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

CNR No. DLHC010338872026

+ **CS(COMM) 806/2026**

ALLCARGO LOGISTICS LIMITED

.....Plaintiff

Through: Mr. Gaurav Gogia, Ms. Shubhi Gupta
and Ms. Dishu Mishra, Advocates.

versus

ASHOK KUMAR & ORS.

.....Defendants

Through: Mr. Mrinal Ojha, Mr. Debarshi Dutta
Mr. Arjun Mookerjee, Mr. Nikhil Gupta and Mr.
Aditya Dash, Advocates for D-38/GoDaddy.com
LLC and D-41/GoDaddy India Web Services
Private Limited.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **04.08.2026**

I.A.20128/2026 (Exemption)

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

I.A.20127/2026 (u/O XI Rule 1 (4) r/w Section 151 CPC)

3. This application is filed on behalf of the Plaintiff seeking to place on record additional documents within 30 days.
4. Plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly in accordance with provisions of the Commercial Courts Act, 2015.
5. Application is allowed and disposed of.

I.A.20129/2026 (for pre-institution mediation)

6. This application is filed on behalf of the Plaintiff under Section 151



CPC read with Section 12A of the Commercial Courts Act, 2015 seeking exemption from Pre-Institution Mediation.

7. 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.

8. Application is allowed and disposed of.

I.A.20130/2026 (u/S 80(2) r/w Section 151 CPC)

9. This application is filed on behalf of the Plaintiff seeking exemption from serving notice to Defendants No. 61/National Internet Exchange of India (NIXI), 62/Department of Telecommunications (DoT) and 63/Ministry of Electronics and Information Technology (MeitY).

10. For the reasons stated in the application, the same is allowed, exempting the Plaintiff from serving advance notice on Defendants No. 61, 62 and 63.

11. Application stands disposed of.

I.A.20131/2026 (u/S 151 CPC)

12. This application is filed on behalf of the Plaintiff seeking exemption from effecting advance service on Defendants No. 1 to 37.

13. For the reasons stated in the application, the same is allowed exempting the Plaintiff from effecting advance service on Defendants No. 1 to 37.

14. Application stands disposed of.

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15. Let plaint be registered as a suit.



16. Issue summons.

17. Mr. Mrinal Ojha, learned counsel accepts summons on behalf of Defendants No. 38 and 41.

18. On oral request of learned counsel for the Plaintiff, Defendant No. 41 is deleted from the array of parties.

19. Amended memo of parties be filed within two weeks from today.

20. Upon filing of process fees, issue summons to the remaining Defendants through all permissible modes, returnable before the learned Joint Registrar on 02.09.2026.

21. Summons shall state that the written statements shall be filed by the remaining Defendants within 30 days from the date of receipt of summons along with affidavit of admission/denial of the documents filed by the Plaintiff.

22. It will be open to the Plaintiff to file replications within 30 days from receipt of the written statements along with affidavit of admission/denial of documents filed by the remaining Defendants.

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

24. Learned Joint Registrar shall carry out admission/denial of documents and marking of exhibits.

I.A. 20126/2026 (u/O XXXIX Rules 1 and 2 r/w Section 151 CPC)

25. 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.

26. Issue notice.

27. Mr. Mrinal Ojha, learned counsel accepts notice on behalf of



Defendant No. 38.

28. Notice be issued to the remaining Defendants through all permissible modes, returnable before Court on 10.12.2026.

29. Case of the Plaintiff as set out in the plaint is that Plaintiff is engaged in the business of providing warehousing and storage services, warehouse management services, 3PL services, contract logistics services, supply chain management and integrated logistics solutions as also relocation services including packing and moving solutions, specialized logistics services across multimodal transport operations, express distribution services by ground and air mode and end-to-end logistics services across India. Plaintiff's predecessors adopted the trademark 'GATI' in the year 1989 and the mark has been continuously used since then as a word *per se* in a stylized form and has many formative marks and labels including *inter alia*



, which have been and are being used in the course of trade in relation to the Plaintiff's multiple services.

30. It is stated that in 1989, Plaintiff's predecessors adopted and commenced business under the tradename GATI LIMITED and a company named GATI LIMITED was registered as a Public Limited Company in the same year. Trademark GATI was finalised and adopted after short-listing several Sanskrit-based names and means and connotes 'speed with direction' and the GATI marks have been continuously, extensively and uninterruptedly used by the Plaintiff since adoption.



