

**BY EMAIL/DoT-Website**

**Government of India  
Ministry of Communications  
Department of Telecommunications  
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001  
(Data Services Cell)**

**No. 813-07/LM-01/2023-DS-II**

**Dated: 16-01-2023**

**To,**

All Internet Service Licensee's

**Subject CS (Comm) No. 819 of 2022 titled as Amitabh Bachchan V/s Rajat Nagi & ors.  
Before Hon'ble Delhi High Court.**

Kindly find the enclosed Hon'ble Delhi High Court order dated 25<sup>th</sup> November, 2022 in the subject matter court case **CS (Comm.) No. 819 of 2022** along with Injunction Application filed by the Plaintiff for compliance with respect to website mentioned in page no. 573 at S.No. 316 of List of Documents in the case.

2. Hon'ble Delhi High Court vide order dated 25<sup>th</sup> November, 2022 has, inter alia, directed that:

*22. In view of the above, there shall be an ad-interim ex-parte order of injunction in terms of paragraph no.32(i) and (ii) of the application in favour of the plaintiff and against the defendants. **Directions in terms of paragraph no.32(iii) and (iv) of the application are also issued to the necessary statutory authorities as also the Telecom Service Providers.***

3. Further, Paragraph no.32 (iii) of the Injunction application filed by the Plaintiff are reproduced below:

*32... (iii) An ex-parte order directing the DoT and the MeitY to require the respective Internet Service Providers to pull down all links/websites provided by the Plaintiff (filed at pages 567-596 of the List of Documents filed along with the plaint) which unlawfully infringe the Plaintiffs personality/ publicity rights;*

4. Accordingly, in view of the above, all the Internet Service licensees are hereby instructed to take immediate necessary blocking action for compliance of the court order dated 25.11.2022 read with paragraph no.32 (iii) of the Injunction application filed by the Plaintiff (copy enclosed) in respect of website mentioned in page no. 573 at **S.No. 316** of list of Documents filed along with the plaint.

**Director (DS-II)  
Tel: 011-2303 6860  
Email: dirds2-dot@nic.in**

Encl: A/A

**Copy to:**

- i. Sh. V.Chinnasamy, Scientist E (chinnasamy.v@meity.gov.in), Electronics Niketan, Ministry of Electronics and Information Technology (MeitY) New Delhi for kind information.
- ii. Lawyer/advocate for the Plaintiff for kind information.
- iii. DoT Website.

\$~15

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

+ **CS(COMM) 819/2022**

**AMITABH BACHCHAN**

..... Plaintiff

Through: Mr.Harish Salve, Sr. Adv. with  
Mr.Pravin Anand, Mr.Ameet Naik,  
Ms.Madhu Gadolia, Mr.Dhruv  
Anand, Ms.Udita Patro, Mr.Sujoy  
Mukherjee, Ms.Nimrat Singh,  
Ms.Swati Jain, Ms.Sampurnaa  
Sanyal, Ms.Tarini, Mr.Rashmin  
Khandekar & Ms.Karishni Khanna,  
Advs.

versus

**RAJAT NAGI & ORS.**

..... Defendants

Through: Nemo.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**

%

**25.11.2022**

**I.A. 19730/2022**

1. Allowed, subject to all just exceptions.

**I.A. 19729/2022**

2. This is an application filed on behalf of the plaintiff seeking leave to file additional documents, which are not in the power, possession, control or custody of the plaintiff at the moment.

3. The plaintiff may file the additional documents strictly in accordance with the provisions of the law.

4. The application stands disposed of.

**I.A. 19733/2022**

5. By the present application, the plaintiff seeks exemption from filing notarized affidavit under Section 65B of the Indian Evidence Act, 1872 read with Order XI Rule 6(3) of the Code of Civil Procedure, 1908, as applicable to commercial disputes.

6. In the application, it is stated that the authorised signatory was travelling abroad and, therefore, was not physically available for signing and getting the said affidavit notarized. The learned counsel for the plaintiff submits that such affidavit shall be filed within a period of one week from today.

7. In view of the above, exemption is granted subject to the condition that such affidavit is filed within a period of one week from today.

**I.A. 19732/2022**

8. This application has been filed seeking exemption from initiating pre-institution mediation under Section 12-A of the Commercial Courts Act, 2015.

9. Having perused the contents of the application, the same is allowed.

**I.A. 19731/2022**

10. This is an application seeking enlargement of time for filing of the court fees.

11. The learned counsel for the plaintiff submits that the court fee has been filed.

12. Accordingly, the application is disposed of as having been rendered infructuous.

**CS(COMM) 819/2022**

13. Let the plaint be registered as a suit.

14. Issue summons to the defendants to be served through all permitted modes, including electronically, returnable on 20<sup>th</sup> March, 2023 before the learned Joint Registrar (Judicial).

