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

+ **CS(COMM) 403/2026**

MR. ALLU ARJUNPlaintiff

Through: Ms. Swathi Sukmar, Sr. Advocate with,
Ms. Ameet Datta, Ms. Riggima
Sharma, Ms. Bidushi Handique Lale,
Mr. Mukul Kochhar, Ms. Gauri
Khanna, Mr. Ritol Raghuvani,
Advocates.

versus

FRANKLY RETAIL PRIVATE LIMITED & ORS. ...Defendants

Through: Mr. Shubh Kapoor, Mr. Anirudh Dusaj
and Ms. Bhavyah Garg, Advocates for
defendant no. 1.
Mr. Varun Pathak, Ms. Sana Banyal
and Ms. Nivedita Sundheer, Advocates
for defendant no. 7.
Mr. Aditya Gupta, Mr. Asavari Jain
and Mr. Rohith Venkatesan, Advocates
for defendant no. 8.

CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER
17.04.2026

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I.A. 10529/2026 (Additional Documents)

1. The present application has been filed on behalf of the plaintiff under Order XI Rule 1(4) of the Code of Civil Procedure, 1908 ('CPC') as applicable to commercial suits under the Commercial Courts Act, 2015 ('CC Act') seeking leave to place on record additional documents.
2. 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.

3. Accordingly, the application stands disposed of.

I.A. 10530/2026 (Exemption)

4. The present application has been filed on behalf of the plaintiff under Section 80(2) read with Section 151 of the CPC, seeking exemption from serving advance notice to the Government of India/Defendant nos.10 & 11 alongwith supporting affidavit.

5. Exemption allowed subject to all just exceptions. For the reasons stated therein, plaintiff is exempted from serving notice Defendant nos.10 & 11 in advance, at this stage.

6. Accordingly, the application stands disposed of.

I.A. 10531/2026 (Exemption)

7. The present application has been filed on behalf of the plaintiff under Section 151 of the CPC, seeking exemption from filing clearer copies of documents and translated copies of vernacular language documents.

8. Exemption allowed subject to all just exceptions. Let clearer copies of documents and translated copies of vernacular language documents be filed within two weeks from date.

9. Accordingly, the application stands disposed of.

I.A. 10532/2026 (Pre-Institution Mediation)

10. This is an application filed by the plaintiff seeking exemption from instituting pre-litigation Mediation under Section 12A of the CC Act.

11. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar vs. T.K.D. Keerthi: (2024) 5 SCC 815*, exemption from the requirement of pre-institution Mediation is granted.

12. The application stands disposed of.



I.A. 10533/2026 (for seeking discovery, production & inspection of Defendants' documents)

13. The present application has been filed by the plaintiff under Order XI Rules 1, 3 and 5 of the CPC as amended by the CC Act read with Section 151 of CPC, seeking discovery, production and inspection of the Defendants' documents.

14. Issue notice.

15. Let the reply to the application be filed within a period of four weeks from date. Rejoinder thereto, if any, be filed within a period of two weeks thereafter.

I.A. 10528/2026 (Stay)

16. Present application has been filed on behalf of the plaintiff under Order XXXIX Rules 1 & 2 of CPC, 1908 seeking *ex-parte ad-interim* injunction against the defendants.

17. The plaintiff claims to be a well known Indian film actor who primarily works in the Telugu film industry. He claims to be popularly known as the "Icon Star" of Tollywood i.e. The Telugu Film Industry on the basis that he is one of the prominent, well recognised, well respected and commercially successful actors in India. One of his attributes claimed to be loved by the fans is his dynamic performances and exceptional dancing skill.

18. Plaintiff claims to hail from a family associated with the Indian film industry for several decades. His father is stated to be a film producer, film distributor and businessman and his paternal grandfather was a legendary actor, comedian and producer in Telugu cinema having appeared in over 1000 Telugu films. Plaintiff made his debut as a child artist at the age of 3 in the year 1985 in a Telugu film "Vijetha". The screenshot of the plaintiff appearing in the said film is reproduced hereunder:



19. In the year 2003, the plaintiff claims to have made his formal debut as a leading actor in the Telugu film “Gangotri”. The decisive break visited the plaintiff in the year 2004 with the release of the film “Arya” and attained a cult status and was widely celebrated for its narrative and performances. The plaintiff was recognised in the industry and was awarded the prestigious Nandi Special Jury Award in the year 2005 and nominated for the Film Fare Award for the Best Actor.

