



\$~31

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

+ **CS(COMM) 1233/2025 & I.As. 28616-19/2025**

**RAJ SHAMANI & ANR.**

.....Plaintiffs

Through: Ms. Diya Kapur, Sr. Adv. with Mr. Nakul Gandhi, Mr. Mujeeb, Ms. Tanish Gupta, Ms. Siddhi Sahoo, Mr. Avi Kaushik and Mr. Aditya Lodha, Advs.

versus

**JOHN DOE/ ASHOK KUMAR & ORS.**

.....Defendants

Through: Mr. Madhav Khosla, Adv. for D-6

Ms. Ameer Rana, Ms. Sana Banyal and Ms. Varsha Jhavar, Advs. for D-7

Mr. Aditya Mathur, Adv. for D-11

Ms. Nidhi Raman, CGSC with Mr. Om Ram, Mr. Arnav Mittal and Mr. Mayank Sansanwal, Advs. for D-12 and D-13

**CORAM:**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**ORDER**

%

**17.11.2025**

**I.A. 28619/2025 (for extension of time to file requisite court fees)**

1. This is an application filed under Section 149 Code of Civil Procedure, 1908 ['CPC'] seeking extension of time to file requisite court fee.
2. The application is allowed subject to the Court fee being deposited



within a period of one (1) week, failing which the plaint shall be rejected under Order VII Rule 11(b) CPC.

3. Accordingly, the application is disposed of.

**I.A. 28618/2025 (seeking permission)**

4. This is an application under Section 151 CPC, seeking permission for filing a lengthy list of dates and synopsis.

5. For the reasons stated in the application, the application is allowed and disposed of.

**I.A. 28617/2025 (seeking exemption for instituting pre-litigation mediation)**

6. This is an application under Section 12A of the Commercial Courts Act, 2015 read with Section 151 CPC, seeking exemption from instituting pre-litigation mediation.

7. Having regard to the facts that the present suit which contemplates urgent interim relief, arrays unknown entities and in light of the judgement of the Supreme Court in **Yamini Manohar v. T.K.D. Keerthi**<sup>1</sup>, exemption from the requirement of pre-institution mediation is granted to the Plaintiff.

8. Accordingly, the application stands disposed of.

**CS(COMM) 1233/2025**

9. The present suit has been filed seeking permanent injunction restraining trademark infringement, passing off, copyright infringement, violation of common law rights, misappropriation of personality [publicity] rights, performers' right along with other ancillary reliefs against the Defendants.

10. Let the plaint be registered as a suit.

---

<sup>1</sup> (2024) 5 SCC 815



11. Summons be issued to Defendant Nos. 2, 3, 4, 16, 19 and 20 [‘infringing Defendants’] by all permissible modes on filing of process fee. Affidavit of service(s) be filed within one (1) week. The details of Defendant Nos. 5 and 10 is only the email address in the memo of parties and summons be issued to said Defendant Nos. 5 and 10 through said e-mode only by the Court’s registry.

12. Summons shall state that the written statement(s) shall be filed within 30 days from the date of receipt of summons. Along with the written statement(s), the Defendants shall also file affidavit(s) of admission/denial of the documents of the Plaintiffs, without which the written statement(s) shall not be taken on record.

13. Liberty is given to the Plaintiffs to file replication(s) within 15 days of the receipt of the written statement(s). Along with the replication(s), if any, filed by the Plaintiffs, affidavit(s) of admission/denial of documents of the Defendants, be filed by the Plaintiffs, without which the replication(s) shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

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

15. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

16. Defendant Nos. 6 to 9, 11 to 13 have been impleaded as ‘Proforma Defendants’ for ensuring compliance of the Court’s directions. Defendant Nos. 6 to 9 and 11 are social media platforms wherein the infringing Defendants are alleged to have been carrying out their infringing activities. Since these are Proforma Defendants, no summons are being issued to the



said Defendants. Directions for compliance bear necessary have been issued qua said Proforma Defendants in I.A. 28616/2025.