15. The summons to the defendants shall indicate that the written statement(s) to the plaint shall be positively filed within a period of 30 days from the date of receipt of summons. Along with the written statement(s), the defendants shall also file the affidavit of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.

16. Liberty is given to the plaintiff to file the replication(s) within a period of four weeks of the receipt of the written statement(s). Along with the replication(s), if any, filed by the plaintiff, the affidavit of admission/denial of documents of the defendants be filed by the plaintiff, without which the replication(s) shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

**I.A. 19727/2022**

17. Issue Notice.

18. On the plaintiff taking steps, let notice be served on the defendants through all permissible modes, including electronically, returnable on 20<sup>th</sup> March, 2023 before the learned Joint Registrar (Judicial).

19. Let reply to the application be filed by the defendants within a period of four weeks of receipt of the notice. Rejoinder thereto, if any, be filed within a period of four weeks thereafter.

20. By this application, the plaintiff alleges violation of his 'publicity rights as a celebrity' as has also been recognised by this Court in its

judgment in *Titan Industries Ltd. v. M/s. Ramkumar Jewellers*, 2012 SCC OnLine Del 2382. It cannot seriously be disputed that the plaintiff is a well-known personality and is also represented in various advertisements. The plaintiff is aggrieved by the defendants' unauthorized use of his celebrity status to promote their own goods and services, without his permission or authorization. Details of such violations are being explained by the plaintiff in the plaint along with the documents in support thereof.

21. Having considered the contents of the plaint, the documents filed therewith, as also having heard the learned senior counsel for the plaintiff, I am of the opinion that the plaintiff has been able to make out a good *prima facie* case in its favour for grant of an *ad-interim ex-parte* injunction. The balance of convenience is also in favour of the plaintiff and against the defendants. The defendants appear to be using plaintiff's celebrity status for promoting their own activities, without his authorization or permission. The plaintiff is, therefore, likely to suffer grave irreparable harm and injury of his reputation. In fact, some of the activities complained of may also bring disrepute to him.

22. In view of the above, there shall be an *ad-interim ex-parte* order of injunction in terms of paragraph no.32(i) and (ii) of the application in favour of the plaintiff and against the defendants. Directions in terms of paragraph no.32(iii) and (iv) of the application are also issued to the necessary statutory authorities as also the Telecom Service Providers.

23. Compliance with Order XXXIX Rule 3 of the Code of Civil Procedure, 1908 be made within a period of two days from today.

**I.A. 19728/2022**

24. Issue Notice.

25. On the plaintiff taking steps, let notice be served on the defendants through all permissible modes, including electronically, returnable on 20<sup>th</sup> March, 2023 before the learned Joint Registrar (Judicial).

26. Let a reply to the application be filed by the defendants within a period of four weeks of receipt of the notice. Rejoinder thereto, if any, be filed within a period of four weeks thereafter.

**NAVIN CHAWLA, J**

**NOVEMBER 25, 2022/rv/AB/Ais**

IN THE HIGH COURT OF DELHI AT NEW DELHI  
(*Ordinary Original Commercial Jurisdiction*)

C.S. (COMM) No. of 2022  
Code: 36017 and 36017.01

Amitabh Bachchan ...Plaintiff

*Versus*

Rajat Nagi & Ors. ...Defendants

PART – II

S. No.	Particulars	Page No.
1.	Index – II	1 - 2
2.	Application under Order 39 Rules 1 & 2, read with Section 151 of the CPC along with supporting affidavit	3 - 18
3.	Application under Order 11 Rule 1, 3 and 5 (as amended by the Commercial courts, Commercial Division and Commercial Appellate Divisions of High Courts Act, 2015) read with Section 151 of the Code of Civil Procedure, 1908 for discovery along with supporting affidavit	19 - 24
4.	Application under Order XI Rule 1(4) (as amended by the Commercial courts, Commercial Division and Commercial Appellate Divisions of High Courts Act, 2015) read with Section 151 of the Code of Civil Procedure, 1908 seeking leave to file additional documents along with supporting affidavit	25 - 29
5.	Application under Section 151 of the CPC seeking exemption from filing originals, clearer, translated copies and left side margins along with supporting affidavit	30 - 34

6.	Application under Section 149 of the CPC seeking extension from time for filing Court Fees along with supporting affidavit	35 - 38
7.	Application under section 151 of CPC seeking exemption from institution of pre-litigation mediation under section 12A of the Commercial Courts, Commercial Division and Commercial Appellate Divisions of High Courts Act, 2015 along with supporting affidavit	39 - 43
8.	An application seeking exemption from filing notarized affidavits under Section 65B and Order 11 Rule 6(3), along with supporting affidavit	44 - 48

*Dhruv Anand*

New Delhi

DHRUV ANAND/UDITA M PATRO

Dated: November 24, 2022 D/798/2006 D/2779/2011

ANAND AND ANAND & ANAND AND NAIK

Advocates for the Plaintiff

B-41, Nizamuddin East

New Delhi – 110 013

Email id: [dhruv@anandandanand.com](mailto:dhruv@anandandanand.com)

