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

CNR No. DLHC010471562026

+ **CS(COMM) 1073/2026**

SOCIETY FOR HUMAN RESOURCE MANAGEMENT

SHRM

.....Plaintiff

Through: Mr. Neeraj Bhardwaj, Dr. Mohan Dwaan, Mr. N.K. Bhardwaj, Mr. Bikash Ghorai, Mr. Salil Oberoi and Mr. Rahul Maratha, Advocates.

versus

SPHINX WORLDBIZ LTD & ORS.

.....Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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30.09.2026

I.A. 27196/2026 (Application under Order XI Rule 1 (4) Amended by the Commercial Courts Act, 2015) read with Section 151 CPC by the plaintiff)

1. The present application has been filed on behalf of the plaintiff for filing additional documents.
2. Let additional documents, be filed strictly in accordance with the provisions of the Commercial Courts Act, 2015, the Delhi High Court (Original Side) Rules, 2018 and the Delhi High Court Intellectual Property Division Rules, 2022.
3. The application is disposed of.

I.A. 27197/2026 (by plaintiff under Section 12A of Commercial Courts Act, 2015 read with Section 151 CPC)

4. This is an application filed by the plaintiff under Section 12A of the



Commercial Courts Act, 2015 seeking exemption from instituting pre-litigation mediation proceedings.

5. An urgent relief has been sought by the plaintiff in the present suit. After having examined the plaint and the documents filed along with the plaint, the Court is of the view that relief in application under Order 39 Rules 1 & 2 CPC [I.A 27195/2026] is plausibly urgent and genuinely contemplated, for the reasons recorded in detail while dealing with I.A 27195/2026.

6. The application is, therefore, allowed and the plaintiff is exempted from the pre-litigation mediation.

7. The application is disposed of.

I.A. 27198/2026 (Application under Section 151 by the plaintiff seeking exemption)

8. This is an application filed by the plaintiff seeking exemption from making advance service to the defendants with respect to the suit and the applications.

9. Since the plaintiff seeks urgent relief, therefore, the plaintiff is exempted from serving advance notice on the defendants.

10. The application is disposed of.

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11. The plaint be registered as suit.

12. On filing of process fee, summons be issued to the defendants by all permissible modes.

13. The summons shall indicate that the written statement must be filed within thirty days from the date of receipt of summons. The defendants shall



also file an affidavit of admission/denial of the documents filed by the plaintiff, failing which the written statement shall not be taken on record.

14. The plaintiff is at liberty to file replication thereto within thirty days after filing of the written statement. The replication shall be accompanied by an affidavit of admission/denial in respect of the documents filed by the defendants, failing which the replication shall not be taken on record.

15. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

16. If any of the parties wish to seek inspection of the documents, the same shall be sought and given within the timelines.

17. List before the learned Joint Registrar for completion of service, pleadings, admission/denial of documents and marking of exhibits on 02.12.2026.

18. List before Court on 19.01.2027.

I.A. 27195/2026 (Application under Section 135 (2) of the Trademarks Act, 1999, Order XXXIX Rule 1 and 2 read with Section 151 CPC by the plaintiff)

19. The case set out by the plaintiff in the plaint is that the plaintiff was founded as the American Society for Personnel Administration (ASPA) on November 21, 1948. The plaintiff in 1989 adopted the present name Society for Human Resource Management (SHRM). For over 75 years, the plaintiff organization has provided a comprehensive range of Human Resources related services, including but not limited to, advocacy, consultancy, advertising, information dissemination, business research, market analysis, professional networking, lead generation, and the organization of the conferences & trade shows, with nearly 340,000 members across 180



countries, including India.

20. Mr. Neeraj Bhardwaj, learned counsel for the plaintiff submits that, SHRM East Private Limited (Formerly Known as Strategic Human Resource Management India Private Limited), is the wholly owned Indian subsidiary of plaintiff duly incorporated under the Companies Act, 1956, on 10th December 2005 having its registered office at the address 705 & 706, 7th floor, Emaar Capital Towers 1, MG Road, Sector 26, Gurgaon, Haryana, India - 122002.