17. Defendant No. 1 is an unknown entity-John Doe, and the Plaintiff has sought relief against the unknown entities. After Plaintiffs have received Basic Subscriber Information [‘BSI’] details with respect to the unknown entities from the proforma Defendants, it shall file an amended memo of parties within two (2) weeks from the receipt of the information and thereafter summons will be issued to the said entities by the learned Joint Registrar.

18. In these proceedings, the Plaintiffs have also sought the takedown of certain videos which, ex-facie, identify itself as parody. In the opinion of this Court, combining the cause of action concerning such parody videos with the cause of action against the remaining Defendants, based on allegations of unauthorised use of the personality and publicity rights of Plaintiff No. 1, would embarrass the trial, as the pleas and defences available to the said parties would be materially different. Reference is illustratively made to the alleged infringing acts of Defendant Nos. 14, 15, 17, 18. Therefore, in considered opinion of this Court, separate action should be brought qua the videos/links which are falling in the categories of parody, lampooning, satire or criticism and alike so that the rival pleas of the parties can be decided in accordance with law.

19. In response, learned senior counsel for the Plaintiffs states that the Plaintiffs will examine this issue and revert on the next date of hearing.

20. Accordingly, summons to Defendant Nos. 14, 15, 17, 18 are deferred at this stage and will be taken up for consideration on the next date of hearing.



21. List before the learned Joint Registrar for completion of service and pleadings vis-à-vis the infringing defendants on **24.12.2025**.

22. List before the Court on **24.04.2026**.

**I.A. 28616/2025 (Under Order XXXIX Rule 1 and 2 CPC)**

23. This is an application under Order XXXIX Rule 1 and 2 CPC seeking grant of ex-parte ad-interim injunction.

24. Ms. Diya Kapur learned senior counsel for the Plaintiffs has set up the case of the Plaintiffs as follows:

24.1 Plaintiff No. 1 is an Indian content creator, entrepreneur, podcaster, speaker, author and host of the podcast series 'Figuring Out'.

24.2 Plaintiff No. 2 is engaged in the business of creation, management, distribution and production of audio and audio-visual content along with other related activities, and is the owner and producer of the podcast series, 'Figuring out with Raj Shamani'. Plaintiff No. 1 is one of the directors of Plaintiff No. 2.

24.3 Plaintiff no. 1 is the registered trademark owner of the Wordmark



'FIGURING OUT' and of the device mark . The Plaintiff no. 2 is the registered trademark owner of 'Figuring Out-Great Indian Dream' and owns the copyright in all audiovisual content of all podcast episodes uploaded on official YouTube, Instagram, Facebook, and LinkedIn pages of Plaintiff No. 1. The details of the list of Plaintiffs' various trademark applications and registrations thereof are mentioned at paragraph 8 of the [plaint](#).



24.4 Plaintiffs podcast series ‘Figuring Out with Raj Shamani’ has featured some of the world’s most accomplished personalities from diverse fields such as business, sports, entertainment and politics and has amassed eight (8) billion yearly views. At the age of 16 years, the Plaintiff No. 1 represented India at the United Nations. He has numerous brand sponsorships for his podcast as well as endorsement partnership with highly reputed corporate entities. He has won numerous national and international accolades. A detailed table of his awards and recognition has been provided at paragraph 24 of the plaint.

24.5 It is stated that Plaintiff No. 1 is a brand ambassador for ASUS ExpertBook Series and it is for the first time that a content creator has been selected as a brand ambassador. He has 22,455,262 followers on the social media platforms of YouTube, Instagram, Facebook, X and LinkedIn.

24.6 It is stated that Plaintiff No. 1’s personality, goodwill and reputation are intrinsically tied to his name, voice, image, likeness, and other characteristics that are uniquely identifiable and exclusively associated with the Plaintiff No. 1 and no one can utilize and/or misrepresent these attributes including through artificial intelligence, voice cloning, or other digital means for misleading the public or deriving commercial gain in any manner whatsoever, without the consent and/or express authorization of the Plaintiff No. 1.