20. Subsequently, the plaintiff acclaimed commercial success in movies like “Bunny” in the year 2005 and “Desamuduru” in the year 2007. The plaintiff also starred in romantic comedy “Happy” in the year 2006. In the year 2008, a compelling performance by the plaintiff in the romantic drama “Parugu”, earned him the first Film Fare Award for Best Actor (Telugu), in addition to a second Nandi Special Jury Award. Thereafter, the plaintiff gives taller performances in films such as “Arya-2”, “Vedam”, “Julayi”, “Iddarammayilatho” which underscored plaintiff’s versatility and willingness to engage with distinct cinematic idioms. The plaintiff also earned his Second Film Fare Award for Best Actor (Telugu). The action comedy film “Race Gurram” grossed over Rs.60 Crores at the Box Office and emerged as the highest grossing Telugu film in the year 2014, apart from earning the third



Film Fare Award for Best Actor (Telugu).

21. One of the most successful films which conferred upon the plaintiff's stature of Pan-India prominence is the film "Pushpa Raj" and "Pushpa: The Rise", an action thriller film in the year 2021. This film is stated to have grossed over Rs.300 Crores in India and Rs.30 Crores overseas. The highlight of the film was the plaintiff's role as a smuggler and noted for its distinct character, persona, physicality, dialogue delivery and characterisation. A screenshot of that movie is extracted hereunder:



22. Plaintiff claims that the aforesaid movies was distinguished by the widespread popularity of the following dialogue delivered by him in the film:

- (i) *Pushpa, Pushpa Raj...main jhekega Nahi, sala*
- (ii) *"Pushpa ante flower anukuntiva? Fire" – Pushpa naam sunke Flower samjhe kya, Fire Hai Main.*

23. Apart from the above, the plaintiff states that the persona in the film "Pushpa Raj" possesses several distinctive and identifiable attributes which form an integral part of his public identity including the unique physical gestures such as "Thaggede Le" hand gesture, the slanted shoulder gait and his signature energetic dance style. The plaintiff was awarded the National Film Award for Best Actor at the 69th National Film Awards India which is a significant professional milestone. The sequel, "Pushpa 2: The Rule" in the year 2024 grossed over Rs.1600 Crores.

24. Plaintiff also states that he has received prestigious awards at the



International Forums such as the Gulf Academy Movie Awards in the year 2025.

25. Plaintiff claims to have undertaken, apart from the professional work as an actor, entrepreneurial commitments and diversified into production, hospitality, digital media and allied businesses. The list of such business ventures are enumerated in paras 22, 23 and 24 and are not reproduced hereunder for prolixity. The plaintiff has also been engaged as a celebrity endorser and brand ambassador for numerous national and international brands across diverse sectors significantly enhancing the commercial value associated with the plaintiff's name, face, personality, voice, style, public persona, likeness etc. A list of such endorsements are detailed in para 26 of the plaint. Plaintiff also acted as a celebrity ambassador for a Pro-Kabaddi League match.

26. In his long and successful career, the plaintiff was conferred various prestigious National and International awards. The list of 43 such awards are detailed in para 31 of the plaint. On the basis of aforesaid significant achievements and on account of a distinguished and extremely successful career, the plaintiff claims substantial goodwill and immense reputation.


27. The plaintiff enjoys an extensive and sustained media visibility across leading print and digital platforms apart from featuring in numerous interviews published by reputed national and international media houses, some of which are enlisted in para 34 of the plaint. In para 36 of the plaint, the plaintiff has provided a representative list of podcasts and video interviews available on YouTube etc. Petitioner claims a follower base of over 28.1 million on Instagram, over 21 million on Facebook, 8.5 million on X and 2.08 million on YouTube.

28. The plaintiff claims to have actively engaged in numerous philanthropic, charitable and social welfare initiatives during the COVID 19



pandemic. The plaintiff made significant financial contributions including donations to State Relief Funds of Andhra Pradesh, Telangana and Kerala. Plaintiff also claims to have extended financial assistance in the healthcare and education sectors, all of which have been recognised in various news articles filed alongwith the list of documents.