21. He submits that in addition to its ongoing initiatives, the plaintiff has been successfully organizing its flagship SHRM India Annual Conference worldwide as well as in New Delhi since 2011 each year. Each edition of the conference is centred on a distinct theme, addressing emerging trends and critical challenges in the field of Human Resources. Over the years, it has evolved into a premier platform for HR professionals to gain access to cutting-edge insights, innovative strategies, and practical solutions for implementation within their organizations.

22. It is stated that, plaintiff being extremely vigilant of its statutory rights obtained various registrations for its intellectual property in various classes which are as follows: -



S.No.	Trademark	Application No.	Class	Status
1.	SHRM	4900759	16	Registered
2.	SHRM	4900761	41	Registered
3.		1668202	41	Registered
4.		1668200	16	Registered
5.		1668201	35	Registered
6.	SHRM EXECUTIVE NETWORK	5169656	41	Registered
7.	SHRM INDIA Registration of this trade mark shall give no right to the exclusive use of the word 'India'	1486481	41	Registered
8.	SHRM EXECUTIVE NETWORK	5169658	35	Registered

23. Further, it is contended that the plaintiff has also obtained registration as well as applied for the trademark “SHRM” and its variants globally, which are to the tune of 158 in number. Listed below are few trademarks which are registered globally: -



Sr. No.	Application No.	Trademark	Country	Class	Status
1.	4552288		USA	35	Registered
2.	000638023	SHRM	European Union	42	Registered
3.	TMA1167799	SHRM	Canada	16	Registered
4.	IDM000492746		Indonesia	41	Registered
5.	UK0000369682 1	SHRM	UK	41	Registered
6.	T1305172Z		Singapore	41	Registered
7.	1668064	SHRM - CP	Australia	35	Registered
8.	908732333	SHRM - CP	Brazil	41	Registered
9.	2014014022	SHRM-SCI	Malaysia	35	Registered
10.	1619778	SHRM - SCP	Mexico	42	Registered
11.	PH42024005211 10		Philippines	41	Registered
12.	761672		Switzerland	16,41	Registered
13.	140759	SHRM-CP	Jordan	35	Registered
14.	234267		Costa Rica	16	Registered

24. It is also stated that plaintiff has been advertising its services widely for over decades, utilizing every conceivable media avenue, including



brochures and trade publications. The plaintiff's consistent and substantial efforts in this regard have been crucial in building and preserving its position in the market under the trademark SHRM & its variants and have contributed immensely to the plaintiff's revenue, as borne out from the following annual sales turnover given below:

<i>Sr.No.</i>	<i>Fiscal Year</i>	<i>Revenue (US \$)</i>
1	2011	101,872,832
2	2012	104,241,442
3	2013	114,561,872
4	2014	113,021,588
5	2015	113,462,696
6	2016	120,001,857
7	2017	131,056,994
8	2018	145,704,897
9	2019	154,367,546
10	2020	113,096,811
11	2021	173,516,006
12	2022	178,746,649
13	2023	198,684,537
14	2024	233,028,539

25. Furthermore, the plaintiff also enjoys a substantial and influential presence across leading global social media platforms. The plaintiffs official pages and handles on platforms such as LinkedIn, Twitter (X), Facebook, Instagram, and YouTube collectively attract an extensive following running into millions.

26. Mr. Bhardwaj, submits that the plaintiff is the lawful proprietor and registrant of the interactive domain name "www.shrm.org" which



constitutes the primary digital identity of the plaintiff. The said domain name is registered in the name of the plaintiff and its ownership is evidenced by the “WHOIS” database, which is reproduced below for ease of reference:-

Domains ▾ Websites ▾ Email Hosting ▾ Marketing ▾

Search the WHOIS Database

WHOIS search results

Domain Information

Name	shrm.org
Registry Domain ID	-
Registered On	1995-05-09T04:00:00.192Z
Expires On	2035-05-10T04:00:00Z
Updated On	2025-12-01T17:13:10.618Z
Domain Status	client transfer prohibited
Name Servers	ns-1127.awsdns-12.org ns-1938.awsdns-50.co.uk ns-202.awsdns-25.com ns-654.awsdns-17.net

Registrant Contact

Name	-
Organization	-

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27. He submits that a perusal of the “WHOIS” database clearly establishes that the domain “www.shrm.org” was first created and registered on May 5th 1995 and remains valid and subsisting under the plaintiff’s control.