31. It is stated that Plaintiff's predecessors were first in India's logistics sector to introduce *inter alia* express distribution service in India in 1989; door to door service; offer money back guarantee; cash on delivery; toll free number; first exclusive cargo train from Mumbai and Kolkata in association with Indian Railways and third party logistics etc. Between 1996-1998, Plaintiff's predecessor marked a significant phase of expansion and modernization in their operations and the company received ISO certification. Between 1999-2000, the company strengthened the domestic presence and entered into tie-ups with the postal departments of Bhutan and Maldives and during 2001 to 2003, it forayed into Singapore, marking a significant step in its global growth strategy. Plaintiff's predecessors obtained registration of domain name <https://www.gati.com> on 22.02.2001 and subsequently, in 2003, the <https://www.gati.com> portal was launched. The earlier website was redirected to Plaintiff's website www.allcargologistics.com, which has a different layout.

32. It is stated that business of Plaintiff's predecessors further expanded over the years and in 2012 it entered into a joint venture with Japanese premier logistics company Kintetsu World Express and formed a company Gati Kintetsu World Express Private Limited (Gati-KWE), in which the Japanese entity held 30% stake, while Plaintiff held 70%. Many GATI-KWE formative marks were adopted and registered and website < GATIKWE.COM> was registered on 17.03.2012. A major turning point came in 2020, when Allcargo Logistics Limited acquired stake in Gati Limited and became the promoter and single largest shareholder by virtue of Shareholders Agreement dated 25.03.2020. The 30% shareholding of Kintetsu entities was purchased by a Share Purchase Agreement dated 27.03.2023 and the name of Gati Limited was changed to Allcargo Gati



Limited. The trademark registrations in favour of Plaintiff's predecessors in order to secure statutory protection as detailed in paragraph 12 of the plaint are as follows:-

S. NO.	TRADEMARK	APPLICATION NO.	USER DATE	STATUS AND VALIDITY
1.		5230785	07/05/2021	Registered and valid up to 12/02/2031
2.		5230786	07/05/2021	Registered and valid up to 12/02/2031
3.		5092465	30/04/2012	Registered and valid up to 17/08/2031
4.		5092466	30/04/2012	Registered and valid up to 17/08/2031
5.		5230787	07/05/2021	Registered and valid up to 12/02/2031
6.		5230788	07/05/2021	Registered and valid up to 12/02/2031
7.	GATI KWE	5413835	31/10/2012	Registered and valid up to 18/04/2032
8.		2352563	31/03/2012	Registered and valid up to 22/06/2032

33. It is stated that pursuant to order dated 10.10.2025 passed by NCLT, Allcargo Gati Limited along with its sister concern amalgamated with Allcargo Logistics Limited and post-amalgamation, Plaintiff conducts its business through its official website <https://www.allcargologistics.com>. Plaintiff filed numerous trademark applications, some of which have



proceeded to registration and some of are pending as detailed in paragraph 28 of the plaint. Plaintiff has also secured registrations in international jurisdictions as mentioned in paragraph 30. Plaintiff has immense social media presence on Facebook, Instagram, YouTube and LinkedIn, with large numbers of followers and subscribers, as detailed in paragraph 23 of the plaint. As averred, Plaintiff works through 750+ operating units with a team of more than 9000 employees and a nationwide network covering 735 districts, providing services such as cargo delivery and distribution, transportation including air freight, supply chain management, e-commerce and managed value-added services (M-VATS) as also exclusive B2C services such as Laabh, Bike Express and Student Express. Owing to extensive use of the GATI marks over decades, Plaintiff has earned immense goodwill and reputation, which is reflected from the sales turnover from operation of Plaintiff's predecessor companies as also the Plaintiff. Details of consolidated revenues for the period 2020-2021 to 2024-2025 are as follows:-

S. NO.	PERIOD	CONSOLIDATED REVENUE FROM OPERATIONS OF PLAINTIFF'S PREDECESSOR'S COMPANIES (IN CRORES)
1	FY 2020-21	1314
2	FY 2021-22	1490
3	FY 2022-23	1723
4	FY 2023-24	1479

S. NO.	PERIOD	CONSOLIDATED REVENUE FROM OPERATIONS OF ALLCARGO LOGISTICS LIMITED (IN CRORES)
1	FY 2024-25	1510



34. It is stated that Plaintiff has regularly invested huge sums of money in promoting and marketing the products under the GATI marks through advertisements in newspapers, magazines, television, display board and distribution of trade literature and novelties. Distinctiveness, association and popularity of the trademark GATI is evident from the fact that it has been included in the list of well-known marks maintained by the Trade Marks Registry at Serial No. 36 of Journal No. 2144 published on 19.02.2024. The registrations grant exclusive rights to the Plaintiff to use the marks and restrain third parties from infringing them. Plaintiff has also acquired common law rights in the marks ALLCARGO GATI, GATI, GATI AIR and their formative marks, owing to their prior and honest use over the years. Plaintiff has been extremely vigilant in protecting its rights in the trademarks/labels/trade names and has filed civil suits as also taken criminal action against infringers and counterfeiters.

