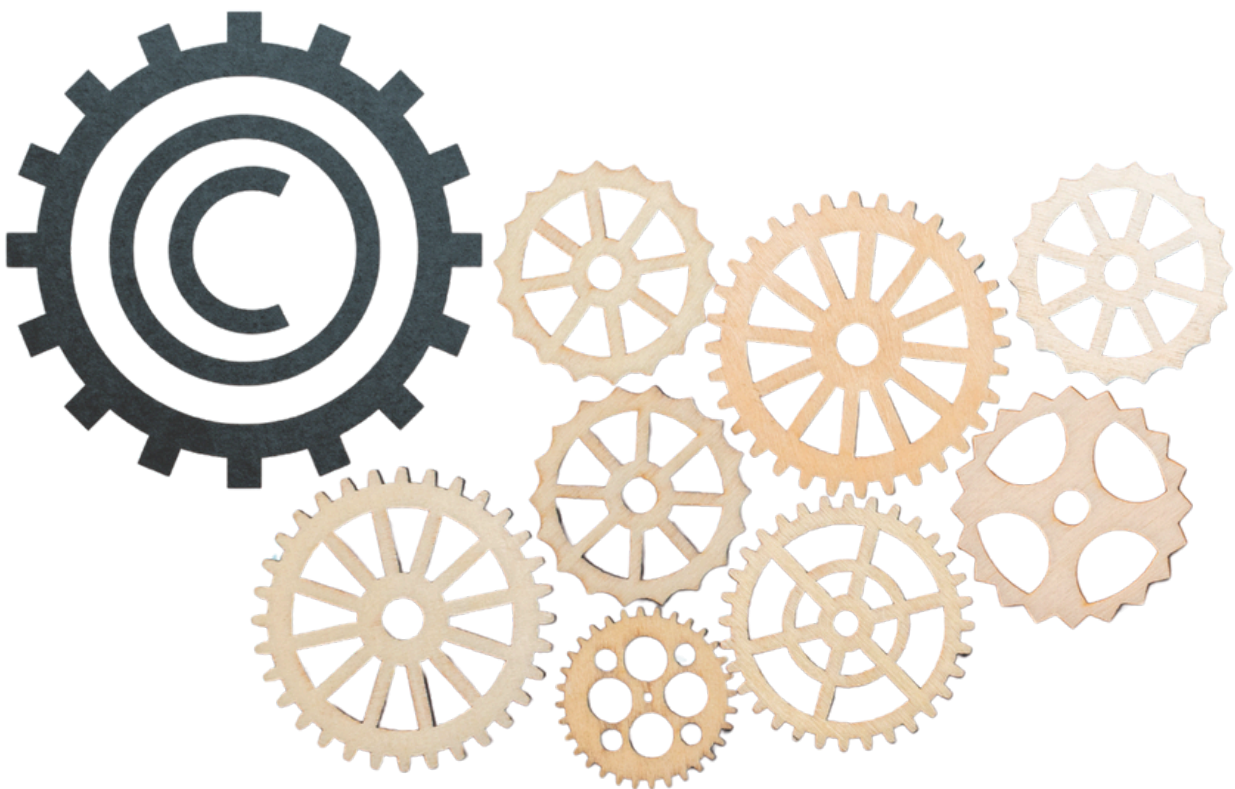


Intellectual Property Rights



NEWSLETTER

JUNE 2026

Delhi High Court Holds Google Liable for Trademark Infringement Through Keyword Advertising: Hindware v. Grohe

Summary

In a significant ruling on the intersection of trademark law and digital advertising, the Delhi High Court in batch matters *Hindware Ltd. v. Grohe India Pvt. Ltd. & Ors.* [CS(COMM) 591/2017] and *Hindware Ltd. v. Omkara Infoweb Pvt. Ltd.* [CS(COMM) 592/2017] held that Google's practice of permitting advertisers to bid on a competitor's registered trademark as a keyword under its AdWords programme can amount to trademark infringement. The Court observed that allowing competitors to use the well-known trademark "HINDWARE" as a keyword enabled them to unfairly benefit from the goodwill associated with the mark and constituted an unauthorized commercial exploitation of the plaintiff's trademark rights. The judgment reinforces the principle that trademark protection extends beyond traditional forms of use and applies equally within the online advertising ecosystem.

