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

+ **CS(COMM) 558/2026**

AB SKF

.....Plaintiff

Through: Mr. Saif Khan, Mr. Prajjwal Kushwaha
and Ms. Shayal Anand, Advocates.

versus

M/S SNKB BEARINGS & ORS.

.....Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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22.05.2026

I.A. 14486/2026 (Additional Documents)

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 (hereinafter referred to as 'CPC') as applicable to commercial suits under the Commercial Courts Act, 2015 (hereinafter referred to as '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. 14484/2026 (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.

6. The application stands disposed of.

I.A. 14487/2026 (Exemption from filing clearer copies of dim, illegible & unclear documents)

7. This is an application filed on behalf of the plaintiffs under Section 151 of CPC seeking exemption from filing clearer copies of dim, illegible & unclear documents along with the captioned suit.

8. 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 defendant.

9. The application stands disposed of.

I.A. 14485/2026 (Exemption from advance service to defendant)

10. This is an application filed by the plaintiff under Section 151 of CPC seeking exemption from advance service to the defendant.

11. Mr. Saif Khan, learned counsel for the plaintiff submits that there is a real and imminent likelihood that the defendant may take immediate steps to dispose of, conceal or suppress its infringing business operations bearing the deceptively similar trademark.

12. In view of the fact that the plaintiff has sought an urgent *ex-parte ad-interim* injunction, the exemption from advance service to the defendant at this stage is granted.

13. The application is disposed of.

I.A. 14483/2026 (U/o XXXIX Rules 1 and 2)

14. 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.

15. The plaintiff claims to be a company duly incorporated under the laws



of Sweden, and has been engaged in the business of manufacturing and supplying bearings, seals, lubrication systems, and related products and services.

16. Plaintiff claims to be a global leader in the production of various types of bearings that comprises multiple variants, such as, *inter-alia*, ball bearings, roller bearings, and plain bearings that are essential components in machinery and equipment across various industries.

17. The plaintiff states that its Indian subsidiary, SKF Bearings India Limited, is a company duly incorporated and registered under the Companies Act, 1956, having its registered office at Mahatma Gandhi Memorial Building, Netaji Subash Road, Mumbai, Maharashtra - 400002. The said company started its operations in India in 1923 and over the years it has evolved from being a pioneer ball bearing manufacturing company to a knowledge-driven engineering company focused on helping its customers achieve sustainable and competitive business excellence.

18. The plaintiff claims to be manufacturing and marketing its bearings under the Trade Mark “SKF” and has been using the mark since the year 1907 for various types of bearings. The Plaintiff is acknowledged as the market leader in the rolling bearing industry and has acquired significant goodwill and reputation in respect of the same, across the country and internationally.









19. The plaintiff further claims that it has an authorized list of distributors and partners through which their genuine products are sold. Additionally, the plaintiff also has a comprehensive network of sale and after-sale service for its products in over 129 countries in the world, including India.

20. The plaintiff claims that it has made significant investments of time and money in the marketing and promotion of the plaintiff’s trademark “SKF” and the quality of the products under the same over the course of years, due to which it has developed extensive goodwill, reputation and identity of its



products under the plaintiff's trademark.

21. The Plaintiff has obtained various trademark registrations for its "SKF" formative trademark. A list of the plaintiff's trademarks as enumerated in para 13 of the plaint is as under:

Registered Trademark No. and Application Date	User Basis	Trademark	Class
5982 30.09.1942	Proposed to be used		Class 6
5983 30.09.1942	user claimed from 01.01.1913		Class 6
320662 25.11.1976	Use Claimed From 01.01.1964		Class 6
320663 25.11.1976	Use Claimed From 01.01.1963		Class 7
320664 25.11.1976	Use Claimed From 01.01.1965		Class 8
320665 25.11.1976	Prior Use Claimed From 01.12.1963		Class 9
320666 25.11.1976	15.05.1981 Proposed To Be Used		Class 12
4285953 06/09/2019	Use claimed from 20.08.2004		Class 99

22. The Plaintiff claims that it has been manufacturing and selling bearings on a global scale under the Plaintiff's trademark in a unique trade dress having a distinctive colour scheme of red, white and blue, and arrangement of artistic



features such as “SKF” written in bold white, which is hereinunder:



23. The plaintiff states that its trade dress has been curated, conceptualized and developed by and at the instance of the plaintiff, constituting original artistic work within the meaning of Section 2(c) of the Copyright Act, 1957.