#### **Misuse by the Defendants**

24.7 Defendant Nos. 2, 3, 4, 5, 10, 16, 19 and 20 along with Defendant No. 1/John Doe are a range of digital entities and online platforms engaged in unauthorized use of Plaintiff no. 1’s name, voice, image, and likeness. Defendant Nos. 6 to 9 and 11 to 13 are Proforma Defendants.



24.8 Defendant No. 1 represents unknown (John Doe/Ashok Kumar) entities engaged in the infringing acts identified on the platforms of the proforma Defendants.

24.9 Defendant No. 2 is an online platform which falsely and unauthorizedly purports to provide bookings with the Plaintiff no. 1 for commercial engagements.

24.10 Defendant No. 3 is a digital booking marketplace that, without any authorisation or arrangement with Plaintiff No. 1, publicly lists the Plaintiff No. 1 as a speaker and influencer available for professional engagements through their platform.

24.11 Defendant No. 4 is an online entertainment booking portal that, without the authorization of the Plaintiff No. 1, claims to ensure scheduling of bookings with the Plaintiff No. 1 for interview/podcast/other commercial engagements for consideration of a sum quoted by itself.

24.12 It is stated that the online platforms of Defendant Nos. 2, 3 and 4 deliberately leverage the Plaintiff No. 1's popularity, reputation, and brand value to generate advertising revenue, solicit bookings, and derive undue commercial benefit, all without the Plaintiff No. 1's consent.

24.13 Defendant No. 5 is a service platform that provides services of filing taxes, returns, calculations of agricultural income and all other tax related services and it has featured and associated the Plaintiff no. 1's name and image without consent or authorization, thereby implying endorsement from or affiliation with Plaintiff no. 1.

24.14 Defendant No. 10, without any authorization, reproduces and re-publishes video content of Plaintiff No. 1 on its platform. It uses Plaintiff No. 1's name and image in connection with such video content so as to



mislead its users into believing that the Plaintiff is associated with or endorses the said platform.

24.15 Defendant No. 16 is an independent and distinct YouTube Channel engaged in creating, publishing, producing, disseminating and distributing video content through online platforms for public viewing. It is stated that this channel in the impugned video copies the visual style of Plaintiff No. 1,



the registered device mark/ , refers to his name specifically in the name of the podcast and during the podcast using sexually explicit words and vulgar depictions which would cause reputational harm to the Plaintiff No. 1. It is stated that Plaintiff No. 1 has registered trademarks 'FIGURING



OUT', . The unauthorized usage of such trademarks creates an impression that the goods and/or services being provided by the Plaintiff No. 1 to the public are authorized and causes confusion amongst the viewers. It is stated that Defendant No. 16's infringing contents, falsely associates the Plaintiff No. 1 with obscene/vulgar/morally inappropriate material striking at the core of his personality rights, publicity rights and public reputation uploaded on the social media platform of Defendant No. 11/Google.

24.16 Defendant No. 19 is a company allegedly engaged in the manufacture and distribution of natural Himalayan water and Defendant No. 20 is a company engaged in the business of manufacturing and marketing health and dietary supplements. These Defendants are unauthorizedly using the Plaintiff's podcast to falsely imply endorsements, collaboration, or



affiliation with their brands and services and are therefore infringing the trademarks and copyright of the Plaintiffs.

24.17 It is stated that Defendant No. 1 are unknown entities which are unauthorizedly using and reproducing the clips of the Plaintiff's podcast on their YouTube channels and consequently the said unknown entities are not only infringing the registered trademark of the Plaintiffs but also its copyright in these podcasts.

24.18 It is stated that the Plaintiff No. 1 has, over the period of years, cultivated a substantial and devoted following of audience on his various social media accounts and any unauthorized use, reproduction, or misappropriation of the Plaintiff No. 1's content, likeness or persona is likely to mislead the public, exploit the trust and diminish the loyalty and esteem he has cultivated over the year, thereby causing irreparable harm.

