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

+ CS(COMM) 144/2020

RELIANCE INDUSTRIES LTD. & ANR. Plaintiffs

Represented by: Mr. Pravin Anand, Ms. Vaishali
Mittal, Mr. Siddhant Chamola and
Ms. Devyani Nath, Advocates.

versus

OLX INDIA B.V. & ANR. Defendants

Represented by: Ms. Sheetal Vohra, Advocate.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **28.05.2020**

The hearing has been conducted through Video Conferencing.

I.A. 4058/2020 (exemption from filing clear copies, duly notarised affidavit and filing the suit papers in physical form)

I.A. 4059/2020 (Exemption from filing court fees and duly attested affidavit)

1. By these applications plaintiffs seek exemption from filing duly attested affidavits and court fee etc.
2. Exemption is allowed, subject to the condition that plaintiffs will file the duly sworn/attested affidavits in support of the plaint and the applications and the court fee within 72 hours from the date of resumption of the regular functioning of this Court.
3. Applications are disposed of.

**I.A. 4057/2020 (under Order XI Rule 1(4) Commercial Courts Act-
additional documents)**

1. By this application, plaintiffs seek further time to file the additional documents.
2. Additional documents, if any, be filed within 30 days.
3. Application is disposed of.

**CS(COMM) 144/2020 &
I.A. 4056/2020 (under Order XXXIX Rule 1 and 2 CPC)**

1. Complaint be registered as a suit.
2. Issue summons in the suit and notice in the application.
3. Learned counsel for the defendant Nos.1 and 2 enters appearance and accepts summons in the suit and notice in the application.
4. Written statement and reply affidavit be filed within 30 days.
5. Replication and rejoinder to the reply to the application be filed within three weeks thereafter
6. List on 21st September, 2020.
7. Plaintiffs are the owners of the trademarks and trade names JIO and RELIANCE, with its variations in number of classes.
8. Case of the plaintiffs in the present suit is that the defendants, who are web portals, are causing immense harm and irreparable injury to the plaintiffs' goodwill and reputation as on the defendants' web portal fake and fraudulent recruitment advertisements are being published which are accessible under the various words i.e. JIO JOBS, RELIANCE TRENDS JOBS etc. infringing the plaintiffs' trademark and trade name JIO and RELIANCE.
9. Plaintiffs in para-2 of the plaint have mentioned four links i.e. (i)

www.olx.in/items/q-jio-jobs, (ii) <https://www.olx.in/items/q-reliance-digital-job>, (iii) <https://www.olx.in/items/q-reliance-fresh-job> and (iv) https://www.olx.in/jobs_c4/q-reliance-trends-job wherein the plaintiffs' trade name and trademarks are being infringed, number of innocent job seekers are duped and money is being extorted from them. Plaintiffs came to know about these activities after some of the job seekers such as one Jadhav Vanrajsinh Mitensinh filed a complaint wherein it was revealed that the persons/entities using the URLs number as noted above are misusing the two trademarks/trade names JIO and RELIANCE and inducing the gullible job seekers to be victims of extortion.

10. Learned counsel for the defendant Nos.1 and 2, who enters appearance, states that on receipt of the claim suit, the URLs mentioned at Sr.Nos. 2 to 4 have been removed and due to some technical reason URL mentioned at Sr.No.1 could not be removed and the technical team of the defendants is in the process of removing the URL mentioned at Sr.No.1 and the same will be removed from the portal within 24 hours.

11. Learned counsel for the defendant Nos.1 and 2 states that they have also added filters with the words JIO and RELIANCE so that in future nobody can misuse the platform of the defendants with these false and fictitious advertisement so as to defraud the job seekers and infringe the plaintiff's trademarks/trade names.

12. Considering the averments in the plaint and the application, the plaintiffs have made out a prima facie case in their favour and in case no ad-interim injunction is granted they would suffer an irreparable loss. Balance of convenience also lies in favour of the plaintiffs. Consequently, an interim injunction in favour of the plaintiffs and against the defendants in terms of

prayer (a) as prayed for in para 57 of the application is granted.

13. Written statement and reply affidavit to be filed by the defendants would indicate the process implemented by them as also the due diligence carried out and precautions taken so that the platform of the defendants is not misused and illegal advertisements posted thereon.

14. Copy of the order be uploaded on the website of this Court.

MUKTA GUPTA, J.

MAY 28, 2020

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