24. Plaintiff’s net revenue owing to its sale is enumerated in para 9 of the plaint disclosing the net revenue in the year 2021 at Rs.2,707 crores which reached net revenue of Rs.5,021 crores in the year 2025. The plaintiff has spent substantial amounts on advertisement and promotions which has been detailed in para 11 of the plaint. In the year 2019, the expenses were approximately Rs.2.36 crores while in the year 2024 it reached Rs.4.27 crores.

25. Plaintiff also claims that in order to enable users to identify counterfeit products in the market, the plaintiff’s customers can contact *genuine@skf.com* to request verification of authenticity of the suspected product. Plaintiff also has a Smartphone application ‘SKF Authenticate’ through which customers can upload photos of suspected products and the plaintiff’s team will revert with the results. The newly manufactured genuine SKF product also contains a unique code, which can be scanned through the authentication app, as detailed in para 19 of the plaint, which is extracted hereunder:



26. The plaintiff claims to be using its trademark for several years, by virtue of which, the plaintiff's trademarks are well recognized, highly reputed, and exclusively associated with the high-quality goods of the plaintiff. Any subsequent adoption or use of an identical or deceptively similar trademark cannot be done without the plaintiff's permission.

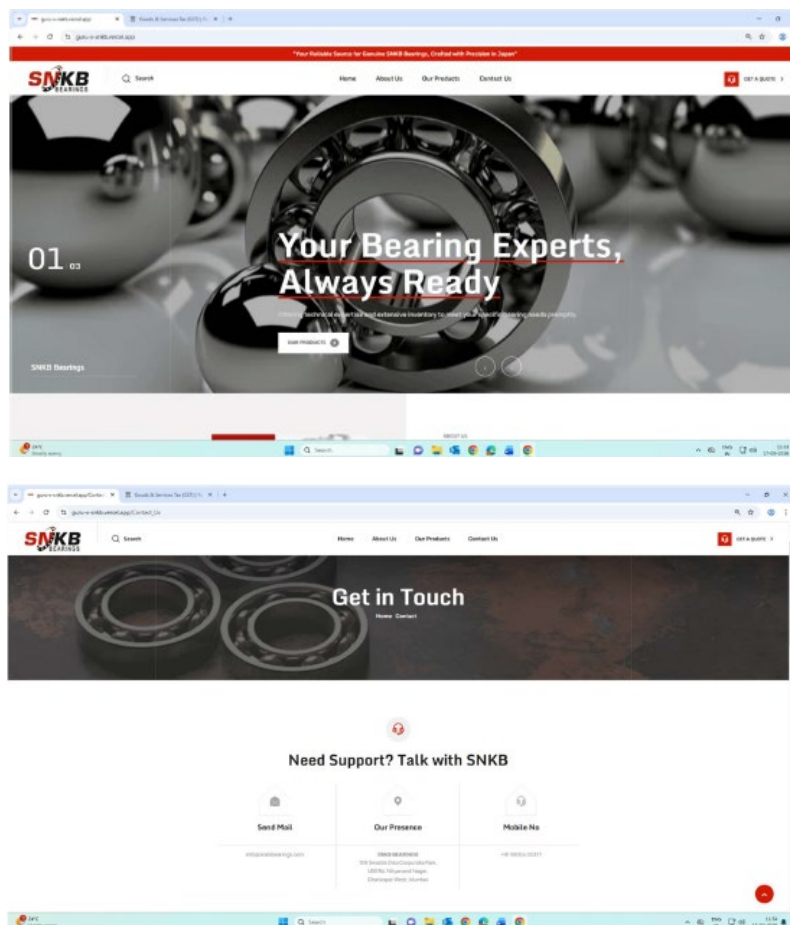
27. Plaintiff claims that sometime in March 2026, it came to know about the defendants' large-scale operations, when the online and physical verifications were carried out.