29. In order to protect and secure his statutory proprietary rights over his name, identity and associated indicia, the plaintiff has obtained multiple statutory trademark registrations under the Trade Marks Act, 1999 including




the word marks bearing his name “Allu Arjun” and device marks ,



and



. The list of such trademark applications are illustrated in para 47 of the plaint. Few of them are extracted hereunder:-

S.no	Trademark	Application no.	Class	Date of Application/Date of Use	Status
1		2308924	37	02/04/2012 Proposed to be used	Registered
2		4014781	3	01/12/2018 Proposed to be used	Registered
3		3955677	3	25/09/2018 Proposed to be used	Registered
4	ALLU ARJUN	3955670	3	25/09/2018 Proposed to be used	Registered



5		6859629	99	15/02/2025 Proposed to be used	Formalities Chk Pass
6	ICON STAR	6848192	99	10/02/2025 Proposed to be used	Formalities Chk Pass

30. Plaintiff claims that through continuous, extensive and exclusive use, the aforesaid marks have acquired a degree of distinctiveness and secondary meaning apart from serving as source identifier uniquely associated with the plaintiff and his commercial ventures. The plaintiff's name, persona, image, mannerisms/attributes are distinctive and exclusively associated with the plaintiff and have acquired substantial commercial value and is exploited by consent in films, advertisements, shows, music videos, brand and other commercial endorsements and campaigns. The unauthorised use of any of the aforesaid attributes would constitute unlawful appropriations of plaintiff's persona.

31. Plaintiff alleges that defendant no.1 is engaging in unauthorised commercial exploitation of the plaintiff's name, image and registered trademarks by offering for sale a range of products which tantamount of infringement. Similarly, defendant no.2 is also alleged to be unauthorizedly engaging in commercial exploitation and offering for sale a range of products. Some of the defendants, particularly defendant no.3 is alleged to host sexually explicit and objectionable content portraying the plaintiff in a derogatory and disparaging manner which would tend to tarnish the plaintiff's reputation. Defendant no.4 is alleged to be providing access to AI base voice generation tool by way of paid subscription which clones plaintiff's voice unauthorizedly. Defendant no.5 brazenly provides links to an application which purports to simulate interactions including "fake calls" in the name and



persona of the plaintiff without any authorisation.

32. Predicated upon the aforesaid, the plaintiff seeks *ex-parte ad-interim* injunction against the defendants.

33. This Court has heard Ms. Swathi Sukumar, learned Senior Counsel of the plaintiff, perused the pleadings and documents on record.

34. The overwhelming documentary evidence placed on record by the plaintiff demonstrates the stellar career of the plaintiff commencing from his first movie “Vijetha” in the year 1985 to his extremely successful and nationally and internationally acclaimed movie “The Pushpa” and its sequels. The fact that the last sequel of the said film grossed anywhere between Rs.1400 Crores – Rs.1600 Crores nationally and internationally would be a testament to his prowess as a versatile actor. The highly popular dialogues and other distinctive attributes also demonstrate the iconic status of the plaintiff. The numerous national and international awards including the National Film Fare Awards also indicate clearly that the plaintiff has established himself as an acclaimed actor both nationally and internationally. The business ventures referred to as also philanthropic and charitable activities regularly engaged with by the plaintiff also demonstrate different attributes of the plaintiff's personality.

