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

+ **CS(COMM) 419/2026**

**LUMIKAI INTERACTIVE II LLP AND ORS.** .....Plaintiffs  
Through: Mr. Sourabh Rath, Mr. Raghav  
Bhargava and Mr. Suradhish Vats, Advocates.

versus

**REGISTRANT OF LUMLKAI COM AND ORS.** .....Defendants  
Through: Ms. Shweta Sahu and Mr. Vishal  
Hablani, Advocates for D-2 to D-4.  
Ms. Sangita Malhotra Talwar, SPC with Mr. Govil  
Upadhyaya, GP, Mr. Kapil Dev Yadav and Ms.  
Nisha, Advocate for D-5 & D-6.

**CORAM:**

**HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**

% **21.04.2026**

**I.A. 10901/2026 (u/S 149 r/w Section 151 CPC)**

1. This application is filed on behalf of the Plaintiffs seeking extension of time for filing the court fees.
2. For the reasons stated in the application, the same is allowed permitting the Plaintiffs to deposit the requisite court fees within four weeks from today.
3. Application is disposed of.

**I.A. 10905/2026 (u/S 151 CPC)**

4. This application is filed on behalf of the Plaintiffs under Section 151 CPC seeking liberty to file lengthy synopsis and list of dates and events.
5. For the reasons stated in the application, the same is allowed. Lengthy synopsis and list of dates and events are taken on record.
6. Application stands disposed of.



**I.A. 10903/2026 (pre-institution mediation)**

7. This application is filed on behalf of the Plaintiffs under Section 12-A of the Commercial Courts Act, 2015 read with Section 151 of CPC seeking exemption from Pre-Institution Mediation.

8. Having regard to the facts of the present case wherein urgent relief is prayed for and in light of the judgment of Supreme Court in *Yamini Manohar v. T.K.D. Keerthi*, (2024) 5 SCC 815, as also Division Bench of this Court in *Chandra Kishore Chaurasia v. RA Perfumery Works Private Ltd.*, 2022 SCC OnLine Del 3529, exemption is granted to the Plaintiffs from Pre-Institution Mediation.

9. Application is allowed and disposed of.

**I.A. 10904/2026 (u/S 151 CPC)**

10. This application is filed on behalf of the Plaintiffs seeking exemption from issuing advance notice on Defendants No. 5 and 6 in terms of Section 80 CPC.

11. Since Ms. Sangita Malhotra Talwar, learned SPC has entered appearance on behalf of Defendants No. 5 and 6, this application has become *infructuous*.

12. Application stands disposed of as *infructuous*.

**I.A. 10902/2026 (u/o XI Rule 1(4) of the Commercial Court Act, 2015 r/w Section 151 CPC)**

13. This application is filed on behalf of the Plaintiffs for filing the additional documents.

14. Plaintiffs, if they wish to file additional documents at a later stage, shall do so strictly as per provisions of Commercial Courts Act, 2015.

15. Application is allowed and disposed of.



**CS(COMM) 419/2026**

16. Let plaint be registered as a suit.
17. Issue summons.
18. Ms. Shweta Sahu, learned counsel accepts summons on behalf of Defendants No. 2 to 4.
19. Ms. Sangita Malhotra Talwar, learned SPC accepts summons on behalf of Defendants No. 5 and 6.
20. Learned counsel appearing for Defendants No. 2, 3 and 4 submits that the said Defendants will file their written statements.
21. Written statements shall be filed by Defendants No. 2, 3 and 4 within 30 days from today along with affidavits of admission/denial of the documents filed by the Plaintiffs.
22. It will be open to the Plaintiffs to file replications within 30 days from the date of receipt of written statements along with affidavits of admission/denial of documents filed by Defendants No. 2, 3 and 4.
23. Upon filing of process fee, issue summons to Defendant No. 1 and 7, through all permissible modes, returnable before the learned Joint Registrar on 06.05.2026.
24. Summons shall state that the written statements shall be filed by Defendants No. 1 and 7 within 30 days from the receipt of summons along with affidavits of admission/denial of the documents filed by the Plaintiffs.
25. It will be open to the Plaintiffs to file replications within 30 days from receipt of the written statements along with affidavits of admission/denial of documents filed by Defendants No. 1 and 7.
26. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.



27. If any of the parties wish to seek inspection of any documents, the same be sought and given the timeline prescribed in Delhi High Court (Original Side) Rules, 2018.

28. Learned Joint Registrar will carry out admission/denial of documents and marking of exhibits.

**I.A.10900/2026 (w/O XXXIX Rules 1 and 2 r/w Section 151 CPC)**

29. This application is filed on behalf of the Plaintiffs under Order XXXIX Rules 1 and 2 read with Section 151 CPC for grant of *ex-parte* ad interim injunction.