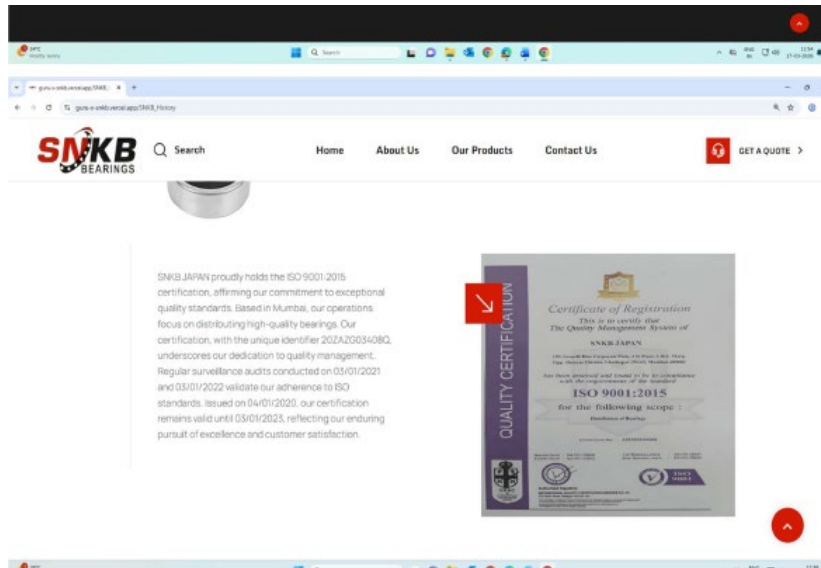
28. Plaintiff claims that the defendants herein are various business entities working together in a closely knit network, with the intention to defraud members of the public and carry out counterfeiting activities. Plaintiff claims that all these entities, impleaded herein, are operating within the same geographical territory, operating bank accounts in the same Bank and having the same *modus operandi*. To establish a connection between the defendants in the present suit, the plaintiff draws the attention of this Court to suit bearing CS (COMM) 1021/2024 titled "*AB SKF vs M/s Arihant Agency & Ors.*" before this Court, seeking permanent injunction against the defendants and the said suit was decreed *vide* order dated 09.02.2026 in view of the settlement agreement dated 10.12.2025 executed between the parties. Plaintiff further submits that upon conducting the inquiries and internal verifications, it found certain newly identified entities, impleaded as defendants herein, which



appear to be connected with certain defendants in the aforesaid suit decreed in favour of the plaintiff.

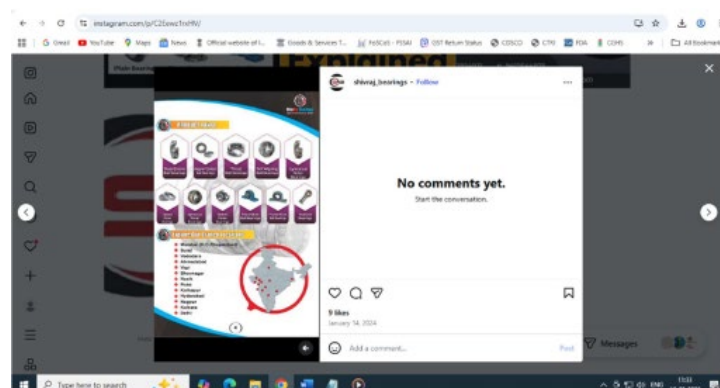
29. Plaintiff claims that upon conducting an online investigation, defendant no.1 was found to be operating its own website <https://guru-x-snkb.vercel.app/> which displays that the entity, having its registered office in Mumbai, is engaged in the sale/distribution of bearing products. Screenshots of the website of defendant no.1 as enumerated in para 27 of the plaint are extracted hereunder:-





30. Plaintiff claims that the defendant no.1 is also listed on various third-party platforms and trade directories, including IndiaMart, Facebook, Instagram etc. Screenshots of the said third-party listings are filed along with the present proceedings.