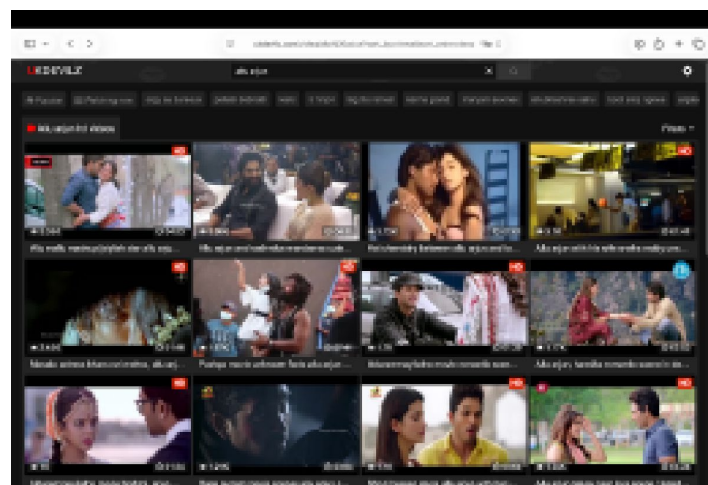
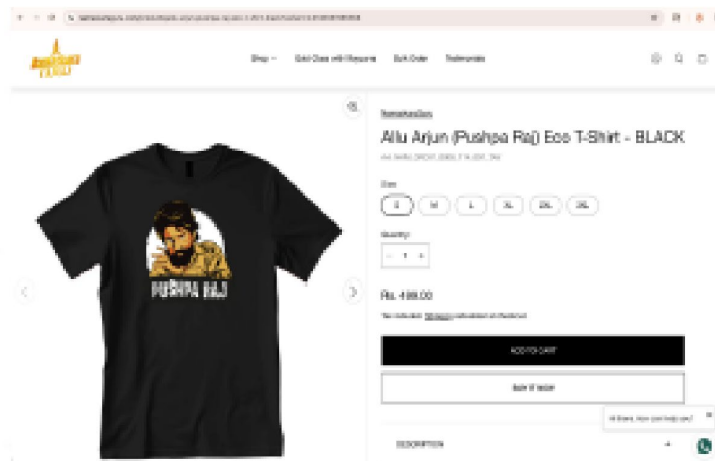
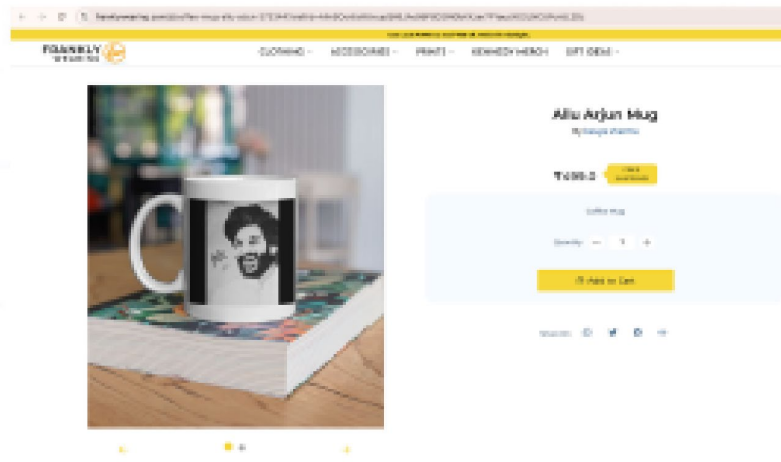
35. The aforesaid documentary evidence etc. clearly demonstrates that the unique and distinctive attributes of the plaintiff are exclusive to the plaintiff and are source identifiers of the plaintiff. The attributes such as name, appearance, voice, manner of delivery dialogues, gestures, attires, speech, signature, likeness would clearly constitute copyrights of the plaintiff over which none other than the plaintiff would have exclusive rights of exploitation.