24.19 It is stated that infringing Defendants are carrying out these infringing activities for diverting traffic to their channels so as to enhance their views which directly translates into commercial gains for the infringing Defendants. It is stated however the said action of the Defendants violates the personality rights and publicity rights of the Plaintiff No. 1. It is stated that any violation to the Plaintiff No. 1's personality rights and publicity rights is injurious not only to his personal standing but also to his professional standing as well as the economic and commercial value derived from the reputation he has built over the years.

24.20 It is stated that several unauthorized video/clips are uploaded and circulated across various social media and video-sharing platforms which reproduces and uses image, name, clips and footage featuring the Plaintiff No. 1. Several infringers employ deepfake or AI-enabled tools to generate



content and thumbnails falsely depicting the Plaintiff No. 1 in videos/clips that he has never created or participated in. Certain content misleadingly uses the Plaintiff No. 1's name in the title and/or description of the videos, thereby creating a false impression of endorsement, affiliation, or association with the Plaintiff. No. 1 and his brand. It is stated that these videos are uploaded on the social media platforms of Defendant No. 7/Meta and Defendant No. 11/Google.

24.21 It is stated that on the social media platform of Defendant No. 6/Telegram there are channels which falsely uses Plaintiff No. 1's name, image and other attributes thereby impersonate him to mislead the users into believing that these channels are operated or associated with him. These channels either persuade the users to share their personal data or by services or interact with them which could potentially cause loss to the consumers. It is stated that the use of the Plaintiff's attributes by these channels on Defendant No. 6's platform is violation of his personality rights. It is stated that there are AI-bots on Telegram which impersonate Plaintiff No. 1 and similarly interact with the users. However, the use of the Plaintiff's attributes is not authorized.

24.22 It is stated that therefore, the Plaintiffs seek an interim injunction to protect and preserve the personality as well as publicity rights of the Plaintiff No. 1 as well as the rights of the Plaintiff No. 2 under the Trademark Act, 1999 and Copyright Act, 1957, and common law rights which are summarized at paragraph 72 of the plaint.

#### **Findings and Directions**

25. This Court has heard the learned senior counsel for the Plaintiffs and perused the record.



26. Mr. Madhav Khosla, learned counsel on behalf of Defendant No. 6; Ms. Ameer Rana, learned counsel on behalf of Defendant No. 7; Mr. Aditya Mathur, learned counsel on behalf of Defendant No. 11; and Ms. Nidhi Raman, learned CGSC on behalf of Defendant Nos. 12 and 13, have entered appearance on behalf of the proforma Defendants.

27. Plaintiff No. 1 is the registered proprietor of the wordmark



‘FIGURING OUT’ and the device mark . The Plaintiff No. 2 is the registered proprietor of the trademark ‘FIGURING OUT-GREAT INDIAN DREAM’.

28. Plaintiff No. 2 is the exclusive owner and producer of all content created and disseminated under the banner of the Plaintiff No. 1’s official digital platforms. It holds the exclusive copyright and all associated rights in respect of the content produced and published on such platforms, including the ‘Figuring Out’ podcast series. It seeks protection of its broadcasting rights protected under Copyright Act, 1957, which includes the exclusive right to communicate the Plaintiffs works to the public in any manner or medium.

29. In this suit the Plaintiff No. 1 has joined its causes of action vis-à-vis the plea of unauthorised use of his personality rights such as his name and image by the third-parties for generating unauthorized revenue, gain undue commercial benefit, by showing fake endorsements and affiliation with the Plaintiff No. 1 on their websites and platforms. The Plaintiff No. 1 has also sought action against third-parties, which impersonate the Plaintiff No. 1 on social media platforms by using his name and image leading consumers to



believe that these are accounts and handles which are associated with the said Plaintiff. The Plaintiff seeks action against third-parties which by using artificial intelligence to create fabricated/deepfake/morphed/distasteful content, use Plaintiff No. 1's personal attributes to generate reels and videos which are misleading and contain false information. The Plaintiff also seek action against use of his name, voice and likeness by bots on social media platforms.