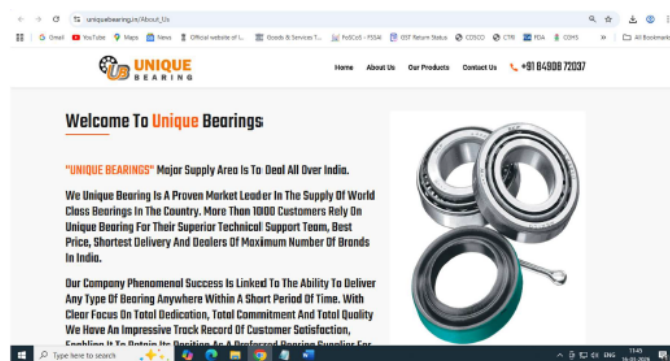
31. Plaintiff claims that upon conducting an online verification in the month of February-March, 2026, it was found that the defendant no.2 does not have its own official website, however, is listed on various online trade directories, such as *www.erodetex.com* and social media platforms, including Instagram. Screenshots of the social media platforms as enumerated in para 37 is extracted hereunder:-

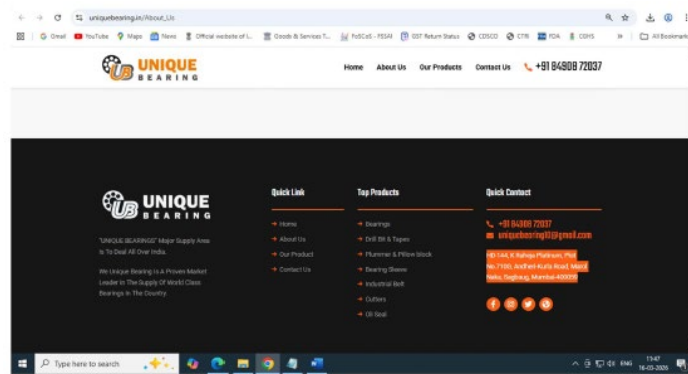




32. Plaintiff further claims that a physical verification was conducted by the plaintiff's representative on 10.03.2026 at the address of defendant no.2 in Mumbai and came to know that 'We Work' had provided their office premises to defendant no.2, which operates its virtual office from the said location. Thereafter, plaintiff claims that its representative conducted a telephonic inquiry on the contact number of Mr. Shiv Prakash Yadav, the partner of defendant no.2 and it was revealed that the entity is an authorized distributor of 'SNKB' bearing products of a Japan based company.

33. Plaintiff claims that upon conducting an online verification in the month of February-March 2026, which revealed that the defendant no.3 through its own website www.uniquebearing.in, wherein it mentions to be engaged in the business of bearings, drill bit and tapes, plumber and pillow blocs etc.. Screenshots of the website of defendant no.3 are filed alongwith the present proceedings and reproduced hereinbelow for reference:





34. Plaintiff claims that defendant no.3 is displaying/advertising/selling bearings under the plaintiff's 'SKF' trademarks without any authorization or consent. On 10.03.2026, the plaintiff's representative conducted a physical verification at defendant no.3's website listed address, which revealed a 'WeWork' signage. Subsequent telephonic inquiries confirmed that defendant no.3 actively deals in and supplies counterfeit/unauthorised 'SKF' bearings, further evidenced from their business card. Plaintiff further claims that its representative conducted a second telephonic inquiry on 02.05.2026, which revealed that defendant no.3 is involved in the supply of 'SKF' products and delivery thereof in Delhi.

35. Plaintiff claims that upon conducting an online inquiry on the GST number provided on the invoice, it was revealed that defendant no.4 is a wholesaler/distributor dealing in bearing products, ball bearings and spherical roller bearings. It was further found that the said defendant neither has its own



website, nor is listed on any third-party platforms such as IndiaMart or Justdial.

