

skt

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION (L) NO. 18664 OF 2026
WITH
LEAVE PETITION NO. 208 OF 2026
WITH
COURT RECEIVER'S REPORT NO. 292 OF 2026
IN
COMMERCIAL IP SUIT (L.) NO. 18582 OF 2026

Bisleri International Private Limited ...Applicant

In the matter between :

Bisleri International Private Limited ...Plaintiff

Vs.

Belaguli Mahalingegowda Kirankumar ...Defendant
proprietor of Kalabyraveshwara Mineral
Water Industry

Ms. Rashi Thakur i/b Vinod A. Bhagat, for the Applicant/Plaintiff.
Mrs.S.S. Chipkar, Master (Adm.), Court Receiver's Office.

None for the Defendant.

CORAM: MADHAV J. JAMDAR, J.

DATE : 7th AUGUST, 2026

P. C.:

1. Learned counsel appearing for the Applicant/Plaintiff states that the Defendant has been served and affidavit of service has already been filed. None appears for the Defendant inspite of service.

skt

2. Learned counsel for the Plaintiff states that the Leave Petition seeking leave under Clause XIV of the Letters Patent (Bombay) Act be heard and ad-interim relief granted by order dated 11th June, 2026 be confirmed and in addition, ad-interim relief in terms of prayer clauses (c) and (d) be granted.

3. In spite of service, none appears for the Defendants.

4. This Court has already passed an ex-parte ad-interim order on 11th June, 2026 in the Interim Application. In the said order, in paragraph Nos. 5 to 8, it is observed as under :-

“5 In the plaint in paragraph No.18, the Plaintiff has come up with the case that due to their enormous reputation in the market, it is not uncommon for Plaintiff’s trademarks, artwork and designs to be copied and imitated by others, who seek to derive illicit profits and make illegal gains therefrom. It is stated in the plaint that in order to curb this menace of piracy of its trademarks, artwork and designs, the Plaintiff constantly checks and keeps a vigil through its investigators in the markets, trade and various other modes of the sales of its products. During one such exercise, in and around the last week of May 2026, the Plaintiff’s investigating team while conducting necessary market search in Channarayapattana, Karnataka has come across a manufacturing unit of the Defendant, wherefrom the said

skt

Defendant is engaged in manufacturing and/or marketing packaged drinking water bearing the impugned mark Bislie depicted under an impugned pirated artwork and trademark. It is averred that the impugned mark Bislie depicted under an impugned pirated artwork and trademark is identical with and is in any case deceptively/substantially similar to the Plaintiff's registered trademark and original artistic works of Bisleri. The rival product is set out on page 288. A scanned copy of the same is reproduced hereinbelow:



skt

6 *Prima facie* upon comparison of the rival product, it is evident that Defendant has copied the Plaintiff's mark. The Plaintiff submits that the impugned mark "**Bislie**" is deceptively similar to the Plaintiff's trademark "**Bisleri**". It is clear that in adopting the impugned mark, the Defendant has merely deleted the sixth alphabet "r" in the Plaintiff's trademark "Bisleri" and has interchanged the position of the fifth and seventh alphabet "e" and "i" appearing in the Plaintiff's trademark "Bisleri", to make up for the impugned mark "Bislie".

7 Thus, *prima facie* I am satisfied that the impugned mark "Bislie" is deceptively similar to the Plaintiff's trademark "Bisleri". *Prima facie*, the Defendant has depicted the impugned mark Bislie under an impugned pirated artwork bearing a colour scheme, placement of features, get-up, layout, style, representation and trademark which is identical with and/or is substantially similar to the trademark/label,

skt

original artistic works and trademark as depicted on the Plaintiff's Bisleri bottle.

8 The contentions raised in the Plaint and documents annexed to the Plaint clearly shows that the Plaintiff is the lawful owner and the rightful proprietor of the said original artistic works vesting in its said Bisleri labels. The Plaintiff has registered the said original artistic work vesting in its Bisleri labels, under the provisions of the Copyright Act, 1957 vide registration Nos.A-85011/2009 dated 2nd March 2009 and A-85015/2009 dated 2nd March 2009 and also vide registration Nos. AT-20250159489 dated 16th June 2025.”

5. Thus, as this Court has found that strong *prima facie* case is made out for grant of ad-interim relief in terms of prayer clause (a), (b) and (e), the same has been granted by order dated 11th June, 2026. The said order has been complied with and the raid has been conducted.

skt

6. Perusal of the Additional Special Receiver's Report shows that there is substance in the contentions raised in the Interim Application and the Plaint. In spite of service, none appears for the Defendant and even the affidavit in reply has not been filed. Thus, the contentions raised in the Interim Application and in the Plaint and even in the Leave Petition have remained uncontroverted.