28. It is stated that the domain name incorporates the plaintiff’s registered trademark “SHRM” in its entirety, thereby conclusively demonstrating its exclusive association with the plaintiff and eliminating any possibility of ambiguity or misrepresentation.

29. It is contended that the copyrights subsisting in the plaintiffs official website “www.shrm.org” together with its associated domains and digital platforms, extend not only to the textual content, compilations, and software elements but also to the artistic features embodied therein. These include, without limitation, the distinctive layout, graphical user interface, colour combinations, artistic get-up, icons, logos, stylised representations, banners, imagery, and overall visual presentation, all of which constitute original artistic works within the meaning of Section 2 (c) of the Copyright Act, 1957.

30. It is stated that defendant no.2 is a private limited company incorporated on 21.09.2021 and operates under the control of defendant no.1, filed an application on 14.10.2021 bearing application no. 5174456 for registration of their trademark “SHRM PRO” (impugned trademark).

31. The defendant no.2’s said application was duly opposed by the plaintiff on 11.06.2024 by filing Notice of Opposition. Despite service of the Notice of Opposition, the defendant no.2 failed to file its Counter Statement within the prescribed statutory period. Consequently, the defendant no.2’s application for the mark “SHRM PRO” was deemed to have been



abandoned and was accordingly recorded as abandoned by the Examiner of Trade Marks *vide* order dated 17.12.2024.

32. It is stated that the above application by defendant no.2 was filed merely 20 days after its incorporation, and that too on a “proposed to be used” basis, clearly demonstrating that the adoption of the mark was not backed by any bona fide commercial activity.

33. It is also contended that pursuant to an independent investigation conducted by the plaintiff, it has come to light that defendant no.2 has yet again attempted to secure statutory rights over the impugned mark by filing a fresh trademark application bearing application no. 7277194 in class 42 dated 07.10.2025 for the word mark “SHRMpro” in respect of identical and allied services. Notably, said application has been filed with a purported user claim of 12.05.2023.

34. It is stated that pursuant to the aforementioned recent trademark application filed by defendant no.2, the plaintiff immediately issued a Cease and Desist Notice dated 30.10.2025, expressly notifying the defendants of the plaintiffs exclusive statutory and proprietary rights in the well known mark “SHRM” and calling upon them to cease all infringing activities forthwith.

35. In response, the defendant no.2, *vide* their reply dated 31.10.2025, categorically refused to comply with the lawful demands of the plaintiff and declined to discontinue their unauthorized use of the impugned mark.

36. Furthermore, it was revealed to the plaintiff that defendant no.2 is operating under an identical domain name “www.shrmpro.com” (impugned domain name) which wholly and entirely incorporates and subsumes the plaintiffs well established and distinctive trademark “SHRM” and added a



non distinctive term/laudatory term “pro” in it.

37. It is stated that the website operated by defendant no. 2 adopts and prominently features a blue and white colour scheme, which is deceptively similar to the distinctive colour combination, layout and overall iconography of the plaintiffs website. The deliberate adoption of an identical and/or substantially similar colour combination and visual presentation is calculated to create an impression of association, affiliation or endorsement, thereby causing confusion amongst members of the trade and the public at large.

38. It is also stated that, upon conducting a “WHOIS” search in respect of the defendants’ impugned domain name, it was revealed that the said domain was originally registered in the year 2015. However, further investigation through the “Wayback Machine” demonstrates that although the domain name was secured in 2015, the defendants were not operating any functional website during that period. The archived records indicate that no active use or commercial content was associated with the domain for several years, and the earliest instance of any discernible use of the website, as could be inferred from the “Wayback Machine” data, appears only around late 2020.

