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

+ **CS(COMM) 242/2026**

TATA SONS PRIVATE LIMITED & ANR.Plaintiffs
Through: Mr. Pravin Anand, Mr. Dhruv Anand,
Mr. Rohil Bansal and Mr. Chirayu
Prahlad, Advocates.

versus

GGG GROUP PRIVATE LIMITED & ANR.Defendants
Through: None.

CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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13.03.2026

I.A. 6467/2026 (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. 6468/2026 (Exemption)

4. This is an application filed on behalf of the plaintiffs under Section 151 of CPC seeking exemption from filing clearer copies of documents which are dim, illegible and unclear along with the captioned suit.
5. Exemption allowed, subject to just exceptions. However, true typed/translated/clear copies of the documents with proper margins be filed



within four weeks with an advance copy to the defendants.

6. The application stands disposed of.

I.A. 6469/2026 (Pre-Institution Mediation)

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

8. 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.

9. The application stands disposed of.

I.A. 6470/2026 (Seeking Additional time to file Court fees)

10. 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.

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. 6471/2026 (exemption from service through email to D2)

13. The present application has been filed by the plaintiffs under Section 151 of CPC, seeking exemption from service through e-mail to defendant no.2 and permission to serve them on WhatsApp.

14. Exemption is allowed, subject to just exceptions. The plaintiffs are allowed to serve the defendant no.2 through WhatsApp.

15. The application stands disposed of.

I.A. 6466/2026 (Order XXXIX Rules 1& 2, CPC)

16. 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 defendants.



17. Plaintiff no.2 is an associate company of the TATA Group and focuses on fast-moving consumer goods (FMCG) and has evolved from a predominantly domestic Indian Tea Farming Entity to a marketing and brand focused global organization. Its predecessor was incorporated on 18.10.1962 as Tata Finlay Pvt. Ltd. and thereafter it was changed to Tata Tea Ltd. on 02.07.2010. Subsequently, it changed to Tata Global Beverages Ltd. and finally to Tata Consumer Products Ltd, the current name.

18. Plaintiff has a strong portfolio of brands including TATA GLUCO PLUS, TATA GLUCO+, TATA COPPER+, TATA SALT, TATA TEA, TATA TEA GOLD, TATA TEA PREMIUM, TETLEY, EIGHT O’CLOCK COFFEE, HIMALAYAN, TATA COFFEE GRAND, TATA SAMPANN etc. It has a significant brand presence in 40 countries worldwide and has a website <www.tataconsumer.com>. Plaintiff no.2 became the fifth Tata Group Company to be included in the NIFTY 50 Index on 31.03.2021. The financial highlights for FY 2024-25 are given below:

Particulars	Financials (Rs. / in crores)
Revenue from Operations	17,618
EBITDA (earnings before interest, taxes, depreciation, and amortization)	2,502
Group Net Profit	1,287
Employee Benefits Expense	23.41 (For 2025)
Advertisement and Sales Charge	1155.84 (For 2025)
CSR Expenditure	21.67

19. The documents showing financial and philanthropic activities of the plaintiff have been filed alongwith the suit plaint.

20. The mark “TATA” is derived from the surname of plaintiff’s founder Sh. Jamsetji Nusserwanji Tata possessing the distinctiveness of an inventive word. This mark has continuously and consistently been used since its inception in the year 1917, while the Trademark “TATA” dates back to the year 1868. The trademark “TATA” has acquired an unprecedented goodwill



and is renowned for its high quality products and services rendered. The plaintiffs are the proprietors of the mark “TATA” by virtue of priority in adoption, long, continuous and extensive use and advertising and are uniformly perceived as indicative of the source of the products of the plaintiff exclusively. In support thereof, a tabulated list of registered trademarks has been filed in the documents annexed to the suit. The same is extracted hereunder:-

Sl.No.	Trademark	Registration No.
1	TATA TEA (LABEL) 	3330686
2	TATA TEA PREMIUM (WORD)	1363207
3	TATA TEA PREMIUM (Label) 	1363209
4	TATA TEA PREMIUM (Label) 	1610993
5	TATA TEA PREMIUM Jaago re (Label) 	2080889



6	TATA TEA GOLD CARE 	4622165
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21. The mark “TATA” has been declared as well-known by this Court as well as the Trademark Registry which entitles it to take action against unauthorized use in relation to any class of goods or services in any manner whatsoever. The learned Division Bench of this Court in order dated 19.09.2022 in FA(OS)(COMM) 62/2022 titled “*Tata Sons Pvt. Ltd. vs. Hakunamatata Tata Founders & Ors.*”, has held that, “*In India, the trademark TATA is embedded in the subconscious of public. In public consciousness the word “TATA” is only relatable to TATA Group of Companies...*”.

