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

+ W.P.(C) 5708/2018 & CM No. 22170/2018

INDIAN INSTITUTE OF TECHNOLOGY
DELHI

..... Petitioner

Through: Mr Arjun Mitra, Advocate.

versus

DELHI METRO RAIL CORPORATION LIMITED
AND ORS

..... Respondents

Through: Mr Sandeep Sharma and Mr Sarthak
Mannan, Advocate for R-2.
Mr Ramesh Kumar, Advocate for R-
3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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10.07.2018

1. The petitioner (IIT, Delhi) is one of the premier institutes of India and has filed the present petition being aggrieved by the action of respondent no.1 (hereafter 'DMRC') in co-branding the metro station near its campus as "FIITJEE IIT". FIITJEE Ltd. is a company, which is essentially engaged in providing coaching to students, who aspire for admissions to various IITs.
2. The petitioner claims that co-branding the metro station near its campus as 'FITJEE IIT' has the propensity of misleading the public to believe that the petitioner is associated with FIITJEE. It is also pointed out that FITJEE Ltd. does not have any coaching institute in the immediate vicinity of the metro station. In order to obviate any confusion in this regard, it is suggested that the Sign Boards put up at metro station must

clearly indicate that FIITJEE is not connected with any IIT.

3. The learned counsel appearing for DMRC states that the same has already been done. He has handed over photographs, which indicate that the said disclaimer has been put up on the hoardings bearing the trade name 'FIITJEE'. It is suggested that the font and size of the said disclaimer should be identical to the font and size in which the trade name FIITJEE is advertised. The learned counsel appearing for DMRC has no objection to this suggestion and states that the same would be implemented. In view of the above statement, it is directed that wherever the brand name FIITJEE has been put up by DMRC, it shall also put up a disclaimer – "FIITJEE is not connected or associated with any IIT".

4. It is clarified that this order would not preclude the petitioner from instituting any action with regard to use of the trade name FIITJEE as being deceptively similar to the acronym, IIT. It is further clarified that this order is without prejudice to any rights and contentions of respondent nos.2 & 3 as well.

5. The petition is disposed of leaving it open for the parties to initiate such further action as may be advised. The pending application also stands disposed of.

VIBHU BAKHRU, J

JULY 10, 2018
MK