



\$~25

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 284/2025 & I.A. 8386/2025**
IMPRESARIO ENTERTAINMENT AND HOSPITALITY PVT.
LTD.Plaintiff

Through: Ms. Shikha Sachdeva, Ms. Kriti Rathi
& Ms. Annie Jacob, Advocates.

versus

M/S. 999 HOSPITALITYDefendant

Through: Mr. Arnav Goyal, Advocate
(through VC).

CORAM:
HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

% **04.11.2025**

1. The learned Counsel for the Defendant reiterates the submissions made on behalf of the Defendant during the hearing on 18.08.2025 that the Defendant no longer uses the Plaintiff's Trade Mark 'SOCIAL' and does not have any intention to use the same going forward.
2. *Vide* order dated 18.08.2025, the learned Counsel for the Plaintiff had sought time to take instructions if the Plaintiff would be satisfied if a decree is passed in terms of prayers in Paragraph No. 69 (A), (B) and (C) against the Defendant and whether the Plaintiff was willing to not press prayers in Paragraph No. 69 (D), (E) and (F) against the Defendant.
3. The learned Counsel for the Plaintiff submits that the Plaintiff does not wish to press prayers in Paragraph No. 69 (D), (E) and (F) against the Defendant and the decree may be passed in terms of prayers in Paragraph No. 69 (A), (B) and (C) against the Defendant.



4. The learned Counsel for the Defendant submits that this Court does not have territorial jurisdiction with regard to entertain this Suit as no cause of action has arisen within the jurisdiction of this Court and also the registered office of the Plaintiff is not situated within the jurisdiction of this Court.

5. The learned Counsel for the Plaintiff submits that the Plaintiff has explained in Paragraph Nos. 58 to 60 of the Plaint that this Court has territorial jurisdiction as the principal place of business of the Plaintiff is in Delhi and the Plaintiff carries on business in Delhi, NCR through wholly owned social branded restaurants / bars at fourteen places. Accordingly, under Section 134(2) of the Trade Marks Act, 1999 (“Act”), this Court has the territorial jurisdiction to entertain the present Suit.

6. The Defendant in the Written Statement has in Paragraph No. 24 has stated as under:

“24. That the contents of Paragraphs No. 58-62 regarding jurisdiction are denied. It is submitted that since there is no ongoing infringement by the current Defendant, the basis for jurisdiction in Delhi is not established.”

7. In view of the above, the Defendant has not rebutted the averments on behalf of the Plaintiff that the principal place of business of the Plaintiff is within the jurisdiction of this Court and that this Court has territorial jurisdiction to entertain and decide the present Suit in terms of Section 134(2) of the Act. Accordingly, the objection with regard to territorial jurisdiction is rejected.

8. In view of the statement made on behalf of the Defendant that the Defendant no longer uses the Plaintiff’s Trade Mark ‘SOCIAL’ and does not have any intention to use the same going forward, the Suit is decreed in terms of prayers in Paragraph No. 69 (A), (B) and (C) of the Plaint. Let the Decree



Sheet be drawn up accordingly.

9. Accordingly, the Suit and the pending Application stands disposed of.
The next date of hearing, i.e., 02.02.2026 stands cancelled.

TEJAS KARIA, J

NOVEMBER 4, 2025/ 'A'