Facts of the Case

The plaintiff, Hindware Limited, is the proprietor of the trademark "HINDWARE," a well-known and extensively used mark in relation to sanitaryware, bathroom fittings, and allied products. Over several decades, the plaintiff had built substantial goodwill and reputation in the mark through continuous use and extensive advertising.

The dispute arose when Hindware discovered that competing businesses, including manufacturers and sellers of sanitaryware products, were using the keyword "HINDWARE" through Google's AdWords programme. Under this advertising model, advertisers could bid on specific keywords so that their sponsored advertisements would appear when users searched for those terms on Google's search engine.

As a result, internet users searching for

"HINDWARE" were shown advertisements for competing brands, including CERA and GROHE, often before or alongside the plaintiff's own search results. Hindware argued that Google was not merely a passive intermediary but was actively facilitating and profiting from the use of its registered trademark by competitors. The plaintiff therefore sought injunctive relief against Google and the advertisers for infringement and unauthorized exploitation of its trademark rights.

Issue before the Court

Whether Google's practice of allowing competitors to purchase and use the registered trademark "HINDWARE" as a keyword under its AdWords programme amounted to trademark infringement and unfair commercial exploitation of the plaintiff's trademark.

Findings of the Court

The Court noted that "HINDWARE" was a coined and distinctive trademark that had acquired the status of a well-known mark. Given the reputation and recognition attached to the mark, it was entitled to a high degree of legal protection.

Rejecting Google's contention that keywords function merely as invisible backend tools and therefore do not amount to trademark use, the Court held that the commercial value of a trademark extends beyond its visible display. The Court emphasized that trademarks serve multiple functions, including identifying origin, preserving goodwill, and representing significant advertising and investment value.

The Court observed that Google actively encouraged advertisers to bid on trademarks and derived revenue from such bidding. By making the plaintiff's trademark available for purchase as a keyword, Google enabled competitors to attract consumers searching specifically for Hindware products. This, according to the Court, constituted an unauthorized use of the trademark and allowed competitors to take unfair advantage of the goodwill associated with the mark.

The Court further held that permitting such keyword bidding was contrary to honest commercial practices. While comparative advertising and market competition are legitimate commercial activities, the Court emphasized that competition cannot be achieved through the unauthorized exploitation of another trader's proprietary rights. The use of a competitor's trademark as a keyword effectively diverted consumer attention and diluted the exclusivity enjoyed by the trademark owner under the Trade Marks Act, 1999.

Importantly, the Court clarified that the exclusive rights conferred upon a registered proprietor under Section 28 of the Trade Marks Act are not limited to visible instances of trademark infringement. Those rights also protect the proprietor from unauthorized commercial use that capitalizes on the reputation and value of the mark, including in digital advertising environments.

Held

The Delhi High Court decreed the suits in favour of Hindware and granted a permanent injunction restraining Google from using or permitting the use of the plaintiff's trademark "HINDWARE" as a keyword or AdWord in a manner that infringes the plaintiff's rights. The Court held that Google's AdWords policy, to the extent that it facilitated bidding on the plaintiff's trademark by competitors, amounted to trademark infringement and unfair commercial exploitation of the mark's goodwill and reputation.

Conclusion

The judgment is a significant development in Indian trademark jurisprudence and reflects the judiciary's willingness to adapt traditional trademark principles to modern digital business practices. By recognizing keyword advertising as a potential form of trademark use, the Court has expanded the scope of trademark protection in the online marketplace. The decision sends a strong message that search engines and digital advertising platforms cannot commercially benefit from the unauthorized use of registered

trademarks. It also provides valuable guidance for brand owners seeking to protect their trademarks in an increasingly competitive and technology-driven advertising landscape.

Delhi High Court Upholds Injunction Against Dabur for Trade Dress Similarity and Passing Off: Emami v. Dabur

Summary

In *Dabur India Limited v. Emami Limited*, FAO(OS) (COMM) 23/2026, the Division Bench of Delhi High Court upheld an interim injunction restraining Dabur from using its existing trade dress for its cooling hair oil product, "COOL KING THANDA TAE". The Court found that Emami had established a strong prima facie case of passing off, observing that the overall visual presentation of Dabur's product bore striking similarities to Emami's well-known "Navratna Oil" packaging. The judgment reiterates that while individual packaging elements may be common to the trade, the overall combination and arrangement of those elements can acquire distinctiveness deserving protection.

