

## Merryvale Limited vs John Doe And Ors on 22 September, 2025

**Author: Manmeet Pritam Singh Arora**

**Bench: Manmeet Pritam Singh Arora**

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\*IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(COMM) 678/2024

MERRYVALE LIMITED ..... Plaintiff

Through: Mr. Moazzam Khan and Prince Kumar, Advs. (through vc)

versus

JOHN DOE AND ORS

Through: Mr wi Am Ms Om Ad

CORAM: HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 22.09.2025 I.A. 23744/2025 (seeking exemption from advance service)

1. This is an application filed by the Plaintiff under Section 151 of the Code of Civil Procedure, 1908 ['CPC'], seeking exemption from the advance service of I.A. 23743/2025 upon proposed Defendant Nos. 32 to 40.

2. Learned counsel for the Applicant states that Defendant No. 40 has been served with an advance service, and an exemption is sought only vis-à-vis Defendant Nos. 32 to 39.

3. For the reasons stated in the application, the exemption is granted.

4. Accordingly, the application has been disposed of. I.A. 23743/2025 (under Order XXXIX, Rules 1 and 2 read with Section 151 CPC)

5. This is an application filed by the Plaintiff under Order XXXIX, This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 23/09/2025 at 22:36:49 Rules 1 and 2, read with Section 151 of CPC, seeking an interim injunction vis-à-vis the newly impleaded Defendant Nos. 32 to 39.

6. Learned counsel for the Plaintiff states that these Defendants are rogue websites and are carrying on activities identical to Defendant Nos. 1 to 6 and Defendant Nos. 11 to 28.

6.1. He states that there is already an injunction order dated 12.08.2024, 28.08.2024, and 20.02.2025 operating in favour of the Plaintiff and against the rogue websites i.e., Defendant Nos. 1 to 6 and Defendant Nos. 11 to 28.

7. He states that Defendant Nos. 32 to 39 and Defendant No. 40 were impleaded to the array of parties vide order dated 18.09.2025.

He states that the newly impleaded Defendant Nos. 32 to 39 are similarly infringing on the Plaintiff's trademark and are misrepresenting and defrauding the general public.

7.1. He states that the domain names of the rogue websites are registered with Defendant Nos. 7, 8, 29, and the new impleaded Defendant No. 40. 7.2. He states that GoDaddy.com, LLC was erstwhile Defendant No. 7 in these proceedings; however, it had been deleted vide order dated 13.08.2025 after recording its undertaking that they will abide by the directions of this Court.

7.3. He states that, therefore, the concerned DNRs are Defendant Nos. 7, 8, 29, the newly impleaded Defendant No. 40, as per the amended memo of parties, along with GoDaddy.com, LLC.

8. This Court has considered the submissions of the learned counsel for the Plaintiff and perused the application.

9. Detailed submissions with respect to the infringing activities of newly impleaded Defendant Nos. 32, 33, 34, 35, 36, 37, 38, and 39 are made out in This is a digitally signed order.

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10. Accordingly, the orders of 12.08.2024, 28.08.2024, and 13.08.2025 are extended to the said Defendants, and the application, along with an ex parte ad-interim order in terms of prayer clauses (i), (ii), and (iii), is allowed.

11. Consequently, Defendants Nos. 32 - 39 as well as John Doe including all those acting in concert/associated with them are restrained from directly or indirectly using the mark BETWAY and/or any deceptively similar variation thereof upon or in relation to its business, products, services as a trade mark or as part of its trade name, trade style, corporate name, store name, domain name, web address, email address, social media handle and/or in any other manner whatsoever so as to infringe, pass off and/or dilute the registered trademark BETWAY of the Plaintiff or in any manner whatsoever.

12. Additionally, Defendants Nos. 7, 8, 29, 40 and GoDaddy.com LLC to lock suspend the domain names mentioned in the table below and provide all information of the domain registrants like name, phone numbers, address and payment details pertaining to the person(s)/entity(ies) holding the following domain names:

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13. Furthermore, Defendant Nos. 9 and 10 (MEITY & DOT) are directed to issue necessary notifications/directions to all telecom and internet service providers in India to block/delete/remove access to the following websites/URLs:

"

14. Issue notice to Defendant Nos. 9 and 10, the newly impleaded Defendant No. 40, and GoDaddy.com, LLC, through all permissible means, including e-mail.

15. Notice is accepted on behalf of Defendant Nos. 9 and 10.

16. Defendant Nos. 7, 8, 29, and 40 and GoDaddy.com, LLC are directed to file their compliance affidavit within two (2) weeks.

17. The Plaintiff upon receiving BSI details of Defendant Nos. 32 to 39, within one (1) week will amend the memo of parties and serve a copy of this order in compliance with Order XXXIX Rule 3 CPC.

18. List before the learned Joint Registrar (J) on 04.11.2025. CS(COMM) 678/2024

19. Interim orders to continue until modified.

20. List on 18.02.2026, the date already fixed.

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21. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, [www.delhihighcourt.nic.in](http://www.delhihighcourt.nic.in), shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J SEPTEMBER 22, 2025/msh/aa This is a digitally signed order.

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