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

CNR No. DLHC010179622026

+ **CS(COMM) 445/2026**

GOLDMEDAL ELECTRICALS PVT. LTD. Plaintiff

Through: Mr. Shravan Kumar Bansal, Mr.
Pankaj Kumar and Mr. Saransh Saini,
Advocates.

versus

JIMMY THOPPILAN & ORS.

.....Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

% **15.10.2026**

I.A. 11734/2026 (Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The Application stands disposed of.

I.A. 11731/2026 (Exemption from pre-institution Mediation)

3. This is an Application filed by the Plaintiff seeking exemption from instituting pre-litigation Mediation under Section 12A of the Commercial Courts Act, 2015 ("CC Act").
4. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023 SCC OnLine SC 1382, exemption from the requirement of pre-institution Mediation is granted.
5. The Application stands disposed of.



I.A. 11733/2026 (Exemption from advance service to the Defendants)

6. This is an Application filed by the Plaintiff under Section 151 of the Code of Civil Procedure, 1908 (“CPC”), seeking exemption from advance service to the Defendants.

7. Mr. Shravan Kumar Bansal, learned Counsel for the Plaintiff, submitted that there is a real and imminent likelihood that the Defendants may take immediate steps to dispose of, conceal or suppress their infringing business operations and digital footprints bearing the deceptively similar Trade Mark.

8. In view of the fact that the Plaintiff has sought an urgent *ex parte ad-interim* injunction, the exemption from advance service to the Defendants is granted. Accordingly, the Application stands disposed of.

CS(COMM) 445/2026

9. Let the Plaint be registered as a Suit.

10. Issue Summons. Let the Summons be served to the Defendants through all permissible modes upon filing of the Process Fee.

11. The Summons shall state that the Written Statements shall be filed by the Defendants within 30 days from the date of the receipt of Summons. Along with the Written Statements, the Defendants shall also file an Affidavit of Admission / Denial of the documents of the Plaintiff, without which the Written Statements shall not be taken on record.

12. Liberty is granted to the Plaintiff to file Replication(s), if any, within 30 days from the receipt of the Written Statements. Along with the Replication(s) filed by the Plaintiff, an Affidavit of Admission / Denial of the documents of Defendants be filed by the Plaintiff, without which the Replication(s) shall not be taken on record.



13. 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.

14. If any of the Parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

15. List before the learned Joint Registrar on 21.12.2026 for completion of service and pleadings.

I.A. 11732/2026 (O-XI R-1(4) of the Code of Civil Procedure, 1908)

16. The present Application has been filed on behalf of the Plaintiff under Order XI Rule 1(4) of the CPC as applicable to Commercial Suits under the CC Act seeking leave to place on record additional documents.

17. 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.

18. Accordingly, the Application stands disposed of.

I.A. 11730/2026 (U/O XXXIX Rule 1 and 2 of CPC)

19. Issue Notice. Notice be served through all permissible modes upon filing of the Process Fees.

20. The present Suit has been filed for permanent injunction restraining infringement of registered Trade Marks, 'GOLDMEDAL',

 **Goldmedal**,  **Goldmedal**, **Goldmedal**,

 **Goldmedal**, and  **Goldmedal** SWITCH TO THE AMAZING, ("Plaintiff's Marks")

and Copyright, 'G GOLDMEDAL' /  **Goldmedal**,



(“**Plaintiff’s Copyright**”), passing off, delivery up, rendition of accounts and damages along with other ancillary reliefs.

21. The learned Counsel for the Plaintiff made the following submissions:

- 21.1. The Plaintiff, *Goldmedal Electricals Pvt. Ltd.*, is a company incorporated under the Companies Act, 1956, having its registered office at Mumbai, Maharashtra, and is engaged in the business of manufacturing and marketing a wide range of electrical goods such as electrical appliances, electrical accessories and fittings, wires and cables, switches and various other allied goods. During the course of trade, the Plaintiff has also expanded its business into the manufacture and sale of plywood, plywood boards, particle boards, laminated wood, veneers, laminated sheets and related allied and cognate goods.
- 21.2. The Plaintiff, through its predecessor, *M/s Bright Electricals*, Vijayawada, Andhra Pradesh, has been engaged in the said business since 1979-80 and adopted the Plaintiff’s Mark, ‘GOLDMEDAL’ as a Word Mark as well as in an artistic manner in the year 1979, which functions as the House Mark of the Plaintiff. The word ‘GOLDMEDAL’ also forms part of the Trade Name of the Plaintiff. The Plaintiff acquired all rights in the Plaintiff’s Marks and the Plaintiff’s Copyright in the artworks involved therein from *M/s Bright Electricals* vide a Deed of Assignment dated 22.03.2013.
- 21.3. The Plaintiff has its earliest registration for the Plaintiff’s Marks, ‘GOLDMEDAL’ since 17.02.1986 and has obtained registrations for the Plaintiff’s Marks in various classes.