35. It is stated that Defendants No. 1 to 36 are engaged in marketing, displaying, advertising and providing services of packing, shifting, relocating which are similar to those of the Plaintiff and/or allied, under







through several websites detailed in paragraph 51 of the plaint, which are ‘rogue’ websites. These Defendants have subsumed the GATI mark in their domain names and some have replicated the layout and look and feel of Plaintiff’s website, so as to encash on its goodwill and reputation for unlawful



monetary gains. Impugned websites conceal their true identities and contact details and deliberately operate behind a veil of anonymity. Defendant No.37 is an unknown person/John Doe, which is operating through different rogue websites and infringing Plaintiff's GATI marks and passing off its services as those of the Plaintiff.

36. Learned counsel for the Plaintiff submits that Defendants No. 1 to 36 and Defendant No. 37/John Doe have adopted impugned marks/labels, which are deceptively similar to Plaintiff's registered GATI marks and are using rogue websites to pass off their services taking advantage of the well-earned goodwill and reputation of the Plaintiff. Unwary purchasers and traders are being confused and deceived as to the origin of the services and the said Defendants are making unlawful monetary gains. In-depth investigation by the Plaintiff revealed that Defendants are providing services of packing, moving and relocation, which are similar to Plaintiff's services and/or are allied and the deception amongst the public is causing loss of faith in the Plaintiff as also dilution of its well-known GATI marks.

37. Having heard learned counsel for Plaintiff, I am of the view that Plaintiff has made out a *prima facie* case for grant of *ex parte* ad interim injunction against the Defendants. Balance of convenience lies in favour of Plaintiff and it is likely to suffer irreparable harm in case the interim injunction, as prayed for, is not granted.

38. Plaintiff is the registered proprietor of the GATI marks and the marks have been used through its predecessors openly, continuously and extensively since 1989 and are associated with the Plaintiff alone. The distinctiveness of the mark GATI and its extensive use along with formative marks and popularity as also exclusive association with the Plaintiff is evident from the fact that GATI mark is included in the list of well-known



marks within the meaning of Section 2(1)(zg) of the Trade Marks Act, 1999 and is thus entitled to high degree of protection. Defendants No. 1 to 36/37 have adopted deceptively similar GATI marks and are using them to render services of packing, shifting, relocation which are similar and/or allied to the services of the Plaintiff. Defendants have incorporated and subsumed the mark GATI in entirety in the impugned marks, which *prima facie* reflects dishonest intention to take advantage of Plaintiff's goodwill. The rival marks and services being similar there is every likelihood of confusion in members of public and trade. Defendants have adopted deceptively similar marks and lay out and look and feel of the websites to misrepresent that their services have some connection or commercial nexus with the Plaintiff and take undue advantage of its reputation and goodwill, which is causing irreparable harm and injury to Plaintiff's goodwill. *Prima facie* Defendants are infringing the registered GATI marks of the Plaintiff and also passing off their services as those of the Plaintiff. The services are being rendered through the impugned rogue websites, which do not disclose verifiable contact particulars and the WHOIS details of the registrants are masked such that actual identities of Defendants No. 1 to 36 are undisclosed. The rival services being similar/allied, there is every likelihood of confusion amongst members of public. Sale through rogue websites with actual identities of counterfeiters and infringers being masked is a menace, which is ever increasing and needs to be curbed.

39. Accordingly, till the next date of hearing:-

- (a) Defendants No. 1 to 36/37 and all others acting on their behalf are restrained from marketing, advertising and/or offering the impugned services, which are similar and/or allied to the services rendered by



the Plaintiff using the impugned trademarks/labels /







and/or any other mark or variant deceptively similar to Plaintiff's GATI trademarks



amounting to infringement of trademarks and/or passing off; and

(b) Defendants No. 38 to 48 are directed to lock and suspend the domains as registered with them respectively and mentioned in **Annexure-A** to this order, within 36 hours from the date of receipt of copy of this order.

