAR RAO GEDELA, J

MARCH 13, 2026

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