21.4. The details of the registrations of the Plaintiff's Marks are as under:

S. No.	Trade Mark	Application No.	Class	Date of Application	Status
1.	GOLDMEDAL (word mark)	449747	09	17.02.1986	Registered
2.		518258	09	12.10.1989	Registered
3.		518259	11	12.10.1989	Registered
4.		603632	07	10.08.1993	Registered
5.	GOLDMEDAL	1719029	07	07.08.2008	Registered
6.		2517870	06	23.04.2013	Registered
7.		2517872	09	23.04.2013	Registered
8.		606961	09	16.09.1993	Registered
9.		603634	11	10.08.1992	Registered
10.		3098853	11	16.11.2015	Registered
11.		2517877	35	23.04.2013	Registered
12.		2517884	39	23.04.2013	Registered

21.5. The application of the Plaintiff for registration of the Plaintiff's Mark, 'GOLDMEDAL' in Class 19 on a proposed to be basis, bearing Application No. 4668340 dated 22.09.2020, was refused by the Trade Marks Registry *vide* order dated 17.03.2023, against which the Plaintiff has filed a review petition. The application of the Plaintiff for the Mark,

‘ Goldmedal’ bearing Application No. 4668341 dated



22.09.2020 in Class 19 on a proposed to be used basis was opposed by *K. Dalpat Singh and Racer Industries*, both of whom have since filed letters withdrawing their respective oppositions.

- 21.6. The Plaintiff is also the registered proprietor of the Plaintiff's Copyright bearing Registration No. A-151237/2024, with the year of first publication as 1979.
- 21.7. The goods of the Plaintiff under the Plaintiff's Marks are sold through its interactive website, www.goldmedalindia.com, and through third-party e-commerce platforms such as Amazon, Flipkart, IndiaMart, Moglix and Blinkit, and are also promoted on social media platforms such as Instagram, Facebook, X, YouTube and Pinterest.
- 21.8. The sales turnover of the Plaintiff in the Financial Year ("FY") 2022-2023 was ₹24,21,10,70,000/- and the sales turnover of the Wires and Cables Division of the Plaintiff alone in the FY 2024-2025 was ₹3,84,34,58,651.81/-. The Plaintiff incurred advertisement expenses of ₹73,11,28,453/- in the FY 2024-2025.
- 21.9. Defendant No. 1, Mr. Jimmy Thoppilan, manages Defendant No. 3, *Plyman Industries Pvt. Ltd.*, and Defendant No. 5, *Greenman Industries*, and is a Director of Defendant No. 4, *JTPLYMAN Industries Pvt. Ltd.*, as ascertained from the LinkedIn profile of Defendant No. 1 and the records of the Ministry of Corporate Affairs. Defendant No. 2, Mr. Jimmy Joseph, is associated with Defendant No. 3 as per its GST



records and is apprehended to be its proprietor. Defendant No. 5 has been portrayed as the Mumbai, Pune and Nashik branches of Defendant No. 3. Defendant Nos. 3, 4 and 5 share overlapping contact details and online presence and appear to be operated and / or represented by Defendant No. 1.

21.10. The Defendants are engaged in the business of manufacturing, warehousing, trading, selling and offering for sale wood, plywood, block boards, PVC boards, crates, boxes and allied / cognate goods (**"Impugned Goods"**) under the Marks,



'GOLDMEDAL PLY AND BOARDS' / ' (**"Impugned Marks"**), and are promoting and offering the Impugned Goods for sale through IndiaMart, JustDial, LinkedIn, YouTube, Facebook, Instagram, X and WhatsApp.

21.11. In the third week of December 2025, the Plaintiff came across the LinkedIn profile of Defendant No. 1, wherein Defendant No. 1 is described as the Accounts Relations Manager of Defendant No. 3 and which contains links to the e-commerce listings and social media accounts of Defendant Nos. 3, 4 and 5. The Plaintiff also came across WhatsApp business catalogues circulated by Defendant No. 1 containing listings, along with prices, of the Impugned Goods under the Impugned Marks.