7. Perused the Plaint and the Leave Petition. The Leave Petition is allowed in terms of prayer clause (a).

8. For the reasons recorded in the order dated 11th June, 2026, the Interim Application (L) No. 18664 of 2026 is allowed in terms of prayer clauses (a) to (e) which are reproduced hereinbelow for ready reference :

“a) pending the hearing and final disposal of the suit, the Defendant by themselves, their proprietors, servants, agents, distributors, stockists, assignees and all those connected with the Defendant in their business be restrained by an order and temporary injunction of this Hon'ble Court from manufacturing, distributing, printing, packaging, stocking, supplying, marketing, selling, offering for sale and/or using in any manner whatsoever in relation to their packaged drinking water and other like goods, the impugned mark BISLIE or any mark/s or label/s identical with and/or deceptively similar to the Plaintiff's trademark BISLERI, so as to infringe upon the Plaintiff's aforesaid trade mark

skt

BISLERI registered under Nos. 260716, 272893, - 1015212, 1262363, 1549383, 1707433, 1782203, 3115329, 3126507, 3126508, 3126509, 3126510, 3190924, 3190925, 3190926, 3190927, 3376164, 3408945, 4285690, 4375810, 4375811, 4375812, 4467664, 4467665, 5545662, 5707800, 5707801, 5849216, 5849217, 5951806, 5951807 in class 32 and 4503511, 4503512 and 5545663 in class 39;

(b) pending the hearing and final disposal of the suit, the Defendant by themselves, their proprietors, servants, agents, distributors, stockists, assignees and all those connected with the Defendant in their business be restrained by an order and temporary injunction of this Hon'ble Court from manufacturing, distributing, printing, packaging, stocking, supplying, marketing, selling, offering for sale and/or using in any manner whatsoever in relation to their packaged drinking water and any other like goods, impugned pirated artwork of BISLIE (appended at Exhibit N to the Plaint) bearing colour scheme, placement of features, get-up, layout, representation, style, trade dress and artwork/s or from using any other artwork/s which is/are identical with and/or is/are substantially/strikingly similar to the Plaintiff's original artistic works depicted on its BISLERI labels (appended at Exhibits C, E and F to the Plaint), so as to infringe upon the Plaintiffs copyrights registered under Nos. A-85011/2009 dated 02.03.2009, A-85015/2009 dated 02.03.2009 and AT-20250159489 dated 16.06.2025 and the subsisting copyrights in the original artistic works of its BISLERI labels;

c) pending the hearing and final disposal of the suit, the Defendant by themselves, their proprietors, servants, agents, distributors, stockists, assignees and all those connected with the Defendant in their business be

skt

restrained by an order and temporary injunction of this Hon'ble Court from manufacturing, distributing, printing, packaging, stocking, supplying, marketing, selling, offering for sale and/or using in any manner whatsoever in relation to their packaged drinking water and other like goods, the impugned mark BISLIE depicted under the pirated trade dress or any mark, label or trade dress identical with and/or deceptively similar to the Plaintiffs distinctive and prior used trade mark and trade dress of BISLERI, so as to pass off their goods as and for those of the Plaintiff or in some way connected or associated therewith;

d) pending the hearing and final disposal of the suit, the Defendant by themselves, their proprietors, servants, agents, distributors, stockists, assignees and all those connected with the Defendant in their business be restrained by an order and temporary injunction of this Hon'ble Court from manufacturing, distributing, printing, packaging, stocking, supplying, marketing, selling and/or offering for sale and/or using in any manner whatsoever in relation to their BISLIE bottles, the impugned bottle design/shape mark or any design/shape mark which is/are almost identical with and/or is/are substantially similar to and/or an obvious imitation of the Plaintiffs design/shape mark as applied to its BISLERI bottles, so as to pass off or enable others to pass off the Defendant's bottle as and for that of the Plaintiff or in some way associated with or connected with the Plaintiff;

e) pending the hearing and final disposal of this suit, the Court Receiver, High Court, Bombay, or such other fit and proper person/s as this Hon'ble Court thinks fit, be appointed Receiver/s with all powers under Order XL Rule 1 Order XXXIX Rule 7 of the Code of

skt

Civil Procedure, 1908, to attend, enter upon with representative(s) of Plaintiff and search the premises, shops, retail outlets, offices, factories, godowns, warehouses of the Defendant and such other premises wherever the impugned goods bearing the impugned mark BISLIE depicted under an impugned pirated artwork and trade dress and any other like goods as may be found, stocked, sealed or are lying and to break open locks with police assistance (if needed), make an inventory, seize and take possession/custody thereof by sealing the said goods at the Defendant's premises under lock and key and also of all related items such as labels, stationery, production registers, invoices, printing and packaging materials, screens, dyes, blocks, moulds, machinery and master plates used to process, pack and manufacture the impugned goods and to print the infringing packaging materials lying at the premises, offices or factories, manufacturing units, godowns, warehouses of the Defendant or agents or at any other place/s and the Defendant by themselves, their proprietors, servants, employees, representatives be ordered to deliver up all the aforesaid to the Court Receiver or to such other fit and proper person as Hon'ble Court thinks fit and the Court Receiver must carry out such search and seizure with local police assistance, if necessary, at no costs;

9. The Court Receiver's Report No. 292 of 2026 is disposed of in terms of prayer clause (a).

10. Accordingly, Interim Application (L.) No. 18664 of 2026 and Leave Petition No. 208 of 2026 are disposed of.

[MADHAV J. JAMDAR, J.]