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

+ **CS(COMM) 614/2026**

JOCKEY INTERNATIONAL INCPlaintiff

Through: Mr. Saif Khan, Mr. Shobhit Agrawal
and Ms. Diya Viswanath, Advocates.

versus

M/S D.R. KUPPRAJ TEX INDIA & ORS.Defendants

Through:

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

ORDER

% **29.05.2026**

I.A. 15363/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

I.A. 15361/2026 (for pre-institution mediation)

3. This application is filed on behalf of the Plaintiff under Section 12-A of the Commercial Courts Act, 2015 seeking exemption from Pre-Institution Mediation.

4. 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 Plaintiff from Pre-Institution Mediation.



5. Application is allowed and disposed of.

I.A. 15362/2026 (u/O XI Rule 1(4) of Commercial Courts Act, 2015 r/w Section 151 CPC)

6. This application is filed on behalf of Plaintiff seeking to place on record additional documents within thirty (30) days from today.

7. Plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly in accordance with the provisions of the Commercial Courts Act, 2015.

8. Application is allowed and disposed of.

I.A. 15364/2026

9. This application is filed on behalf of Plaintiff under Order XI of the Code of Civil Procedure, 1908 (As amended by the Commercial Courts Act, 2015) read with Section 151 CPC seeking discovery and administration of interrogatories upon Defendant No. 5.

6. Issue notice to Defendant No. 5 through all permissible modes, returnable before Court on 24.09.2026.

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7. Let plaint be registered as a suit.

8. Upon filing of process fee, issue summons to the Defendants through all permissible modes, returnable before the learned Joint Registrar on 04.08.2026.

9. Summons shall state that the written statements shall be filed by the Defendants within 30 days from the receipt of summons along with affidavits of admission/denial of the documents filed by the Plaintiffs.

10. It will be open to the Plaintiff to file replications within 30 days from the date of receipt of written statements along with affidavits of



admission/denial of documents filed by the Defendants.

11. 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.

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

I.A. 15360/2026 (u/O XXXIX Rules 1 and 2 r/w Section 151 CPC)

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

14. Issue notice to the Defendants through all permissible modes, returnable before Court on 24.09.2026.

15. Case of the Plaintiff as set out in the plaint is that Plaintiff is a company organized, registered and existing under the laws of Wisconsin, USA and is one of the world's leading manufacturers, retailers and distributors of undergarments, hosiery and comfort apparel. Plaintiff's predecessor-in-interest, Coopers Incorporated, was established in 1876 by Mr. Samuel T. Cooper for manufacturing hosiery items such as socks. In 1900, Plaintiff started manufacturing undergarments and in 1934, it started manufacture of the world-renowned JOCKEY products. Today, Plaintiff is a global corporation active in more than 140 countries, marketing underwear, bras, socks, thermals, sleepwear, activewear, sportswear, casualwear and lounge wear in men, women and children segments. Plaintiff carries on business in India through its exclusive licensee M/s Page Industries Limited, which has been granted the exclusive right by the Plaintiff for manufacturing and distributing products under the JOCKEY brand in India since 1994.



16. It is stated that trademark JOCKEY was first adopted by the Plaintiff in 1934 for use with its revolutionary invention, the first men's underwear brief and the adoption was inspired by "jockstrap," a product that provided the kind of support now offered by the JOCKEY brief. Over the years, Plaintiff applied its JOCKEY trademark to an increasing variety of apparel goods and the trademark JOCKEY is arbitrary for the goods to which it is applied and is distinctive of Plaintiff's products. Plaintiff offers a wide range of products worldwide through departmental and specialty stores along with Plaintiff's proprietary retail stores and also has considerable presence online. Plaintiff, either by itself or through its exclusive licensees, has a wide network of stores all over the world and employs thousands of people. Page Industries Ltd., which manufactures and distributes JOCKEY products in India employs nearly 20,000 people with manufacturing operations spread over sixteen manufacturing plants and commands widespread pan India distribution with a retail network across nearly 3,000 cities and towns. This network encompasses over 110,000 multi-brand retail outlets of which over 1,200 are large format stores. Further, it has revolutionized the innerwear market by launching over 1,400 exclusive JOCKEY outlets across India. Plaintiff's products are also sold via its India e-commerce site at www.jockey.in as well as through third-party marketplaces.

17. It is stated that Plaintiff has secured several registrations in India for the trademark JOCKEY and its variants in wide range of classes. In India, Plaintiff's earliest registration as on date is for the device mark *Jockey* vide registration no. 258773 dated 14.08.1969 in Class 25. Plaintiff is the proprietor of several JOCKEY formative trademarks in Classes 25 and 35.



Plaintiff is also the registered proprietor of the JOCKEY trademark, as well as its variants in over 150 countries and territories. Details of the registrations held by Plaintiff in India are as follows:-

Registration No.	Registration Date	Mark	Class
258773	14/08/1969	<i>Jockey</i>	25
1344006	11/03/2005	JOCKEY (word)	35
1401671	25/11/2005	 JOCKEY	25
1684809	07/05/2008	 JOCKEY	25
2275648	01/02/2012	JOCKEY (word)	25

18. It is stated that the goodwill and reputation earned by the Plaintiff by sale of its products under the JOCKEY mark is reflected from the net sales, illustratively, for the last six years as also the expenditure incurred on promotion and advertisement of the products as follows:-

NET SALES

Years	Jockey Net Sales
2020	29,33,00,00,000
2021	28,16,00,00,000
2022	37,96,00,00,000
2023	48,32,00,00,000
2024	47,46,00,00,000

EXPENDITURE INCURRED


Years	Expenditure on advertisement and promotion
2020	1,16,00,00,000
2021	69,00,00,000
2022	92,00,00,000
2023	1,60,00,00,000
2024	1,80,00,00,000




19. It is stated that Plaintiff have undertaken extensive promotional and advertising activities in relation to the JOCKEY products across various platforms, including social media, digital campaigns, print advertisements, and other marketing initiatives and owing to the widespread popularity, goodwill and excellent quality associated with the JOCKEY products, Plaintiff has garnered millions of followers across its social media platforms and have also been conferred with several prestigious awards and accolades, details of which have been furnished in the plaint.