21.12. In the third week of January 2026, the Plaintiff came across a YouTube Shorts video of the Defendants depicting a warehouse-like facility wherein plywood boards bearing the



Impugned Marks, ‘’, printed and embossed thereon, were being handled, stacked and stored. In the last week of January 2026, the Plaintiff learnt through market sources that the Impugned Goods are being supplied and sold in various markets, including in New Delhi.

21.13. The Defendants have dishonestly adopted the Mark, ‘GOLDMEDAL’ as the leading and essential feature of the Impugned Marks and have copied the font, lettering style and artistic presentation of the Plaintiff’s Marks. A comparative table between the Plaintiff’s Marks and the Impugned Marks is as under:

Plaintiff’s Marks	Impugned Marks
GOLDMEDAL	GOLDMEDAL PLY AND BOARDS
	
	

22. Having considered the submissions advanced by the learned Counsel for the Plaintiff, the pleadings and the documents on record it is clear that the Plaintiff is the registered proprietor of the Plaintiff’s Marks and the Plaintiff’s Copyright. The Plaintiff has been able to establish long and continuous use of the Plaintiff’s Marks, through its predecessor, since the year 1979 with respect to electrical goods. The Plaintiff has demonstrated the goodwill and reputation



acquired by the Plaintiff's Marks and the Plaintiff's Copyright. The sales turnover of the Plaintiff in the FY 2022-2023 was ₹24,21,10,70,000/- and the advertisement expenses of the Plaintiff in the FY 2024-2025 were ₹73,11,28,453/-.

23. The Defendants' sale of the Impugned Goods under the Impugned Marks is *prima facie* dishonest and nothing but an attempt to ride on the goodwill and reputation of the Plaintiff's Marks so as to cause confusion in the market. The Impugned Marks wholly incorporate the Plaintiff's Marks, 'GOLDMEDAL' in a lettering style identical to that of the Plaintiff's Marks, with the mere addition of the descriptive words, 'PLY AND BOARDS'. The Defendants are not only riding on the goodwill and reputation enjoyed by the Plaintiff but are also attempting to show some association or nexus with the Plaintiff, where none exists.

24. A *prima facie* case has been made out by the Plaintiff as the alleged acts attributed to the Defendants are likely to cause confusion in the course of trade of the Plaintiff, such that the consumers may associate the Impugned Marks with the Plaintiff, leading to erosion of consumer trust and dilution of the goodwill and reputation of the Plaintiff amongst the members of the trade and public. Thus, the balance of convenience lies in favour of the Plaintiff. Irreparable injury would be caused to the Plaintiff if an *ex parte ad-interim* injunction is not granted to the Plaintiff.

25. Though the Plaintiff's Marks are registered primarily in respect of electrical goods and the Impugned Goods are plywood and allied goods, the Impugned Marks are identical to the Plaintiff's Marks, which have *prima facie* acquired a reputation in India. The use of the Impugned Marks by the Defendants, without due cause, is likely to take unfair advantage of and be



detrimental to the distinctive character and reputation of the Plaintiff's Marks. The Plaintiff has also stated that it has ventured into plywood and allied goods and has applied for registration of the Plaintiff's Marks in Class 19 in respect thereof. The Plaintiff being the prior user, adopter and registered proprietor of the Plaintiff's Marks is entitled to protection.

26. Accordingly, till the next date of hearing, the Defendants, their directors, proprietors, partners, assignees in business, associates, affiliates, franchisees, licensees, distributors, dealers, stockists, retailers, agents and all others acting for and on their behalf are restrained from manufacturing, selling, offering for sale, advertising in any manner including on the internet, e-commerce platforms and social media platforms, or directly or indirectly dealing in plywood, block boards, PVC boards and other allied / cognate goods under the Impugned Marks,



'GOLDMEDAL PLY AND BOARDS' / ' or any other Mark which is identical or deceptively similar to the Plaintiff's Marks,

'GOLDMEDAL',  **Goldmedal**,  **Goldmedal**,

 **Goldmedal**,  **Goldmedal** and  **Goldmedal** and the

Plaintiff's Copyright, 'G GOLDMEDAL' /  **Goldmedal**, so as to cause infringement and / or passing off of the Plaintiff's Marks and / or infringement of the Plaintiff's Copyright.

27. Let the Reply to the present Application be filed within a period of four weeks from the date of service of Notice. Rejoinder thereto, if any, be filed before the next date of hearing.



28. The compliance of Order XXXIX Rule 3 of the CPC be done within four weeks.
29. List before this Court on 01.02.2027.

TEJAS KARIA, J

OCTOBER 15, 2026

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