22. The Logo “TATA TEA” was conceived in the year 1983 and launched in the year 1985 in Class 30 and has obtained various registrations which are detailed in para 26 of the application. The Tata Tea Product was launched in the year 1985 and the FY 2024-25, plaintiff no.2 reflected a gross turnover of Rs.5163 crores and has spent Rs.162.79 crores for promotion. The copyright registrations of the packaging of the Tata Tea and its sub-brands are enumerated in para 30 of the application. Images of certain other packagings are also reproduced in para 31 of the application which are extracted hereunder:

SL.No.	Copyright Registration Number	Title of the work
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1	A-91170/2011	
2	A-108914/2014	
3	A-107187/2013	

23. The promotional and advertisement expenditure for the last four years is detailed in para 33 and are extracted hereunder:

YEAR	PROMOTIONAL AND ADVERTISEMENT EXPENDITURE (in Rs. Crore)		
	TATA TEA PREMIUM	TATA TEA GOLD	TATA TEA ELAICHI CHAI
FY 21 - 22	59.08	38.09	2.8
FY 22 - 23	48.04	32.91	2.4
FY 23 - 24	58.41	32.71	9
FY 24 - 25	51.95	29.36	1.42

24. The turnover for the same period as mentioned in para 34 of the application is extracted hereunder:

YEAR	TURNOVER (in Rs. Crore)		
	TATA TEA PREMIUM	TATA TEA GOLD	TATA TEA ELAICHI CHAI
FY 20-21	1,133.69	621.92	307
FY 21-22	1,283.26	694.42	390
FY 22-23	1,218.69	715.32	383
FY 23-24	1,337.72	771.44	394
FY 24 - 25	1,347.29	831.29	429.86

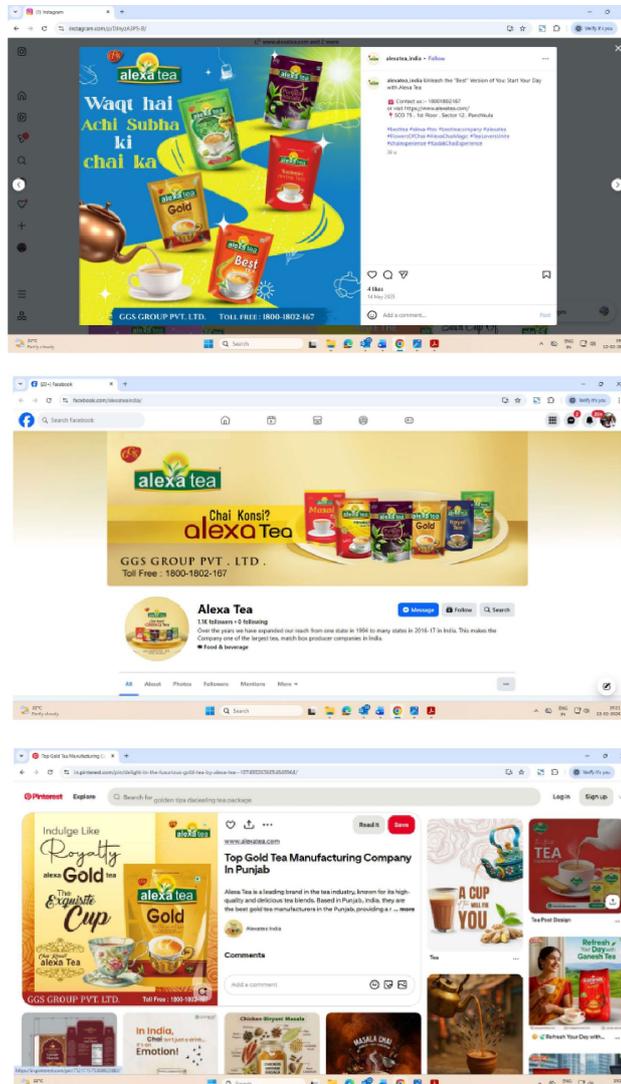


25. On the aforesaid basis, plaintiff asserts that the above-mentioned branded products enjoy significant goodwill and reputation which have now become exclusively associated with plaintiff and no one else and has acquired secondary significance and status of well-known trademarks and brands.

26. Plaintiff claims that the defendants have unauthorizedly adopted and its infringing device mark  is deceptively similar to the plaintiff's registered and well-known device mark . This information was received by the plaintiff sometime in early December, 2025 consequent where to, an investigator was deputed. The summary of investigation is enlisted in para 44 of the application which revealed that the infringing products were available in a nearby shop called "Rajasthani Departmental Store" which was in close vicinity to the defendant no.1. The investigator is stated to have purchased two packets of the infringing product called "ALEXA TEA" PUNJABI MASALA". The photographs of the shops and the infringing product is reproduced in para 44 of the application. Upon further investigations, it was found that the defendant no.1 company is presently located in Punjab and is been in the tea business for approximately eight years. Some sample products were provided by one Shubham Garg to the investigator. Upon further prodding defendant no.2 supplied a few packets of "ALEXA TEA" PUNJABI MASALA" branded tea to the investigator at the New Delhi address on 20.01.2026. The photographs of the packet, the airway bill receipt, the impugned products alongwith the screenshot of the payment made against impugned products, have also been reproduced in para 44 (h). Similarly, the impugned product "alexateagold" was also obtained by the investigator. The defendants are claimed to be advertising and promoting the impugned infringing products through defendant no.1's website i.e. www.alexatea.com and social media platforms such as facebook, instagram,



pinterest and X. Screenshots of such social media platforms are extracted in para 46 of the application, some of which are reproduced hereunder:



27. The comparison of the two device marks alongwith with the packaging dress are extracted hereunder :

PLAINTIFFS' TRADE MARK / HOUSE MARK	DEFENDANTS' TRADE MARK / HOUSE MARK
	



PLAINTIFFS' PACKAGING/TRADE DRESS	DEFENDANTS' PACKAGING/TRADE DRESS
	

28. The essential features and brand identifiers of the plaintiff's Tata Tea Gold packaging claimed to have been copied and enlisted in para 53 are extracted hereunder:

“(a) In the Plaintiffs’ packaging, the word GOLD is depicted in a very peculiar font style and in brown colour. The Defendants have copied the same and also placed the same in a prominent manner and location on their infringing packaging.

(b) The Plaintiffs’ packaging has a swirling device which runs across the packaging and goes towards the top. The Defendant has copied the said device and incorporated the same in its packaging with minor modifications.

(c) In the Plaintiffs’ packaging there is a tagline mentioned just below the mark GOLD i.e. “Rich Taste Irresistible Aroma”. The Defendants have adopted a deceptively similar tag line i.e. “Pure Taste with Rich Aroma” and placed it under the mark GOLD just like the Plaintiffs...”

29. The website of Indian Trade Marks Registry revealed that defendant no.1 has filed a TM APPL bearing no. 7056396 on 11.06.2025 in Class-30 for the device mark  claiming use since 08.08.2017. The status as of date is “formalities chk pass”.

30. In view of the above, plaintiffs claim that their products and the peculiar and distinct packaging of the trade dress have acquired distinctiveness and secondary significance. Resulting in the unwary customer with average intelligence and imperfect recollection may, upon seeing the defendant infringing packaging, would get deceived into associating the same with the plaintiff and none else. Plaintiffs assert misappropriation of its trademarks, copyright and trade dress which also amounts to false trade



description. Plaintiffs claim that the adoption is malafide, fraudulent and illegal.

31. Predicated on the above, the plaintiffs seek *ex-parte ad-interim* injunction and other relief.

32. Having heard Mr. Pravin Anand, learned counsel for the plaintiffs, perusing the pleadings and the documents on record, it appears that an *ex-parte ad-interim* injunction would be in order. The plaintiffs have made out a strong *prima facie* case in their favour. The plaintiffs appear to be the registered proprietors of the well-known trademark “TATA” and the device mark “TATA TEA”, along with its sub-brands including “TATA TEA GOLD” and “TATA TEA PREMIUM”, which have acquired enormous goodwill and reputation through decades of continuous and extensive use, substantial turnover and significant advertising expenditure. The trademark “TATA” has been declared a well-known trademark by this Court as well as the Trademark Registry. A *prima facie* comparison of the plaintiffs’ device mark and the defendants’ impugned mark “ALEXA TEA” reveals a deceptive and structural similarity in overall visual impression, colour scheme, logo design, trade dress, packaging layout and even the sub-brand denominations such as “GOLD”, which the defendants appear to have slavishly adopted along with a confusingly similar tagline. The defendants’ packaging also appears to have copied the distinctive swirling device, the peculiar font and colour of the word “GOLD”, and the placement of the tagline, all of which are signature elements of the plaintiffs’ packaging. The balance of convenience tilts decisively in favour of the plaintiffs, as continued use of the impugned mark and packaging by the defendants would irreparably damage the plaintiffs’ goodwill, reputation and market position, which cannot be adequately compensated in money.

33. Accordingly, the following directions are passed:-



a. Defendants, and/or any other person, acting for and on their behalf, are restricted from directly or indirectly, dealing in the infringing

trademark  and the infringing packaging of their

ALEXA TEA GOLD products i.e.,  and/ or any other mark(s) or packaging.

b. The statement of accounts for the profits made by defendants be filed in a sealed cover by way of an affidavit and are directed to maintain *status quo*.

34. Issue notice.

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

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

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37. Let the plaint be registered as a suit.

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

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



40. 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 defendants be filed by the plaintiffs, without which the Replication shall not be taken on record.

41. 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.

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

43. List before the Joint Registrar (Judicial) on 18.05.2026 for completion of service and pleadings.

44. List before the Court on 15.09.2026.

TUSHAR RAO GEDELA, J

MARCH 13, 2026

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