39. It is contended that defendants have adopted the impugned trademark “SHRM PRO”, which is deceptively similar to plaintiff’s prior registered “SHRM” formative trademarks. For reference, comparison between the rival trademarks is as follows: -



<u>Plaintiff's trademark</u>	<u>Defendant No.1 and No.2's</u> <u>impugned adoption</u>
SHRM/ 	

40. Mr. Bhardwaj, further submits that plaintiff came to know that the defendants are using the impugned trade mark on their website. Screenshot of the said impugned Trademark on defendants website is given below:



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Speed-up Your
Application Tracking &
Recruitment
Journey

Smart Application Tracking System for enhanced candidate
experience, resume parsing, and more.

Book A Demo Now



301

Download

3 Ds of SHRMpro

Dynamic Dashboard

Users get the desired information on a single screen with multiple dashlets, allowing them to choose which information to access based on their designation.

Dynamic Reports

Users can generate any type of reports based on the modules present in the HRMS software like summary reports, matrix reports, etc.

Dynamic Workflow

Users are allowed to choose the way they operate and secure information with both Cloud based and On-premise implementation with dedicated backend support.

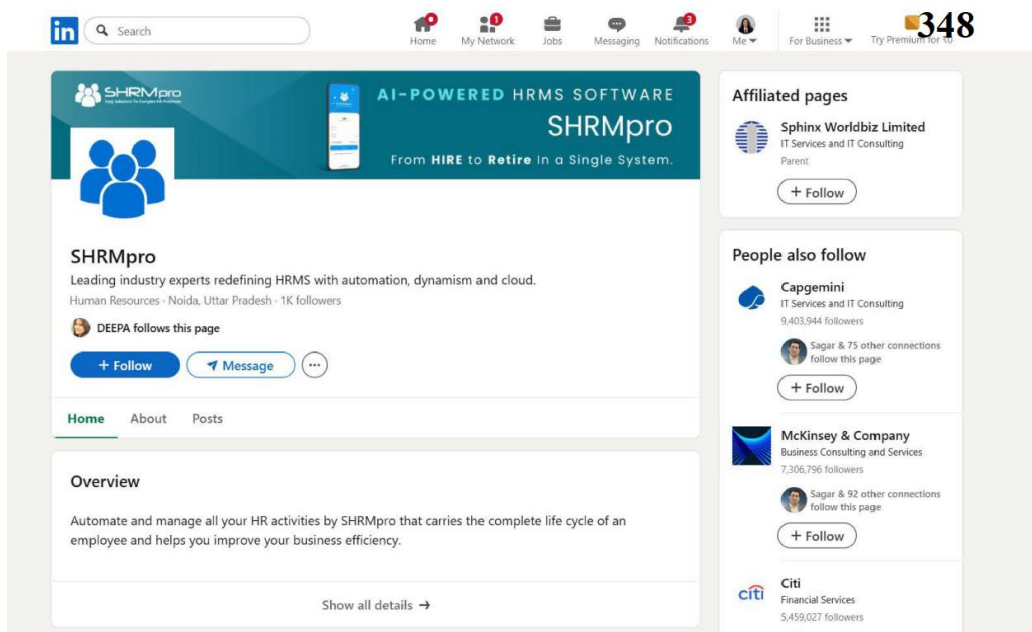
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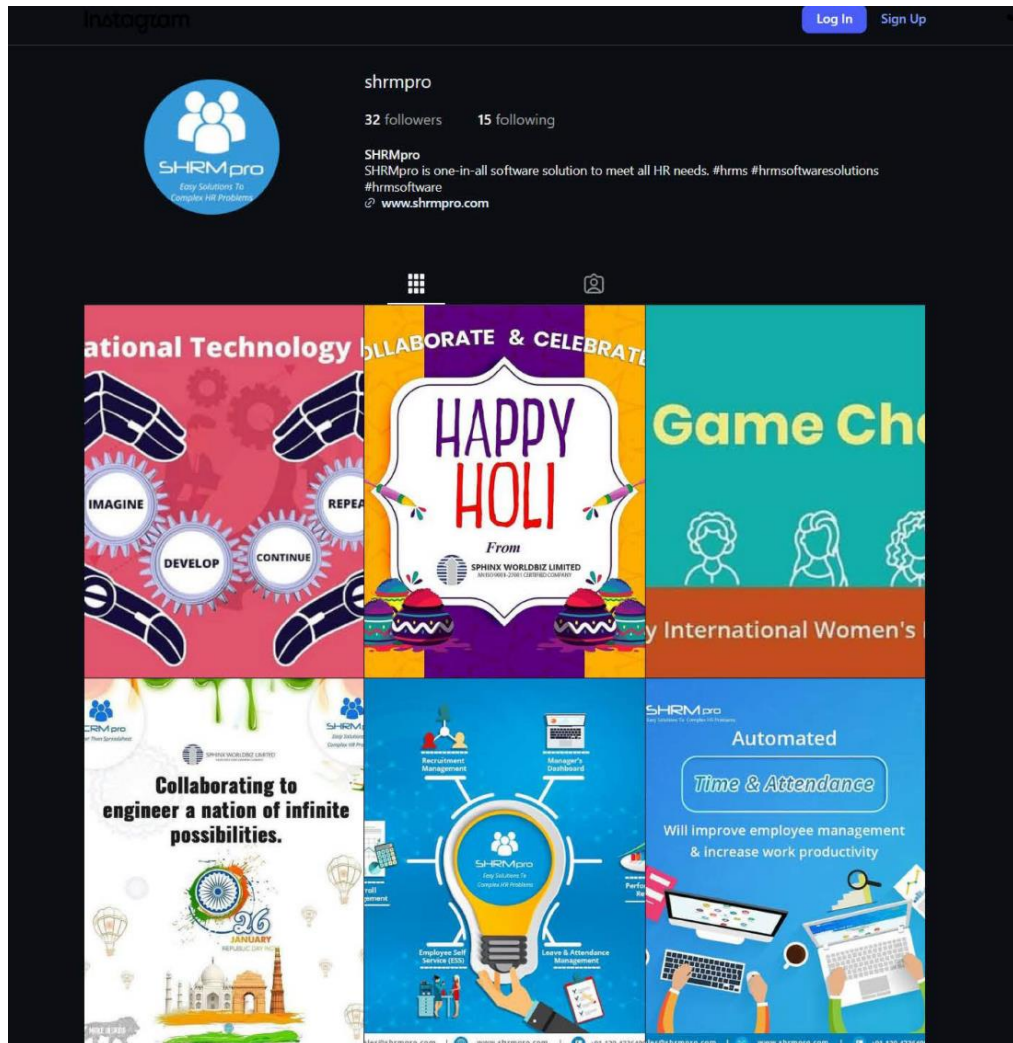
41. He submits that defendants are actively operating the impugned trademark through multiple social media platforms, including but not limited to Instagram, LinkedIn, and Facebook. Below reproduced are the relevant screenshots from the multiple social media platforms:-