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

JYOTI SINGH, J

AUGUST 4, 2026

S.Sharma



ANNEXURE-A

Defendant	New Websites/ Domain Names	Domain Name Registrar	Details of Registrant	Web Hosting Service Provider
1.	https://www.gatiservice shifting.com	GoDaddy.com, LLC	Unknown	Amazon.com, Inc.
2.	https://gatisafeexpress packers.com	Sav.com, LLC	Unknown	PDR Solutions FZC
3.	https://www.gatipackers-movers.com/location/noida.php	GoDaddy.com, LLC	Unknown	GoDaddy.com, LLC
4.	https://gatipackersmoversservice.com/	BigRock Solutions Ltd	Gati Packers and Movers 01, MP nagar, Bhopal, Madhya Pradesh-462011	Hostinger International Limited
5.	https://gatipackermovers.in/	Hostinger operations, UAB	Haryana, India	Hostinger International Limited
6.	https://www.gatipackersandmovers.in/	GoDaddy.com, LLC	Karnataka, India	Hostinger International Limited
7.	https://www.gatipackers.in/index.php	GoDaddy.com, LLC	Haryana, India	MilesWeb Internet Services Pvt Ltd
8.	https://www.gatilogisticspackersmovers.in/contact.php	GoDaddy.com, LLC	Delhi, India	MilesWeb Internet Services Pvt Ltd
9.	https://gatiallcargomovers.com/	GoDaddy.com, LLC	Unknown	Hostinger US



10.	https://gaticargoindia.com	One.com A/S	Delhi, India, Email:	Advika Web Developments Hosting Pvt Ltd
11.	https://www.gaticargo-packersmovers.com	Hostinger operations, UAB	LT	Hostinger In
12.	https://gatihomeshifting.co.in/	Endurance Digital Domain Technology Private Limited	Gati Home Shifting, Karnataka, India	Digital Reality Trust Inc.
13.	https://www.gatipackerandmover.in/	HOSTINGER operations, UAB	Haryana, India	Hostinger In
14.	https://www.gatihome-packersandmover.in/	HOSTINGER operations, UAB	Haryana, India	Hostinger International Limited
15.	https://gatishiftingexpert.in/	Endurance Digital Domain Technology Private Limited	India	WHG Hosting Services Ltd
16.	https://alcargogati.in/	HOSTINGER operations, UAB	Maharashtra, India	Hostinger International Limited
17.	https://gatiexpress.com/	PDR Ltd. d/b/a PublicDomainRegistry.com	Pintu Chanda, 101 Dum Dum road, Kolkata, West Bengal, 700074, India	Hetzner Online GmbH


Caps Lock Off





18.	https://www.gatipune.com/	Wix.com Ltd.	Unknown	Google LLC
19.	https://www.gatiexpress.in/Bokaro-steel-city.php	GoDaddy	West Bengal, India	WHG Hosting Services Ltd
20.	https://gaticargopackers.in/	Hiox Softwares Private Limited	Haryana, India	Hostinger IN
21.	https://www.gatixpresslogisticindia.com/	WIX.COM	Unknown	Google LLC
22.	https://gaticargopackersandmovers.co.in/	GoDaddy	Gati Cargo Packers And Movers, Haryana, India	Hetzner Online GmbH
23.	https://www.gatihouseshifting.com/	GoDaddy.com, LLC	Unknown	CloudFare
24.	https://gatishakticargo.in/	HOSTINGER operations, UAB	Gati Shakti Cargo Packers and Movers, Karnataka, India	Hostinger International Limited
25.	https://gaticargomovers.co.in/	GoDaddy	App India Management Consultancy Services Private, Bihar, India	Hiox Softwares Private Limited
26.	https://gatilogisticspackers.com/	PDR Ltd. d/b/a PublicDomainRegistry.com	Privacy Protect, LLC (PrivacyProtect.org), 10 Corporate Drive, Burlington, MA, 01803, USA	Digital Snap



27.	https://gaticargomove.rsandpackers.in/	HOSTINGER operations, UAB	Gujarat, India	Digital Snap
28.	https://gatiservices.com/	GoDaddy.com, LLC	Unknown	WHG Hosting Services Ltd
29.	https://www.gaticargo.logistics.com/	HOSTINGER operations, UAB	LT	Hostinger International Limited
30.	https://gaticargomove.rsandpackers.in/index.html	Endurance Digital Domain Technology Private Limited	Ashok Singh Rathore, Telangana, India	PDR
31.	https://gatilogisticspackersmovers.in/index.html	Dreamscape Networks International Pte Ltd	Unknown	Tier 4 Cloud Services
32.	https://www.gatipackersandrelocation.in	GoDaddy	Sai Info Services, Uttar Pradesh, India	Hetzner Online GmbH
33.	https://gatishiftingpackers.com/	HOSTINGER operations, UAB	LT	Hostinger International Limited
34.	https://www.gaticargopackerandmovers.in/	GoDaddy	Uttar Pradesh, India	Hetzner Online GmbH
35.	https://www.gatikwe.online/	PDR Ltd. d/b/a PublicDomainRegistry.com	Mayur Patel	Contabo Asia Private Limited
36.	https://www.gatipackers.co/index.php	GoDaddy.com, LLC	Unknown	MilesWeb Internet Services Pvt Ltd