Facts of the Case

The respondent, Emami Limited, launched "Navratna Oil" in 1989 and has used the product's distinctive trade dress and the tagline "Thanda Thanda Cool Cool" continuously for over three decades. Through extensive promotion and sales, the product acquired substantial goodwill and became a market leader in the therapeutic cooling oil segment, commanding a significant market share. Emami also secured various trademark, copyright, and design registrations relating to its packaging and branding.

In June 2023, Dabur introduced a competing cooling hair oil under the brand name "COOL KING THANDA TAE". Emami alleged that Dabur had deliberately adopted a trade dress closely resembling that of Navratna Oil, including the colour scheme, packaging layout, imagery, and overall visual appearance. Claiming that the adoption was intended to ride upon the reputa-

tion and goodwill associated with Navratna Oil, Emami filed a commercial suit seeking an injunction against Dabur.

The learned Single Judge granted an ad interim injunction in favour of Emami. Aggrieved by the order, Dabur preferred an appeal before the Division Bench, contending that the allegedly similar elements were common, descriptive, and incapable of exclusive appropriation. Dabur further argued that the prominent display of its well-known house mark "DABUR" was sufficient to distinguish its product from that of Emami.

Issue before the Court

Whether Emami had established the essential ingredients of a passing off action, namely goodwill in its trade dress, likelihood of consumer confusion arising from Dabur's packaging, and the consequent risk of commercial damage, so as to justify the continuation of the interim injunction.

Findings of the Court

The Court observed that trade dress protection extends to the overall visual appearance of a product, including its packaging, colour combination, layout, get-up, and presentation. While individual elements such as the colour red, depictions of hibiscus flowers, ice cubes, or descriptive expressions like "cool" and "thanda" may not be exclusively protectable in isolation, the law protects the distinctive combination and arrangement of such elements when they have come to signify a particular source in the minds of consumers.

Upon comparing the rival products, the Court found substantial similarities in the bottle shape, colour scheme, placement of features, imagery of ice cubes and hibiscus flowers, colour of the oil, and overall packaging presentation. The Bench noted that the cumulative effect of these similarities created a strong likelihood of consumer confusion and could not be dismissed as mere coincidence.

The Court further held that the presence of Dabur's house mark did not negate the possibility of deception. From the perspective of an average consumer with imperfect recollection, the overall trade dress of the competing products was sufficiently similar to create an impression of association with Emami's Navrat-na Oil. Consequently, Emami had successfully established a prima facie case of passing off.

Held

The Division Bench dismissed Dabur's appeal and upheld the injunction granted by the Single Judge. The Court restrained Dabur from manufacturing, selling, advertising, or distributing its "COOL KING THANDA TAEI" product in the impugned trade dress. It held that Emami had satisfied the triple test for passing off by demonstrating goodwill, likelihood of confusion, and potential commercial injury. However, the Court clarified that its observations were prima facie in nature and would not prejudice the final adjudication of the suit after trial.

Conclusion

The judgment reinforces the importance of trade dress protection in Indian trademark law and highlights that passing off claims are assessed on the overall commercial impression created by competing products. It underscores that competitors cannot evade liability by relying on generic or descriptive elements when the cumulative packaging presentation closely imitates that of a market leader. The ruling also affirms that the use of a prominent house mark is not a complete defence where the overall trade dress is likely to mislead consumers and appropriate another trader's goodwill.

Calcutta High Court Upholds Authors' Royalty Rights in Digital Music Exploitation: Vodafone Idea v. IPRS

Summary

In a connected batch matter involving, Vodafone Idea Limited v. The Indian Performing Right Society Limited and Vodafone Idea Limited vs.

Saregama India Limited & Anr., the Calcutta High Court reaffirmed the statutory royalty rights of lyricists and music composers introduced through the Copyright (Amendment) Act, 2012. The Court held that the commercial exploitation of songs through value-added services such as caller tunes and ringtones attracts royalty obligations in respect of the underlying literary and musical works. The judgment clarifies that a licence from the owner of a sound recording does not, by itself, authorize the commercial exploitation of the underlying copyrighted works.

Facts of the Case

Vodafone Idea Limited, a leading telecommunications service provider, offered value-added services (VAS) to its subscribers, including caller tunes, ringtones, and other music-based digital services. For this purpose, Vodafone entered into commercial arrangements with Saregama India Limited, a prominent music label and owner of various sound recordings.

Vodafone contended that its licence arrangements with Saregama entitled it to commercially exploit the songs contained in those sound recordings and that no separate royalty was payable to the Indian Performing Right Society Limited (IPRS), the registered copyright society representing authors and composers of underlying literary and musical works.