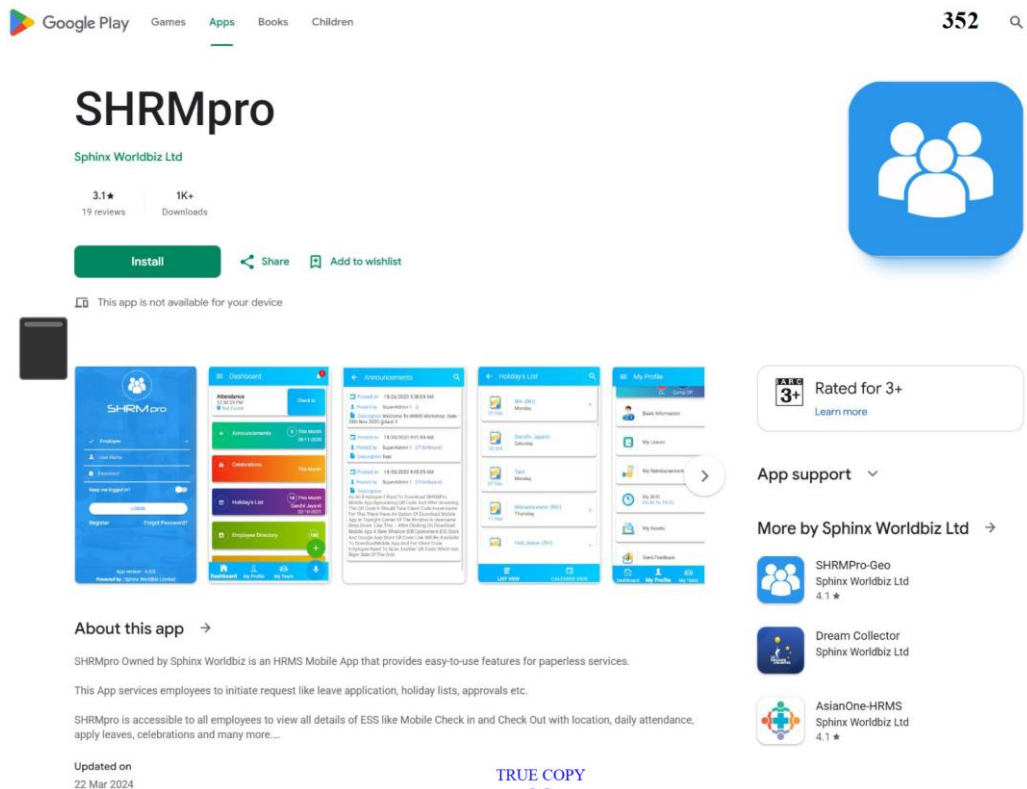
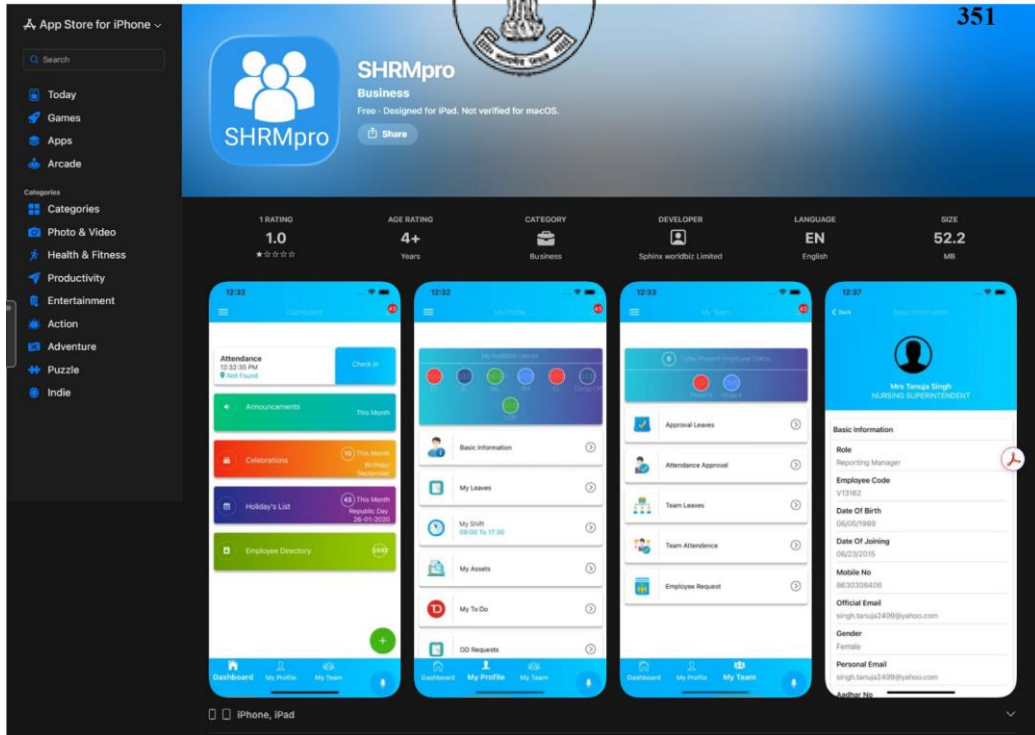
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42. It is contended that defendants have also built mobile applications which are accessible through the Play Store/App Store wherein the defendants are prominently displaying and promoting the impugned mark. Further the name of defendant no. 1 is prominently visible on the Play Store/App Store. The relevant screenshots demonstrating such infringing activities have been reproduced below:-