36. Plaintiff claims that upon receiving multiple complaints and invoice, it conducted an internal inquiry which revealed that the email id *vitrag.shah@indbearings.com* provided on one of the invoices of defendant no. 4, belongs to one Mr.Vitrag Shah and this Mr.Vitrag Shah/Vitrag Nilesh Shah was the director of defendant nos.5,7 and 15 in the decreed suit and he, among others, duly signed and executed the Settlement Agreement.

37. Plaintiff claims upon conducting a physical verification on 11.03.2026 at the registered address of defendant no.5, which displayed the signage of an entity ‘Springboard Business Hub Pvt. Ltd.’ and it was found that the said entity rented out an office space to defendant no.5, which is presently operating a virtual office from the said location. Plaintiff has received multiple customer complaints pertaining to the unlawful activities of defendant no.5 and a perusal of one such complaint revealed that defendant no.5 issued ‘Certificate of Inspection’ to one of the plaintiffs’ customers wherein an entity by the name of “Goyma Inspection Consultancy” is reflected as the Inspection Engineer. Upon conducting an inquiry, no entity operating under the trade name “Goyma Inspection Consultancy” was found. But it was found that an entity having a deceptively similar trade name, namely, M/s Goyma Impex, was also a named defendant, particularly defendant no.16, in the aforesaid decreed suit. Furthermore, the proprietor of M/s Goyma Impex is Ms.Shweta Shah, wife of Mr.Samkit Shah, who has already been found to be proprietor of defendant no.1 herein as well as of M/s.Arihant Agency and M/s SNK Rolling Bearings, defendants in the aforesaid decreed suit.

38. Plaintiff claims that the use of the “SKF” formative marks by the defendants on their websites, and on counterfeit products without any







authorisation from the plaintiff, tantamount to an infringement of the plaintiff's trademark rights. Plaintiff claims that the defendants are selling inferior quality counterfeit bearings under its mark "SKF". The use of an identical mark by the defendants is bound to cause confusion and deception in the minds of the public and members of the trade.

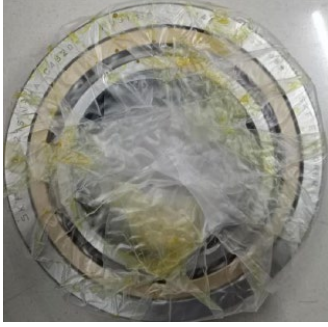









39. Predicated on the above, the plaintiff seeks an *ex-parte ad-interim* injunction against the defendants.

40. Heard Mr.Saif Khan, learned counsel for the plaintiff and perused the documents and pleading on record.

41. A comparative table of the plaintiff's and the defendant's products, as enumerated in the plaint, is extracted hereunder:

Particulars of Defendants	Plaintiff's Product	Defendant's Product
Defendant no.2		 <ul style="list-style-type: none"> ● Incorrect country of manufacturing. We do not produce this item in France. ● Incorrect batch code.
		 <ul style="list-style-type: none"> ● Incorrect barcode. This barcode belongs to some other item.



		
Defendant no.3		
		 ● Incorrect Data matrix code.
		
Defendant no.4		 ● Markings are not as per SKF standards. ● Production code is not matching with our records



<p>Defendant no.5</p>		 <ul style="list-style-type: none"> ● Incorrect country of manufacturing. We do not produce this item in France. ● Incorrect batch code.
		 <ul style="list-style-type: none"> ● Incorrect Data matrix code.
		

42. On a careful examination of the marks, trade dress, packaging, the printed material, it appears that except the Batch numbers of the plaintiffs products, the other elements have been copied and imitated to such an extent that it is near impossible to distinguish or differentiate the distinction between the genuine products of the plaintiff and the infringing or counterfeit products of the defendants. In fact the side by side comparison of both, the marks as well as the trade dress and packaging reveal the manner in which the defendants have unauthorisedly and unlawfully adopted not only the registered trademarks of the plaintiff but also completely copied/imitated the trade dress, packaging, the batch numbers including the Certification of Authorisation issued by the plaintiff to certify its genuine products.