Disputes arose between Vodafone, Saregama, and IPRS regarding the scope of rights granted under the Copyright Act, 1957, particularly after the amendments introduced in 2012. While Vodafone and Saregama subsequently resolved certain disputes through a private settlement, Saregama maintained that it could not be held liable for any royalties that might be payable by Vodafone to IPRS. Consequently, the issue of whether Vodafone was required to obtain licences and pay royalties for the underlying works remained for judicial determination.

Issue before the Court

Whether IPRS was entitled to claim royalties for the commercial exploitation of underlying literary and musical works embedded in sound recordings, and whether a licence granted by a music label such as Saregama was sufficient to authorize such commercial use without payment of royalties to authors and composers.

Findings of the Court

The Court observed that the Copyright (Amendment) Act, 2012 introduced a significant shift in Indian copyright law by strengthening the rights of authors and composers. The amendments were specifically intended to ensure that creators of literary and musical works continue to receive royalties whenever their works are commercially exploited.

Interpreting the third and fourth provisos to Section 18(1), along with Section 19(10) of the Copyright Act, the Court held that authors retain a statutory and non-waivable right to receive royalties from the commercial exploitation of their works, notwithstanding any assignment of copyright. This statutory right survives even where copyright has been assigned to producers, music labels, or other entities.

The Court further clarified that the only recognised exception applies to the exhibition of a cinematograph film in a cinema hall. Outside this limited exception, any commercial use of the underlying literary and musical works attracts royalty obligations in favour of the authors and composers.

Rejecting Vodafone's contentions, the Court held that ownership of a sound recording does not automatically include the right to commercially license the underlying literary and musical works. Consequently, music labels such as Saregama cannot grant downstream users a complete licence covering those underlying rights. Such rights continue to vest in the authors or the copyright society authorised to administer them. The Court therefore concluded that Vodafone's

reliance solely on its arrangements with Saregama was insufficient to shield it from liability towards IPRS.

Held

The Calcutta High Court upheld the findings of the Single Judge and dismissed Vodafone's appeals. The Court held that IPRS is entitled to claim royalties for the commercial exploitation of underlying literary and musical works embodied in sound recordings. It further held that Saregama's ownership of the sound recordings did not entitle it to grant a complete licence in respect of the underlying literary and musical works so as to extinguish the royalty rights of authors and composers.

The Court also directed that the amounts deposited with the Registrar and Joint Special Officers be released to IPRS, subject to an undertaking to refund the amounts if required upon final adjudication of the suits. Vodafone's request for a stay of the judgment was expressly rejected.

Conclusion

This judgment is a significant reaffirmation of the rights granted to lyricists and composers under the 2012 copyright amendments. It clarifies that commercial users of music, including telecom operators and digital content providers, must separately account for the rights of authors embodied within sound recordings. The decision strengthens the role of copyright societies such as IPRS and reinforces the principle that creators are entitled to an ongoing share of royalties whenever their works generate commercial value, irrespective of agreements between downstream users and music labels.

Delhi High Court Holds Website Accessibility and Online Commercial Features Sufficient to Sustain Jurisdictional Plea at Preliminary Stage

Summary

In the significant case of Ravinder Singh vs.

Regoshin Healthcare Pvt Ltd & Ors. [CS(COMM) 383/2025], on territorial jurisdiction in online trademark infringement actions, the Delhi High Court held that the presence of a defendant's website featuring product listings and a "Contact Us" page accessible to consumers in Delhi may be sufficient, at the preliminary stage, to confer jurisdiction on the Court. Rejecting an application for return of plaint under Order VII Rule 10 CPC, the Court reiterated that jurisdictional objections raised at the threshold must be examined on a demurrer, accepting all averments in the plaint as true.

Facts of the Case

The plaintiff instituted a trademark infringement and passing off suit against the defendants in relation to the use of allegedly deceptive pharmaceutical trademarks. The plaintiff contended that the defendants were manufacturing, marketing, and promoting pharmaceutical products under impugned marks that were deceptively similar to its registered trademarks. It was further alleged that the defendants were offering and promoting these products through their own website as well as third-party platforms such as IndiaMart and Justdial.