30. Plaintiff No. 2 is aggrieved by the unauthorized use of the videos and/or clips of its podcasts by third-parties on the social media platforms on the assertion that it violates its trademark and copyright.

31. The Plaintiff No. 1 asserts that the infringing Defendants and unknown entities/John Doe's actions violate (i) Plaintiff No. 1's personality rights which include his name, voice, image, likeness and other distinctive elements uniquely associated with him; (ii) Plaintiff's moral rights under the Copyright Act, 1957 and Trademark Act, 1999;(iii) common law rights; and (iv) violation of the Plaintiff No. 1's fundamental right to privacy as well as goodwill and reputation.

32. On the basis of the assertions made in the plaint and perusal of documents filed on record, this Court is of the prima facie view that the Plaintiff is a known face in India, especially in the field of content creation who has gained goodwill and reputation over a course of a successful career. The Plaintiff has also placed on record the commercial endorsements held by it from brands including ASUS. The Plaintiff has also placed on record the awards received by it in recognition of his standing at paragraph 24 of the Plaintiff. The actions of the infringing Defendants which use the Plaintiff's name and image to represent association and endorsement of their products



and services also lends credence to the Plaintiff No. 1's submissions that he has publicity rights. In these facts, it prima facie appears to this Court that Plaintiff No. 1 enjoys publicity rights with respect to its personality which is a valuable right for the Plaintiff.

33. Therefore, prima facie, the Plaintiff No. 1's personality traits and/or parts thereof, including the Plaintiff's name, likeness, voice, image are protectable elements of the Plaintiff's personality rights. The Plaintiff No. 1 is entitled to seek injunction against the use of his personality rights by third parties for their commercial gains without his authorisation.

In addition, the Plaintiff No. 1 is also entitled to protect himself against morphed and distorted content which is defaming and demeaning to or patently false as it is bound to affect his reputation and goodwill.

34. So also, Plaintiff No. 2's rights in its podcasts are protected under Copyright Act, 1957, which includes the exclusive right to communicate the Plaintiff's works to the public, is also prima facie entitled to be protected. In addition, Plaintiff Nos. 1 and 2 are thus entitled to protect against the unauthorized use of their registered trademarks, noted hereinabove.

35. Learned senior counsel for the Plaintiff has handed over a Note wherein the infringing posts and videos with respect to which ex-parte relief for take down is being pressed for have been enlisted in six categories and at this stage the reliefs are sought only with respect to the said list. The said table reads as under:



SL. No.	Category of Impugned Material	Infringing Defendant	Links/Websites	Direction sought against
1.	AI-generated, deepfake, or morphed content	Defendant No. 1	Links given in the table at paragraph no. 86 of the Plaint (Serial No. 1-3) at Page Nos. 68 to 71 of the plaint.	Defendant Nos. 1, 7 and 11 to block/take down access to the infringing content.
2.	Monetisation for commercial gain through websites.	Defendant No. 2, 3 and 4	Website links given in the table provided at paragraph no. 90 of the Plaint (Serial No. 1-3) at Page Nos. 78 to 79 of the plaint.	Defendant Nos. 2, 3 and 4 to block/take down access to the infringing content.
3.	Fake endorsements misleading consumers	Defendant No. 1, 5, 19 and 20	Link given in the table provided at paragraph no. 93 of the plaint (Serial No. 1-4) at Page Nos. 87 to 92 of the plaint.	Defendant Nos. 1, 5, 7, 19 and 20 to block/take down access to the infringing content.
4.	Unauthorized Chat Bots and misrepresentation	Defendant No. 1	Links given in the table provided at paragraph no. 95 of the plaint (Serial No. 1-8) at Page Nos. 93 to 97 of the plaint.	Defendant Nos. 1, 10 and 6 to block/take down access to the infringing content.
5.	Unauthorized use and reproduction of clips or videos of the Plaintiffs.	Defendant No. 1	Links given in the table provided at paragraph no. 109 of the plaint at Page Nos. 128 to 131 of the plaint.	Defendant Nos. 1, and 11 to block/take down access to the infringing content.
6.	Obscene and derogatory content	Defendant No. 16	Links given in the table provided at paragraph no. 99 of the plaint (Serial No. 1) at Page Nos. 104 to 106 of the plaint.	Defendant Nos. 11 and 16 to block/take down access to the infringing content.