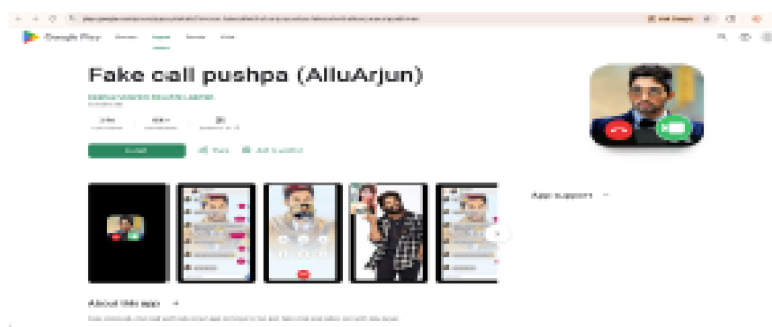
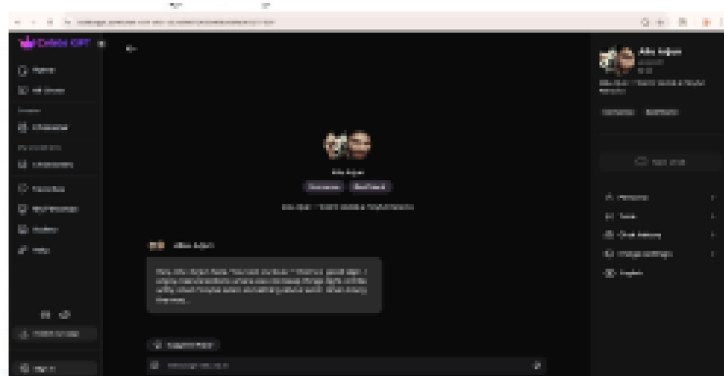
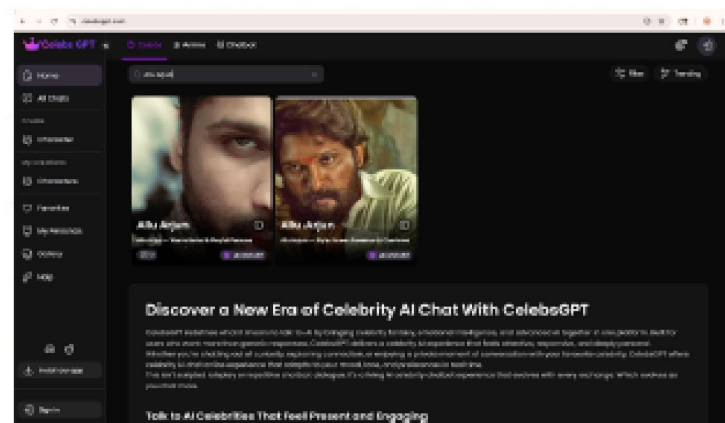
36. That apart, the plaintiff appears to have been prudent enough to obtain various trademark registrations of his name, abbreviations etc. which too are

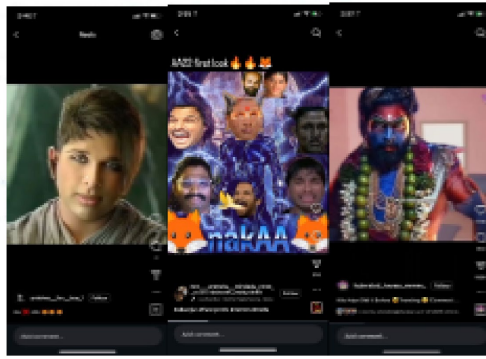


to be protected statutorily.

37. That is it, it would be appropriate for this Court to examine some such contraventions which are reproduced hereunder:







38. Having regard to the aforesaid, it is evident that the plaintiff has been able to prima facie, establish a strong case in his favour and against the defendants. The balance of convenience, having regard to the overwhelming evidence in documentary form apart from statutory registrations would tilt in favour of the plaintiff. The plaintiff shall irreparable loss and injury which may not be compensated in monetary terms in case, *ex-parte ad-interim* injunction is not granted in favour of the plaintiff and against the defendants.

39. Accordingly, the following directions are passed:

- a. Defendant nos.2 to 6 and 13, its associated entities, subsidiaries, directors, dealers, distributors, partners, employees, agents, licensees, distributors, assignees, officers, servants and agents or anyone acting for or on its behalf, are restrained from violating the plaintiff's personality/publicity rights by utilizing and/or in



any manner directly and/or indirectly, using or exploiting or misappropriating the Plaintiffs (a) name “Allu Arjun”; (b) image and likeness; and (c) any other attributes of the plaintiff which are exclusively identifiable with him for any commercial and/or personal gain and/or otherwise by exploiting them in any manner whatsoever without the plaintiff’s consent and/or authorization, through the use of any technology including but not limited to Artificial Intelligence, Generative Artificial Intelligence, Machine Learning, Deepfakes, Face Morphing and on any mediums and formats including but not limited to physical medium, the virtual medium such as websites, metaverse, social media, etc

- b. Defendants nos.2 to 6 and 13, its associated entities, subsidiaries, directors, dealers, distributors, partners, employees, agents, licensees, distributors, assignees, officers, servants and agents or anyone acting for or on its behalf are restrained from violating the plaintiff’s moral rights in any performance of the plaintiffs by utilizing and/or in any manner directly and/or indirectly, using or exploiting or misappropriating the plaintiff’s performances, through the use of any technology including but not limited to Artificial Intelligence, Generative Artificial Intelligence, Machine Learning, Deepfakes, Face Morphing and on any mediums and formats including but not limited to physical medium, the virtual medium such as websites, metaverse, social media, etc.
- c. Defendant nos.2 to 6 and 13, its associated entities, subsidiaries, directors, dealers, distributors, partners, agents, licensees, distributors, assignees, officers, servants and agents or anyone



acting for or on its behalf are restrained from adopting, using, advertising, depicting, displaying, selling in any manner, in the course of trade and/or business/goods/services under the plaintiffs name and/or registered trademarks including word marks bearing his name “ALLU ARJUN” and device marks



and

associated with his persona

and brand identity and or any other marks identical to and/or deceptively similar to the plaintiff's registered trademarks.