The defendants sought return of the plaint under Order VII Rule 10 CPC, arguing that the Delhi High Court lacked territorial jurisdiction. They submitted that they did not possess a drug licence permitting sales in Delhi and, therefore, no commercial transaction could take place within the territory of Delhi. According to them, the mere existence of a registered office in Delhi or a website accessible in Delhi could not confer jurisdiction.

The plaintiff, on the other hand, relied on the defendants' website, product listings, "Contact Us" page, and listings on third-party online platforms to contend that the defendants were actively soliciting business and targeting consumers in Delhi, thereby giving rise to a part of the cause of action within the jurisdiction of the Court.

Issue before the Court

Whether the Delhi High Court possessed territorial jurisdiction to entertain a trademark infringement and passing off suit where the defendants' products were accessible online through websites and third-party platforms, and where the defendants maintained a website containing a "Contact Us" page accessible to consumers in Delhi.

Findings of the Court

The Court reiterated the settled principle that an application seeking return of plaint under Order VII Rule 10 CPC must be decided solely on the basis of the averments contained in the plaint and accompanying documents. At this stage, all pleaded facts are required to be accepted as true, and the defendant's defence cannot be considered.

Examining the plaint, the Court noted that the plaintiff had specifically pleaded that the defendants maintained a dedicated website displaying the impugned products and containing a "Contact Us" page through which potential customers could interact with them. The plaintiff had also placed on record screenshots showing that the website displayed product information, contact details, business coordinates, and other commercial touchpoints.

Relying on recent decisions concerning internet-based trademark disputes, The Court held that, when viewed together with product listings, commercial information, and allegations of online solicitation, the existence of a Contact Us page could not be dismissed as a purely passive online feature at the threshold stage. Whether such online interfaces ultimately resulted in commercial transactions or constituted purposeful targeting of consumers was a matter requiring evidence and could only be determined at trial.

The Court further observed that the defendants' products were also listed on third-party platforms such as IndiaMart and Justdial, which facilitated consumer interaction and business enquiries. Such allegations, if accepted as true for the purposes of Order VII Rule 10 CPC, were

sufficient to establish a prima facie nexus with the forum and warranted examination at trial.

Importantly, the Court held that the question of territorial jurisdiction in internet-based disputes often involves mixed questions of law and fact. Therefore, where the plaint contains specific averments regarding website accessibility, product promotion, and consumer interaction within a particular jurisdiction, the suit ought not to be rejected at the preliminary stage.

Held

The Delhi High Court dismissed the defendants' application seeking return of the plaint under Order VII Rule 10 CPC. The Court held that the averments in the plaint, including the defendants' online presence, product listings, "Contact Us" page, and listings on third-party websites accessible in Delhi, were sufficient to justify the continuation of the suit before the Delhi High Court at the threshold stage, leaving the issue of territorial jurisdiction open for determination after evidence.

Conclusion

The decision reinforces the evolving approach of Indian courts towards territorial jurisdiction in internet-based intellectual property disputes. It underscores that businesses maintaining websites with commercial features, product listings, and customer interaction mechanisms may face jurisdictional scrutiny in forums where such online activities are alleged to target consumers or contribute to the cause of action. The ruling further highlights that questions concerning the extent of website interactivity and actual commercial targeting are ordinarily matters for trial and not for summary adjudication at the threshold stage.

Delhi High Court Declares "CALPOL" a Well-Known Trademark in Pharmaceutical Sector: GSK v. Walter Healthcare

Conclusion

In *GlaxoSmithKline Pharmaceuticals Ltd. v. Walter Healthcare Pvt. Ltd. & Anr.* [CS(COMM) 403/2025], the Delhi High Court declared the

trademark "CALPOL" a well-known trademark under the Trade Marks Act, 1999. While the underlying trademark infringement dispute concerning the mark "WALPOL" was amicably settled between the parties, the Court proceeded to examine whether CALPOL satisfied the statutory criteria for recognition as a well-known mark. After considering extensive evidence of long-standing use, substantial sales, widespread promotion, and successful enforcement actions, the Court concluded that CALPOL enjoys immense goodwill and recognition among consumers across India and merits enhanced protection.

Facts of the Case:

The plaintiff, GlaxoSmithKline Pharmaceuticals Limited (GSK), is one of India's leading pharmaceutical companies and a part of the global GSK group. The plaintiff has been using the trademark CALPOL since 1991 in relation to pharmaceutical preparations, including tablets, syrups, and oral drops used for the treatment of fever, pain, and common cold symptoms. Over the years, CALPOL has become one of the most recognized medicinal brands in India and is sold through an extensive network of distributors, stockists, pharmacies, and online platforms.