36. Having perused the documents placed on record vis-à-vis the impugned links enlisted above, this Court is satisfied that the Plaintiff has made out a prima facie case for their take down.

37. Accordingly, until the next date of hearing, following directions are hereby issued: -

- a) Defendant Nos. 1 to 5, 10, 16, 19 and 20, their associates, partners, directors, principal officers, family members, servants, agents, or anyone acting for and on their behalf, or anyone claiming through, by or under them, are restrained from directly or indirectly misusing, misappropriating or exploiting the name, likeness, image, voice, photos, videos of Plaintiff No. 1's persona for any commercial and/or personal gain, in any manner whatsoever, without the Plaintiff No. 1's express written authorisation, including through the use of any existing or future technology such as Artificial Intelligence, deepfake technology in any medium, format or platform, resulting in infringement of personality and publicity rights of the Plaintiff No. 1. Additionally, they are also restrained from infringing the registered trademarks of Plaintiff



No. 1 and 2 such as 'Figuring Out', device mark , 'FIGURING OUT-GREAT INDIAN DREAM' and/or from in any manner communicating, including by way of uploading, sharing, hosting, streaming, and/or making available for viewing, without authorization, the Plaintiff No. 2's copyright protected works in its podcast and content related thereto, so as to infringe the Plaintiff



No. 2's exclusive rights and copyrights.

- b) Defendant Nos. 6, 7, and 11 and/or any other acting on their behalf, are directed to block/remove/take down the infringing post/video/text enlisted at the table mentioned at paragraph no. 35 of this Order.
- c) Defendant Nos. 6, 7, and 11 are directed to disclose to the Plaintiffs the BSI details and all other details available with them of the users and/or uploaders of the links pertaining to unknown entities enlisted as Defendant Nos. 1, which have been directed to be taken down.
- d) Defendant No. 11 is directed to provide BSI details and all other details of Defendant Nos. 15, 16, 17 and 18.

38. The Defendants will comply with these directions within 72 hours from the receipt of this Order.

39. The Plaintiff will be at liberty to approach the Proforma Defendants i.e., Defendant Nos. 6, 7 and 11 through counsels who have entered appearance for taking down any mirror or identical content which has already been directed to be taken down by the Orders of this Court. Upon receiving a request, the said Proforma Defendants will act upon the said request within 48 hours and if the Proforma Defendants have any reservation, they will communicate the same to the Plaintiff, within 48 hours, so that the Plaintiff can take appropriate remedial steps.

40. Defendant Nos. 8 and 9 will provide the details of the users enlisted at paragraph no. 110 of the plaint, as the Plaintiff is seeking reliefs against the said users and this Court would like to hear the said users before issuing any interim directions.



41. The proforma Defendant Nos. 6, 7, 8, 9 and 11 are directed to file their compliance affidavit within four (4) weeks.
42. Issue notice to the non-appearing Defendant Nos. 2, 3, 4, 5, 8, 9, 10, 16, 19 and 20 through all modes. The details of Defendant No. 5, 10 and 14 is only the email address and notice be issued to said Defendants through said e-mode only by the Court's registry.
43. Notice to Defendant Nos. 14, 15, 17 and 18 will be issued after Plaintiff has reverted with instructions on splitting up of the cause of action vis-à-vis the said Defendants.
44. Upon the amended memo of parties being filed, issue notice to the newly impleaded Defendants.
45. Compliance of Order XXXIX Rule 3 CPC be done within 10 days from today.
46. List before the learned Joint Registrar for completion of service and pleadings, marking of exhibits and admission/denial of documents on **24.12.2025**.
47. List before the Court on **24.04.2026**.

**MANMEET PRITAM SINGH ARORA, J**  
**NOVEMBER 17, 2025/hp/IB/AM**