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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CS(COMM) 222/2020, I.As. 5139/2020, 5140/2020, 5141/2020,  
5142/2020 & 5143/2020

LOUIS VUITTON MALLETIER

..... Plaintiff

Through: Mr. Dhruv Anand, Ms. Udit Patro,  
Ms. Kavya Mammen and Ms.  
Sampurnaa Sanyal, Advs.

versus

FUTURETIMES TECHNOLOGY INDIA PRIVATE LIMITED &  
ORS.

..... Defendants

Through: Mr. C.M. Lall, Sr. Adv. with Mr.  
Ankur Sangal, Mr. Ajay Bhargava,  
Mr. Atul Pandey, Mr. Aseem  
Chaturvedi, Ms. Sucheta Roy and Ms.  
Shiva Tokas, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE V. KAMESWAR RAO**

**ORDER**

% **03.07.2020**

This matter is being heard through video-conferencing.

**I.A. 5142/2020 (for exemption)**

Exemption allowed subject to all just exceptions.

Application stands disposed of.

**I.A. 5141/2020 (by plaintiff seeking permission of 30 days time to file additional documents from the date of resumption of the regular functioning of this Court)**

For the reasons stated in the application, the same is allowed and the

plaintiff is granted four weeks to file additional documents from the date of resumption of the regular functioning of this Court.

Application is disposed of.

**I.A. 5143/2020 (by plaintiff seeking exemption from filing Court Fee)**

For the reasons stated in the application, the same is allowed.

Subject to the applicant / plaintiff filing the necessary Court fee within 72 hrs from the date of resumption of regular functioning of the Court, as mandated in terms of Office Order dated April 04, 2020 issued by this Court, exemption from filing the requisite court fees is granted.

Application is disposed of.

**I.A. 5140/2020**

Issue notice. Mr. Ankur Sangal, Adv. accepts notice for the defendants.

**CS(COMM) 222/2020**

Issue summons. Mr. Ankur Sangal, Adv. accepts summons on behalf of the defendants.

Written statement shall be filed by the defendants within 30 days. The defendants shall file his affidavit of admission and denial of documents filed by the plaintiff. Replication shall be filed within 30 days of the receipt of the, written statement / documents. The replication shall be accompanied by the affidavit of admission denial of documents filed on behalf of the defendants.

If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the time lines.

List on September 30, 2020 before Joint Registrar.

**I.A. 5139/2020 (by plaintiff under Order XXXIX Rules 1 and 2 CPC)**

This is an application filed by the plaintiff with the following prayers:

*“It is therefore, prayed that during the pendency of the present proceedings this Hon’ble Court may be pleased to pass the following orders:*

- i. an order of ex parte ad-interim injunction restraining the Defendants, their partners, if any, officers, servants, agents, distributors, stockists and representatives from importing, manufacturing, warehousing, selling and/or offering for sale, advertising, directly or indirectly dealing, in any manner, in any goods, including facemasks, etc. bearing the registered trademarks “LOUIS VUITTON”, “LV” logo, Toile monogram pattern, Damier pattern and/or LV Flower pattern or any similar trademark amounting to an infringement of registered Trademarks Nos. 441451, 448228, 448229, 441452B, 448230, 448231, 448235, 448234, 441453B, 861145, 1335385 and 1335386, on any platform whatsoever, including its website [www.clubfactory.com](http://www.clubfactory.com), mobile apps, social media platforms, etc;*
- ii. An order directing the immediate suspension of the various links of the Defendants’ website [www.clubfactory.com](http://www.clubfactory.com), which advertise and / or offer for sale infringing products, bearing the various registered trademarks of the Plaintiff as detailed in Annexure A to the plaint;*
- iii. Any further orders as this Hon’ble Court deems fit and proper in the facts and circumstances of this case.”*

Issue notice. Mr. Ankur Sangal, Adv. accepts notice for the defendants. Reply be filed within two weeks. Rejoinder thereto, if any, be filed within one week thereafter.

It is the submission of Mr. Lall, learned Senior Counsel appearing for the defendants that the defendant No.1 as per the policy which is in conformity with the Information Technology Act, on being notified the URL on which the infringing products are hosted, shall remove the same.

Mr. Dhruv Anand on the other hand disputes the submission made by Mr. Lall. Re-notify this application for hearing on August 13, 2020.

**V. KAMESWAR RAO, J**

**JULY 03, 2020/aky**