The dispute arose when the plaintiff discovered that the defendants were using and seeking registration of the mark "WALPOL" for pharmaceutical products. GSK contended that WALPOL was deceptively similar to CALPOL, differing only in the first letter while retaining the same suffix and overall structure. Given the identical nature of the goods and overlapping consumer base, the plaintiff argued that the impugned mark was likely to cause confusion among consumers. A suit for trademark infringement and passing off was therefore instituted before the Delhi High Court.

During the pendency of the proceedings, the parties arrived at a settlement. The defendants agreed to discontinue use of the mark WALPOL, withdraw their trademark application, and pay

damages of ₹2 lakh to the plaintiff. The only surviving issue before the Court was the plaintiff's request for declaration of CALPOL as a well-known trademark.

Issue before the Court

Whether the trademark **CALPOL** satisfied the requirements under Sections 11(6) and 11(7) of the Trade Marks Act, 1999 and was entitled to recognition as a well-known trademark in India.

Findings of the Court

The Court examined the evidence placed on record in light of the statutory factors governing determination of well-known trademarks. It noted that CALPOL had been continuously, extensively, and uninterruptedly used in India for over three decades and had acquired significant recognition among consumers and healthcare professionals. The plaintiff demonstrated extensive sales figures, with revenues exceeding ₹300 crore in 2024 alone and more than 20 crore units sold. The Court also took note of the substantial expenditure incurred towards advertising and promotion over several years.

The Court further observed that CALPOL had received extensive coverage in newspapers, business publications, pharmacy journals, and online media. The Court also noted evidence demonstrating the strong association of the mark with the plaintiff's products in the public domain, including online search results and media references. Additionally, the plaintiff had consistently protected its trademark rights through enforcement actions against infringers and had secured multiple injunctions and decrees in its favour.

Considering the duration of use, geographical reach, promotional efforts, market presence, and successful enforcement history, the Court found that CALPOL had acquired a formidable reputation and distinctiveness in the pharmaceutical industry.

Held

The Delhi High Court held that CALPOL satisfied all the criteria prescribed under Sections 11(6) and 11(7) of the Trade Marks Act, 1999. Accordingly, the Court declared CALPOL a well-known trademark within the meaning of Section 2(1)(zg) of the Act and granted the relief sought by the plaintiff.

Conclusion

This judgment reinforces the importance of long-standing use, consumer recognition, extensive promotion, and vigilant enforcement in securing well-known trademark status. The decision significantly strengthens CALPOL's protection against dilution, unfair advantage, and unauthorized adoption, including in circumstances extending beyond identical goods and services. It also serves as a reminder that pharmaceutical trademarks, owing to their direct impact on public health, are afforded a high degree of judicial protection, particularly where substantial goodwill and reputation have been established over decades of use.

Boundaries of Personality Rights in the Digital Era: Delhi High Court Examines Posthumous Protection, Political Speech and Expanding Digital Identity Rights

Introduction

In a series of significant decisions in May 2026, the Delhi High Court further developed India's evolving jurisprudence on personality rights by examining both the scope and limitations of such rights in the digital age. The Court addressed diverse issues including protection of the identity of deceased personalities, misuse of celebrity personas, AI-generated content, digital impersonation, unauthorized commercial exploitation, and the intersection between personality rights and freedom of political expression.

While recent personality rights decisions have primarily focused on protecting celebrities against commercial appropriation and AI-driven misuse, these rulings demonstrate that such rights

are not absolute. The Court has drawn a distinction between unlawful exploitation of an individual's persona and legitimate criticism, satire, and public discourse.

Raghav Chadha v. John Doe Ashok Kumar & Ors., CS(OS) 466/2026

In a significant ruling examining the limits of personality rights in the realm of political discourse, Rajya Sabha Member of Parliament Raghav Chadha approached the Delhi High Court seeking protection against allegedly defamatory online posts, memes, and social media commentary arising out of speculation regarding his political transition from the Aam Aadmi Party to the Bharatiya Janata Party.

The plaintiff contended that the impugned content unlawfully used his name, identity, and persona, circulated false narratives, and caused reputational injury, thereby infringing his personality rights. He accordingly sought interim protection and directions for removal of such content from digital platforms. However, the Court declined to grant interim relief at the initial stage, observing that the material complained of appeared to constitute political criticism, satire, and public commentary rather than unauthorized commercial exploitation of the plaintiff's personality attributes.