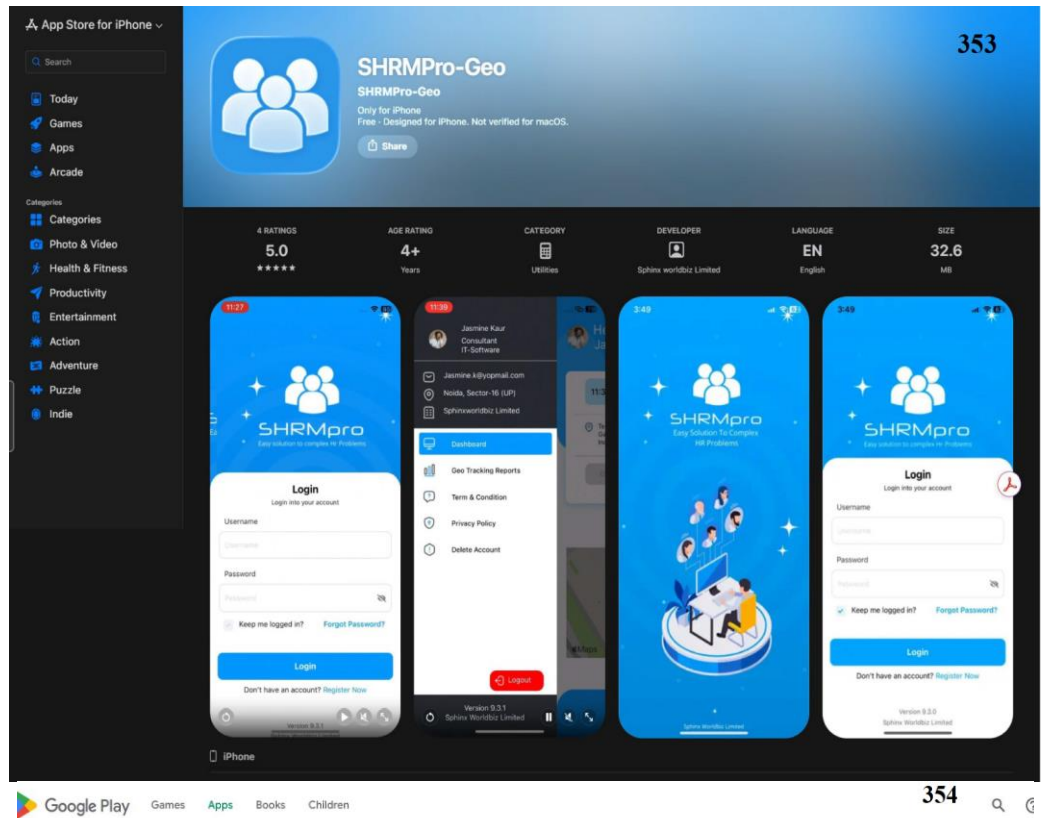


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SHRMPro-Geo

Sphinx Worldbiz Ltd

1K+
Downloads

Install

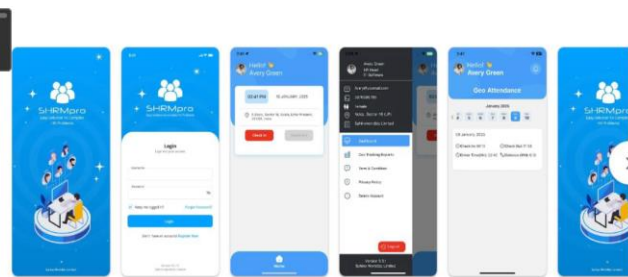


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SHRMpro
Sphinx Worldbiz Ltd
3.1 ★

Dream Collector
Sphinx Worldbiz Ltd

AsianOne-HRMS
Sphinx Worldbiz Ltd
4.1 ★

About this app

SHRMPro-Geo, developed by Sphinx Worldbiz, is a user-friendly HRMS mobile app designed to simplify and streamline paperless services for employees. SHRMPro-Geo requires access to your location to enable geotracking and geofencing features, even when the app is not in use. This helps us accurately track your check-ins, check-outs, and attendance. Your location data is used securely and only for these purposes.