43. Plaintiff has placed on record enough documentary material to evidence the above observations. The *modus operandi* employed by the defendants is uncannily similar and the issuance of bogus Certificate of Authorisation to unknowing and innocent customers to dupe them into believing the counterfeit products as genuine or manufactured by the plaintiff and then shifting bases to evade detection by the duped customers, indicates the *malafide*. Such sale of counterfeit products clearly causes financial loss to the plaintiff with a corresponding unlawful and unjust enrichment to the defendants.

44. The plaintiff has also elaborately spelt out the manner in which the defendants are related to each other and the collusion between them. The previous suit and the order passed therein also discloses that it is the very same defendants who appear to have resurfaced in a new avatar, but indulging in the same activity of manufacturing and selling counterfeit products and issuing Authentication Certificates and Inspection Certificates, albeit, bogus. Though, on the surface the defendants appear to be separate and distinct, however, when examined in the manner that the plaintiff has explained the facts, it appears that the collusion is mutually beneficial to all the defendants.

45. It appears that the defendants are making unlawful financial gains at the expense of the plaintiff and are unjustly enriching themselves. That apart, the low quality counterfeit products are sure to not only dilute the goodwill and reputation of the plaintiffs trademark but also tarnish the same.

46. The substantial goodwill and reputation acquired by the plaintiff over the last many decades of its products using the trademark is well documented. The popularity of its products is also well recognised and are an indicator of its high and standard quality of its products. The mark “SKF” is exclusive to the plaintiff alone and the trade circles and consumers equally recognise the said mark as belonging exclusively to the plaintiff.



47. Having regard to the above, it is evident that the plaintiff has been able to prima facie establish a strong case in its favour. The balance of convenience, in the present circumstances, is tilted in favour of the plaintiff. The plaintiff is likely to suffer great loss and irreparable injury, apart from tarnishment of its image and brand name and the likely event of dilution of its registered trademark which may not be adequately compensated in monetary terms.

48. Accordingly, the following directions are passed:

- a. Defendant nos. 1 to 5 and John Doe(s), their principal officers, proprietor/partners, servants, agents, their affiliates, subsidiaries, and all others acting for and on their behalf are restrained from using the name/ mark “SKF”, the “SKF” trade dress and/or any other mark, which is identical or deceptively similar to the trademark “SKF”, of the plaintiff, including as part of domain, email ID, social media handle or in any manner in the course of trade, or reproducing the Plaintiff’s copyright work in the “SKF” packaging without authorization from the plaintiff.
- b. Defendant no.6/Kotak Mahindra Bank is directed to freeze Bank Account nos.7758223807 (IFSC – KKBK00001402); 6848364656 (IFSC - KKBK0000682) and 7950185290 (IFSC - KKBK0001368) pertaining to defendant nos.2, 3 and 5 respectively and to produce all details, records and particulars relating to opening and operating of the said bank accounts including KYC records of the account holders and complete account statements from opening till date;
- c. defendant no.3 is directed to take down or refrain from using the trademark or trade dress of the plaintiff in any manner whatsoever on its website/domain name <https://uniquebearing.in/>, forthwith failing which Defendant no.7/GoDaddy is directed to take



down/block/suspend the impugned website/domain name within 72 hours from date and defendant no.7 is further directed to produce all details and particulars relating to issuance of the said domain within three weeks from date.

49. Issue notice.

50. 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.

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

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52. Let the plaint be registered as a suit.

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

54. 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.

55. 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.

56. 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.

57. If any of the parties wish to seek inspection of any documents, the same



shall be sought and given within the prescribed timelines.

58. List before the Joint Registrar (Judicial) on 11.08.2026 for completion of service and pleadings.

59. List before the Court on 16.11.2026.

TUSHAR RAO GEDELA, J

MAY 22, 2026

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