During the hearing, Hon'ble Mr. Justice Subramonium Prasad highlighted the significance of satire and criticism in a democratic society and referred to the enduring tradition of political cartoons and commentary associated with renowned cartoonist R.K. Laxman. The Court indicated that personality rights should not ordinarily be used to suppress legitimate political criticism, satire, or public commentary.

Significantly, the Court was not persuaded that the material placed before it, at that stage, disclosed a prima facie case warranting interim protection under the law relating to personality rights, as the alleged content did not involve appropriation of the plaintiff's identity for commercial gain or misuse of his persona in the manner recognized under personality rights jurisprudence.

Shree Swaminarayan Sarvopari Siddhant Digvijay Trust v. Sukhmay Karan Satsang Foundation & Ors., CS(COMM) 607/2026

In another important ruling, the Delhi High Court examined whether personality rights could extend beyond the lifetime of an individual and protect the legacy of a deceased spiritual leader.

The dispute concerned the unauthorized use of the image, photographs, likeness, voice, and name of His Divine Holiness Devnandandasji Swami ("HDH Bapji"), founder of the plaintiff Trust. Apart from allegations relating to trademark infringement of the mark "KARAN SATSANG", the plaintiff claimed that the defendants were using HDH Bapji's personality attributes and spiritual legacy on digital platforms without authorization.

The Court observed that the use of HDH Bapji's image, likeness, and associated identity appeared to violate the rights claimed by the Trust entrusted with preserving his legacy. Accordingly, the Court granted an ex parte ad interim injunction restraining unauthorized use of his name, image, voice, and likeness.

The decision is significant as it suggests that, in appropriate circumstances, courts may protect personality attributes associated with a deceased individual through institutions or entities legally connected with preserving that person's legacy.

Aman Gupta v. John Doe Ashok Kumar & Ors.

The Delhi High Court also reaffirmed that personality rights protection may extend beyond traditional entertainment celebrities where an individual's identity possesses substantial commercial goodwill and public recognition.

The plaintiff, known for co-founding boAt Lifestyle and appearing as an investor on Shark Tank India, alleged unauthorized exploitation of his identity through online platforms. The Court recognized the commercial value, goodwill, and public recognition attached to his persona.

An injunction was granted restraining unauthorized use of his name, image, likeness, voice, photographs, videos, trademarks, slogans, and other identifiable personality attributes.

Varun Dhawan v. Artist Booking Company & Ors., CS(COMM) 626/2026

The Delhi High Court further strengthened celebrity personality rights protection in the digital environment in proceedings instituted by actor Varun Dhawan. The plaintiff alleged unauthorized commercial exploitation of his name, image, likeness, voice, signature, and other distinctive attributes by various entities and online platforms. The Court recognized the substantial goodwill and commercial value attached to the actor's persona and granted an ex-parte ad interim injunction.

Importantly, The Court recognized that modern personality rights disputes may arise through emerging technologies such as AI-generated content, deepfakes, manipulated media, and synthetic representations. The Court directed removal of infringing online content, disclosure of information relating to offending accounts, and implementation of a dynamic injunction mechanism to prevent future similar infringements.

Emerging Trends in Personality Rights Jurisprudence

Together, these decisions demonstrate the Delhi High Court's nuanced approach towards personality rights. While the Court continues to strengthen protection against commercial exploitation, AI-generated misuse, and digital impersonation, it has simultaneously preserved the space for satire, criticism, and democratic debate.

Recent decisions indicate an increasing willingness to protect names, voices, gestures, mannerisms, performances, digital representations, and other distinctive identifiers that are closely associated with an individual's persona.

At the same time, the Court has indicated that such rights are not absolute and should not ordinarily be invoked to suppress legitimate

political criticism or public commentary. These decisions suggest an emerging judicial effort to balance identity protection with constitutional values of free expression.

Conclusion

The recent Delhi High Court decisions mark a significant stage in the evolution of personality rights in India. From protecting deceased personalities and celebrity identities to addressing AI-

generated misuse and distinguishing political speech from unlawful exploitation, the Court has continued to shape the contours of this developing legal field.

As digital technologies continue to enable realistic impersonation and synthetic representations, these decisions provide important guidance on protecting personal identity while preserving legitimate expression in an increasingly complex digital ecosystem.

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Intellectual Property Rights Updates

