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

+ **CS(COMM) 805/2024, I.A. 39779/2024 & I.A. 39780/2024**

VERIZON TRADEMARK SERVICES LLC & ORS.Plaintiffs

Through: Mr. Pravin Anand, Ms. Vaishali Mittal and Ms. Gitanjali Mittal,
Advocates
Mob: 9145544111
Email:
gitanjali.s@anandandanand.com

versus

DR. NEERAJ YADAV & ANR.Defendants

Through: Mr. Kaveesh Nair, Ms. Mahima Mukherjee, Ms. Vidula Mehrotra, Mr. Utsav Saxena and Ms. Rachael Tuli,
Advocates for D-1.
Mob: 9711224074
Mr. Fanish Kumar Rai and Mr. Gaurav Sahdev, Advocates
Mob: 9650021891

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER
27.11.2024**

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1. The present suit has been filed seeking permanent injunction to restrain the defendants from infringing and passing off of the plaintiffs' registered trademarks, i.e., 'VERIZON' by way of usage of the mark 'VERIZON' and 'Verizon Multispecialty Hospital'.
2. It is the claim of the plaintiffs that the defendants have copied the mark of the plaintiffs in relation to goods and services, without any



authorization of the plaintiff, which constitutes a gross violation of the plaintiffs' statutory and common law rights.

3. When the present matter was listed on 19th September, 2024, this Court had passed an *ex-parte ad-interim* order in favour of the plaintiffs and against the defendants, wherein, taking note of the registered trademarks in favour of the plaintiffs, the defendants, its directors and others acting on their behalf, were restrained from marketing, selling, offering, or making for sale, or providing goods and/or services, or in any manner using the mark 'VERIEZON', 'VERIEZON HOSPITAL', 'VERIEZON MULTISPECIALITY HOSPITAL' and/or its variants such as



(Veriezon

Multispeciality Hospital), the domain name www.veriezonhospital.com, the email addresses veriezonhospital@gmail.com, info@veriezonhospital.com and/or any other deceptively similar marks, where the emphasis is laid on the term 'VERIEZON', or any other word, designation, label, etc. similar mark thereto, and other marks containing, or comprising of, the trademark VERIZON, leading to infringement of the plaintiffs' VERIEZON trademarks and passing off of the defendants' services, as emanating from, or belonging to the plaintiffs.

4. When the matter was listed for hearing on 22nd November, 2024, statement on behalf of the defendants was recorded, that the defendants had already stopped the usage of the mark 'VERIZON' and that they had initiated the process of changing the name of the hospital.



5. Learned counsel appearing for the defendants submits that the defendants have also written to various third party social media accounts like, Facebook, Practo, Lybrate and JustDial, etc., to take down the listings of the defendants with the infringing mark.

6. Mr. Pravin Anand, learned counsel appearing for the plaintiffs has handed over a list of active listings showcasing the use by the defendants on various third party platforms.

7. Learned counsel appearing for the defendants submits that he has no objection if the said listings of the defendants on the third party platforms are taken down and removed.

8. He further submits that the defendants are ready to suffer a decree.

9. Learned counsel appearing for the plaintiffs submits that he accepts the undertaking given by learned counsel appearing for the defendants. He further submits that suit can be decreed in favour of the plaintiffs.

10. He further submits that the plaintiffs give up other prayers for damages and cost. However, in view of the acceptance of the undertaking of the defendants by the plaintiffs, court fees be refunded in favour of the plaintiffs.

11. Considering the submissions made before this Court, the following directions are issued:

I. Decree of permanent injunction is passed in favour of the plaintiffs and against the defendants in terms of para 83 (i) to (iii).

II. The URLs of the following social media/ E-commerce websites are directed to be removed by the respective platforms:



LIST OF ACTIVE LISTINGS SHOWCASING USE BY THE DEFENDANTS		
S. NO.	PLATFORM NAME	URLS
1.	Facebook	• https://www.facebook.com/p/Veriezon-Multispeciality-Hospital-100076040049578/ • https://www.facebook.com/watch/?v=963568810912563
2.	Instagram	• https://www.instagram.com/veriezonhospital/
3.	LinkedIn	• https://www.linkedin.com/company/veriezon-multispeciality-hospital/?originalSubdomain=in
4.	YouTube	• https://www.youtube.com/@veriezonmultispecialityhos284 • https://www.youtube.com/@veriezon_hospital
5.	JustDial	• https://www.justdial.com/Gurgaon/Veriezon-Multispeciality-Hospital-Near-Plot-No-164-P-165-P-Sector-52-Ardee-City/011PXX11-XX11-220314181215-J3I2_BZDET • https://www.justdial.com/Gurgaon/Dr-Neeraj-Yadav-VeriezonMultispecialityHospital-Near-Aardee-City-Gurgaon-Sector-52/011PXX11-XX11-221021215848-J5R5_BZDET
6.	Practo	• https://www.practo.com/gurgaon/clinic/veriezon-hospital-gurgaon-sector-52
7.	Lybrate	• https://www.lybrate.com/gurgaon/clinic/veriezon-multispeciality-hospital-sector-52-a
8.	Company Check	• https://www.thecompanycheck.com/org/veriezon-hospital/ec5889f7a1
9.	Sulekha	• https://www.sulekha.com/veriezon-hospital-sector-52-gurgaon-contact-address
10.	Magic Pin	• https://magicpin.in/Gurgaon/Ardee-City/Restaurant/Veriezon-Hospital/store/1551329/?srsltid=AfmBOooP2Miru9R40Aauaza0jYhTXtDv5P_HpyAlP-sPWcnA9tCXyJ40
11.	Clinic Spots	• https://www.clinicspots.com/orthopedist/gurgaon/gurgaon-sector-53
12.	Mymedisage	• https://mymedisage.com/profile/dr-neeraj-yadav

III. The Registry of this Court is directed to issue a certificate of refund of full court fees to the plaintiffs, through counsel, i.e., Ms. Vaishali Mittal, Advocate, B-41, Nizamuddin East, New Delhi-13, Mob: +91 120 4059300, representing Anand and Anand.

12. Decree sheet be drawn up.

13. With the aforesaid directions, the present suit along with the pending applications, stand disposed of.

MINI PUSHKARNA, J

NOVEMBER 27, 2024/ak