Updated on
1 Aug 2026

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43. The defendant no.3, is the Domain Name Registrar of the impugned domain name/website operated by defendant no. 2, namely www.SHRMpro.com. It is submitted that defendant no. 3, namely GoDaddy.com LLC, has been impleaded to the present suit, in its dual capacity as the domain name registrar as well as the web hosting service provider of defendant no. 2 and is responsible for registration, maintenance and hosting of the domain name and website through which the impugned services are made available.

44. It is stated that the defendant no. 4, Apple Inc. through Apple India Private Limited, operates and controls the digital application distribution platform commonly known as the Apple App Store. The impugned mobile application of defendant no. 1, namely SHRMpro-geo/ SHRMpro, is made available for download and public access through the said platform. The impugned application continues to be accessible to the public at large by virtue of the platform operated by defendant no. 4.

45. Likewise, the defendant no. 5, Google LLC through Google India Private Limited, operates and/or facilitates the distribution of digital applications through the platform commonly known as the Google Play Store. The impugned mobile application of defendant no. 1, namely SHRMpro-geo/SHRM PRO, is made available for download and public access through the said platform. The impugned application continues to be accessible to the public at large by virtue of the platform operated by defendant no. 5.

46. The plaintiff's trademark "SHRM" and its variants are registered not only in India but globally. As noted above the turnover of the plaintiff is also substantial.



47. It *prima facie* appears that the use of the impugned trademark by the defendant no. 1 and 2 including use across social media platforms as well as through the mobile applications is not *bona fide* and it is causing confusion, deception, and a false association amongst the relevant public, stakeholders, and consumers, who are likely to mistakenly believe that the defendants' services originate from, are connected with, or are endorsed by the plaintiff.

48. This Court is thus, satisfied that the plaintiff has made out a *prima facie* case for grant of *ex parte ad interim* injunction till the next date of hearing. The balance of convenience is also in favour of an *ex parte ad interim* order being passed. I am satisfied that the plaintiff will suffer an irreparable loss and injury if *ex parte ad interim* injunction is not granted.

49. Accordingly, till the next date of hearing, the following directions are passed -

- i. Defendants, namely defendant no.1 and defendant no.2, their proprietors, partners, directors, representatives, agents, distributors, franchisees, licensees, stockists, successors, assigns, and all others acting on their behalf, are restrained from using, offering for sale, advertising, marketing, exporting, importing, displaying or dealing in any manner whatsoever whether offline, online, or on social media platforms any services under the impugned trademarks/tradename/labels/"SHRM PRO"/or any mark, word, or label identical or deceptively similar to the plaintiff's registered trademarks/labels/"SHRM"/"SHRM INDIA"/ or any other formative trademarks, so as to cause infringement of the plaintiff's registered trademarks as well as passing off.
- ii. Further, defendant no. 3 to 5 are directed to withdraw any support and



block/remove/take down/suspend/disable the access to the website/mobile applications of the defendants.

50. Issue notice. Notice be served upon the defendants by all permissible modes including speed post, courier, e-mail, etc.
51. The defendants may file a reply to the application within a period of four weeks. Rejoinder thereto, if any, be filed before the next date.
52. List before the learned Joint Registrar for completion of service and pleadings on 02.12.2026.
53. Provisions of Order XXXIX Rule 3 CPC be complied with *qua* the defendants within a period of 10 days, and compliance affidavit be filed within a week thereafter.
54. List before Court on 19.01.2027.

VIKAS MAHAJAN, J

SEPTEMBER 30, 2026/jg/AA