30. Issue notice.

31. Ms. Shweta Sahu, learned counsel accepts notice on behalf of Defendants No. 2 to 4.

32. Ms. Sangita Malhotra Talwar, learned SPC accepts notice on behalf of Defendants No. 5 and 6.

33. Notice be issued to Defendant No. 1 and 7 through all permissible modes, returnable before Court on 13.08.2026.

34. Plaintiffs are stated to be honest and *bona fide* adopters and users of

trademark LUMIKAI (word) and  (logo mark).

Plaintiff No. 1 is also the registered proprietor of LUMIKAI (word mark) in Class 36 and registration is valid and subsisting. The original domain name of the Plaintiffs 'lumikai.com' was purchased in 2020 and has been used continuously and uninterruptedly since then. Plaintiffs maintain a website at the domain name <https://www.lumikai.com/> on which they prominently display their trademarks as well as detailed description of the Plaintiffs, their key investments, team members and achievements. In



addition, Plaintiffs operate a professional profile on LinkedIn from <https://www.linkedin.com/company/lumikai/?original/Subdomain=in>.

35. It is stated that Defendant No. 1 is engaged in a deliberate and sophisticated scheme to fraudulently misrepresent itself as the Plaintiffs and members of their senior management and personnel to investor/LP of Plaintiff No. 7 which is managed by Plaintiff No. 4. Defendant No. 1 approached the LP and attempted to defraud them into parting with money by impersonating and using the trademarks to create an association by the Plaintiffs. Defendant No. 1 thereafter, requested the LP to transfer these funds to Wells Fargo bank account maintained by the Defendants, which was deceptively similar to the bank of Plaintiff No. 7 which is also maintained with Wells Fargo Bank. In fact, the name of the beneficiary in the fake bank account was also similar to Plaintiff No. 7's beneficiary name. Subsequently, on the same day, there was a follow up on fake e-mail addressed to the very same LP from an e-mail ID [salone@lumikai.com](mailto:salone@lumikai.com) being a spoofed e-mail id of a member of the senior management of the Plaintiffs on the very same fake domain name, sharing the passcode for the file to lend legitimacy to the fraudulent scheme. To execute the fraud, Defendant No. 1 registered a domain name "lumikai.com", which is *ex-facie* similar to Plaintiffs' domain name 'lumikai.com', created solely to pass off as the Plaintiffs.

36. Learned counsel for the Plaintiffs submits that the fake domain name created by Defendant No. 1 is deceptively similar to the domain name of the Plaintiffs, with a minor alteration i.e. lower-case letter 'l' being used instead of 'i' and is used for fraudulent activities including but not limited to impersonating the Plaintiffs and their personnel, creating



deceptive e-mail addresses as well as addressing communications resembling Plaintiffs' official channels and soliciting and/or attempting to solicit funds from Plaintiff No. 7. Additionally, it appears that Defendant No. 1 has used the services of Defendant No. 2 to hide its personal details. Defendant No. 2 is an entity affiliated with Defendant No. 4 and acts as a shield for website owners by replacing personal contact details with proxy information in public WHOIS database, thereby, obfuscating any attempt to identify the particulars and details of the true registrant of the fake domain name. In this backdrop, learned counsel prays for an *ex parte* ad interim injunction directing Defendants No. 2 to 4 to suspend the fake domain name and/or any mirror/redirect/alphanumeric variants thereof.

37. Having heard learned counsel for Plaintiffs and on examination of the documents and the averments of the plaint, I am of the view that Plaintiffs have made out a *prima facie* case for grant of *ex parte* ad interim injunction limited at this stage to prayer (f) in the application. Balance of convenience lies in favour of Plaintiffs and in case the relief sought is not granted, irreparable harm and injury will be caused to the Plaintiffs.

38. Accordingly, Defendants No. 2 to 4 are directed to lock and suspend the domain name "lumlkai.com" of Defendant No. 1 within 36 hours from the date of receipt of this order as also to disclose further details of Defendant No. 1 to the Plaintiffs within three weeks from today. Compliance affidavit shall be filed within four weeks from today.

39. Defendants No. 2 to 4 are further directed to block and suspend any mirror/redirect/alphanumeric variants of domain name "lumlkai.com",



as and when intimation in this behalf is received by them from the Plaintiffs.

40. Plaintiffs shall comply with the provisions of Order XXXIX Rule 3 CPC within two weeks from today.

**JYOTI SINGH, J**

**APRIL 21, 2026/RW**