20. It is stated that Plaintiff has been extensively doing business through the internet and is the owner of the domain names www.jockey.com and www.jockey.in, which are used for business as also providing extensive information about JOCKEY products. Website www.jockey.in also serves as the e-commerce site for Plaintiff's exclusive licensee in India. Plaintiff has been vigilant in protecting its statutory and common law rights in the JOCKEY mark and have filed law suits against infringers as stated in the plaint.

21. It is stated that around January, 2026, during an online search, Plaintiff discovered that Defendant No. 1 was selling products under the

brand JOYKE/  on Defendant No. 5's platform www.meesho.com at the link <https://www.meesho.com/joykebrief/p/8pf427?srsltid> and further investigation revealed that Defendant No. 1 has

applied for registration of the trademark  in Class 25 vide Application No. 7003743, which is currently at the stage of 'Formality Check Pass' and Plaintiff immediately issued a legal notice, however, there



was no response. In February, 2026, Plaintiff discovered another infringing listing on the online platform of Defendant No. 5 posted by Defendant Nos.

1 to 4 using similar marks including JOYKE/  by

Defendant Nos. 1 to 4; JOYSKY/ 

JOYBEE/ , JOYESS/  by Defendant

No. 2; JOJOKE/  by Defendant No. 3; and



by Defendant No. 1 to 4. It is clear that Defendants are strategically selling the impugned products under deceptively similar marks to ride upon the goodwill and reputation of the Plaintiff and cause confusion amongst the public.


22. Learned counsel for the Plaintiff submits that the impugned marks are deceptively similar to Plaintiff's JOCKEY trademarks, which are in use over decades. The rival products being identical and consumer base and trade channels being common, confusion amongst members of public is inevitable. Defendants are clearly infringing Plaintiff's registered JOCKEY marks in bad faith and have refused to desist despite a legal notice. Even Defendant No. 5 has refused to take down the listings as stated, in the absence of a Court direction.

23. Having heard learned counsel for the Plaintiff and upon perusal of the documents as well as the rival marks, I am of the view that Plaintiff has made out a *prima facie* for grant of *ex parte* ad interim injunction against the




Defendants. Balance of convenience lies in favour of the Plaintiff and it is likely to suffer irreparable harm in case the interim injunction, as prayed for, is not granted. The impugned marks are *prima facie* deceptively similar to JOCKEY, the registered trademark of the Plaintiff and is being used by the Defendants for identical products. The consumer base and trade channels being common, likelihood of confusion cannot be ruled out.

24. Accordingly, till the next date of hearing, Defendants No. 1 to 4 and 6/John Doe(s) and all others acting on their behalf are restrained from manufacturing, marketing, offering for sale, advertising, hosting, listing, displaying, using and/or directly or indirectly dealing in any manner with the

impugned goods bearing the impugned marks JOYKE/ ,

JOYSKY/ , JOYSKE/ ,

JOJOKE/  and/or any other mark which is identical or deceptively similar to the JOCKEY trademarks of the Plaintiff, amounting to infringement of trademark and/or passing off.

25. Defendant No. 5 is directed to block/suspend the URLs mentioned in ANNEXURE-A to this order within 36 hours from the date of receipt of copy of this order. Defendant No. 5 shall also provide the available KYC details as also other details of Defendant Nos. 1 to 4 such as registered addresses, mobile numbers, UPI details, transaction records, IP logs to the Plaintiff within four weeks from today. Affidavit of compliance shall be filed within six weeks from today.



26. Plaintiff shall comply with the provisions of Order XXXIX Rule 3 CPC within a period of two weeks from today.

MAY 29, 2026/AK

JYOTI SINGH, J



Annexure-A

S. No.	URLs
1.	https://www.meesho.com/cotton-brief/p/cjb4u0?ms=2
2.	https://www.meesho.com/cotton-briefs/p/cjalom
3.	https://www.meesho.com/mens-cotton-briefs/p/avmiz7?ms=2&source=Meri+Shop
4.	https://www.meesho.com/mens-briefs/p/dhtbnj?ms=2&source=Meri+Shop
5.	https://www.meesho.com/cotton-briefs/p/dht3om?ms=2&source=Meri+Shop
6.	https://www.meesho.com/cotton-briefs-for-mens/p/cdjoe5?ms=2&source=Meri+Shop
7.	https://www.meesho.com/mens-cotton-briefs/p/d8wiio
8.	https://www.meesho.com/mens-cotton-briefs/p/doyze5
9.	https://www.meesho.com/mens-cotton-briefs/p/doym2k
10.	https://www.meesho.com/mens-cotton-briefs/p/dhi84b
11.	https://www.meesho.com/mens-cotton-briefs/p/dhif5b
12.	https://www.meesho.com/mens-fashion-briefs/p/dhihb9?ms=2&source=Meri+Shop