- d. Defendant no.2, its associated entities, subsidiaries, directors, dealers, distributors, partners, agents, licensees, distributors, assignees, officers, servants and agents or anyone acting for or on its behalf are restrained from creating, sharing, disseminating, selling, offering for sale, advertising any product (including but not limited to clothes, t-shirts, post cards, coffee mugs, posters, perfumes); content (including audio-visual, content, images, videos, etc) through the use of any technology including but not limited to Artificial Intelligence, Generative Artificial Intelligence, Machine Learning, Deepfakes, Face Morphing and on any mediums and formats including but not limited to physical medium, the virtual medium such as websites, metaverse, social media, etc.
- e. Defendant nos.8 is directed to take down/remove all links/websites provided by the plaintiff, in Document C, which is attached to the plaint and defendant no.7 is directed to take down/remove all links/websites provided by the plaintiff, in Document D, which is attached to the plaint, except the links



which are in serial no.10 and 11 of the said document within 72 hours.

40. If any further infringing websites, URLs, accounts, channels, or content are discovered by the plaintiff, the plaintiff is at liberty to communicate the details of such websites to defendant nos.7 and 8. Upon receiving such intimation from the plaintiff, alongwith supporting evidence, defendant nos.7 and 8 are directed to immediately block access to the said websites.

41. For any further infringing websites discovered by the plaintiff, the plaintiff shall be at liberty to approach the learned Joint Registrar (Judicial) by filing an appropriate application under Order I Rule 10 CPC for impleadment of such infringers.

42. For extension of the present *ex-parte ad-interim* injunction against such newly discovered infringers, the plaintiff shall also be at liberty to approach this Court in accordance with law.

43. If any website which is not primarily an infringing website is locked, suspended or blocked pursuant to the present order, it shall be at liberty to approach this Court seeking modification or clarification upon furnishing an undertaking that it does not intend to illegally disseminate content over which the plaintiff has exclusive rights.

44. Issue notice.

45. Let a reply to this application be filed by the defendant within four weeks from service. Rejoinder, thereto, if any, be filed within two weeks thereafter.

46. Mr. Shubh Kapoor, learned counsel enters appearance on behalf of defendant no.1 and accepts notice.

47. Mr. Shubh Kapoor, learned counsel appearing on behalf of defendant no.1, states that the defendant no.1 is just an intermediary and has no role in creation of the content found in the infringing URL. He also submits that the



said URL was taken down by the defendant no. 1 on 15.04.2026 as soon as the copy of the suit was served upon them.

48. In that view of the matter, the affidavit of compliance of defendant no.1 be filed within three working days from date and advance copy thereof be furnished to Ms. Swathi Sukumar, learned senior counsel appearing on behalf of plaintiff.

49. Compliance of Order XXXIX Rule 3 of CPC shall be done within ten (10) days from date.

CS(COMM) 403/2026

50. Let the plaint be registered as a suit.

51. Upon filing of the process fee, issue summons of the suit to the defendants through all permissible modes.

52. Summons accepted by Mr. Shubh Kapoor, learned counsel appearing on behalf of defendant no.1, whereas Mr. Varun Pathak, learned counsel accepts summons on behalf of defendant no.7 and Mr. Aditya Gupta, learned counsel accepts summons on behalf of defendant no.8.

53. Learned counsel appearing on behalf of defendant nos. 1, 7 and 8 states that they need not file formal written statements to the plaint. Accordingly, defendant nos.1, 7 and 8 are exempted from filing written statements at this stage.

54. List before the Joint Registrar (Judicial) on 14.07.2026 for completion of service and pleadings.

55. List before the Court on 24.09.2026.

TUSHAR RAO GEDELA, J

APRIL 17, 2026/rl/kct