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

\# **CNR No. DLHC010100422026**

\+ **CS(COMM) 259/2026, I.A. 6871/2026 and I.A. 11347/2026**

GLOBAL ELEVATORS PVT LTD .....Plaintiff

Through: Mr. Ashutosh Nagar and Mr. Uditanshu Singh, Advocates.

versus

ARUN KUMAR AGGARWAL & ANR. .....Defendants

Through: Appearance not given.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

O R D E R

% 17.11.2026

I.A. 6871/2026 (under Order XXXIX Rule 1 & 2 of CPC)

1. Heard learned counsel appearing on behalf of the parties.

2. The Court *vide* order dated 18.03.2026 had extensively considered the case of the plaintiff. It has come on record that the plaintiff is a company incorporated under the Companies Act, 1956 and is engaged in the business of designing, manufacturing, installing, modernizing, servicing, maintaining and providing technical training in relation to elevators and lift systems. It has been continuously and extensively carrying on its business under the trademark and trade name "GLOBAL ELEVATORS" in Class 7 with user claim since 14.03.2000, and also maintains an in-house Technician Training Centre besides operating its website.

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3. It is the case of the plaintiff that the defendants are running education and vocational training in the name of "GLOBAL ELEVATOR ACADEMY" across online platforms, and social media channels, and have also applied for registration of a device mark "GLOBAL ELEVATOR ACADEMY" in Class 41 *vide* application dated 26.08.2025 on a proposed to be used basis. Learned counsel for the plaintiff submits that the adoption of "GLOBAL ELEVATOR ACADEMY" by merely appending the descriptive word "ACADEMY" to the plaintiff's predominant registered mark "GLOBAL ELEVATORS" is bound to result in infringement of the plaintiff's registered trademark and passing off, given the cognate and allied nature of technical training in the elevator industry.

4. Submissions made on behalf of the plaintiff are strongly opposed by learned counsel for the defendants. According to him, the plaintiff is registered in Class 7, whereas the defendant no. 1 has applied for registration in Class 41. It is also contended that even as per the registration certificate issued by Trade Marks Registry, Government of India, the plaintiff's registration is restricted for the sale of products in the State of Maharashtra only. It is, thus, contended that the plaintiff is dealing with elevators and lift systems, whereas, the defendants are dealing with non-profit education and vocational training programmes since 2018. They are working in different fields with distinct target audiences, and accordingly, the plaintiff cannot claim any infringement of its trademark or exclusivity over generic words such as "GLOBAL" and "ELEVATOR".

5. It is further contended by the learned counsel for the defendants that even otherwise, the defendants are not undertaking any trade or business and are only operating You Tube Channel and educational platform, which after

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attaining a certain level of recognition, may result in monetary benefits. It is also the submission of the defendants that not even a single sale of the "GLOBAL ELEVATORS" is shown to have been made outside Maharashtra, and in the alternative, a disclaimer of non-affiliation would suffice.

6. I have considered the submissions made by learned counsel for the parties and also perused the record.

7. The You Tube activities as well as other online platforms, including the website of the defendants, are bound to result in deceptively using the plaintiff's registered trademark "GLOBAL ELEVATORS". In the elevator industry, technical and vocational training of technicians is cognate and allied to the manufacture, installation, servicing and maintenance of elevators, particularly when the plaintiff itself imparts technical training. Notwithstanding the difference in classes or the territorial condition, the plaintiff's long and continuous prior use since the year 2000, substantial turnover, and goodwill across the trade can create a strong likelihood of confusion and false association. Moreover, the defendants' application for registration dated 26.08.2025 in Class 41 is still pending and was admittedly filed on a proposed to be used basis.

8. The Court has already considered in its order dated 18.03.2026 the other tests required to be applied for grant of injunction, namely, *prima facie* case, balance of convenience and irreparable injury. Even after filing of the reply by the defendants, the factual narration and *prima facie* findings noted in the said order would remain the same. The plaintiff is, therefore, entitled for the same reasons to the grant of injunction during the pendency of the instant civil suit.

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9. Accordingly, it is directed that the defendants, and all persons acting for or on their behalf, shall not use the impugned mark "GLOBAL ELEVATOR ACADEMY" or any other identical or deceptively similar mark, which may result in infringement of the plaintiff's registered trademark "GLOBAL ELEVATOR" or "GLOBAL LIFTS" etc.

10. The application stands disposed of.

CS(COMM) 259/2026

Let the matter be listed before the concerned Joint Registrar (Judicial) for taking up further steps in accordance with law on 14.12.2026.

I.A. 11347/2026 (under Order XXXIX Rule 2A of CPC)

List for consideration on 24.02.2027.

PURUSHAINDRA KUMAR KAURAV, J

NOVEMBER 17, 2026
Nc/an

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