Phone No.: +91 9958111098 / +91 9313399860



## IN THE HIGH COURT OF DELHI AT NEW DELHI

I.A. No. \_\_\_\_\_ of 2022

In

CS (COMM) NO. \_\_\_\_\_ OF 2022  
CODE NO. 36017 and 36017.01

Amitabh Bachchan ...Plaintiff

*Versus*

Rajat Nagi &amp; Ors. ...Defendant

APPLICATION UNDER ORDER 39 RULES 1 AND 2 READ WITH SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908 SEEKING GRANT OF *EX PARTE* AD-INTERIM INJUNCTION

The Plaintiff, above named most respectfully showeth:

1. The Plaintiff has filed the above suit for permanent injunction restraining infringement of the Plaintiff's Publicity/Personality rights by utilizing and/or in any manner directly and/or indirectly, using or exploiting or misappropriating the unique and identifiable attributes of the Plaintiff's persona, including by the use of the Plaintiff's name, voice, image, or any other attribute which is exclusively identifiable with him for any commercial and/or personal gain and/or otherwise by exploiting them in any manner whatsoever without the Plaintiff's consent and/or authorization. The same is pending before this Hon'ble Court. For the sake of brevity, the contents of the Plaint are not reproduced herein and the Plaint may kindly be referred to.

2. The Plaintiff craves leave of this Hon'ble Court to rely and refer to paragraphs 1-69 of the plaint which may be read as parcel and parcel hereto and are not being reproduced herein for the sake of brevity.
3. The Plaintiff i.e., Mr. Amitabh Bachchan, is an adult Indian citizen, aged 80 years, and resides at Pratiksha, 10th Road, JVPD Scheme, Mumbai 400 049. The present suit is being instituted by the Plaintiff, who is aware of all the facts and circumstances of the present case and who is duly competent to sign and verify the present plaint and to institute the present proceedings.
4. The Plaintiff is one of the most celebrated, acclaimed, and successful actors that the Indian film industry has ever seen. The Plaintiff is in fact a stalwart of the Indian cinema. In addition to being a film actor, the Plaintiff is also a film producer, television host, a playback singer and a former politician. It is not an exaggeration to state that the Plaintiff is today not only one of the most famous actors in the country but also throughout the world. He is also one of the most loved individuals in the country.
5. Over the many years, the Plaintiff has built a brand of himself, wherein the public associates both 'trust' and 'quality' with the Plaintiff as also with every brand that the Plaintiff endorses. On account of his work, the Plaintiff has generated extensive and unparalleled goodwill and recognition.

6. The extensive goodwill and reputation that the Plaintiff has built for himself is evident from the fact on social media itself, on platforms such as Facebook, Twitter, Instagram, the Plaintiff has garnered 39 million, 48 million and 31.7 million followers respectively.
7. Due to his goodwill and reputation, the Plaintiff is one of the most sought-after celebrities for brand endorsements. However, in order to protect and preserve his goodwill and reputation, the Plaintiff is extremely cautious about which brands and/or products he endorses. The Plaintiff ensures that he endorses a product only after carrying out a thorough background check of the brand, its perception in the minds of the public and other relevant factors.
8. On account of his vast reputation, extensive appearance in over 200 films, multiple television shows and web-series, advertisements, etc., the Plaintiff's name, voice, image, likeness, signature and other elements of the Plaintiff's persona have acquired a unique distinctiveness. Further, on account of their inimitable nature, the Plaintiff's name, voice, image, likeness, signature and other such elements of the Plaintiff's persona also have a huge commercial value associated with them. Any third party found using any of the above stated elements of the Plaintiff's persona is bound to cause confusion and deception amongst the general public as to affiliation with / sponsorship by the Plaintiff.
9. The present suit is being filed to protect the Plaintiff's name, voice, image, likeness, and all other elements of the Plaintiff's persona which are distinctive and the unauthorized

use of which by third parties is likely to create confusion and deception amongst the public.

#### THE PLAINTIFF'S PERSONALITY / PUBLICITY RIGHTS:

10. The Plaintiff is a person with a celebrity status and thus has 'Personality / Publicity / Celebrity Rights' over all facets of his personality. The Plaintiff has control over the commercial utilization of his personality, name, voice, image, likeness and other characteristics that are uniquely identifiable and associated with the Plaintiff.
11. No one can utilize and/or misappropriate and/or imitate any facet of the Plaintiff's personality (including but not limited to his name; voice; image; and any other distinctive elements that are uniquely associated with him) and/or exploit the same commercially in any manner whatsoever without the consent and/or express authorization of the Plaintiff.
12. The different aspects of the Plaintiff's personality which are protectable, and which are a subject matter of the present proceedings include the following:
  - i. The Plaintiff's name;
  - ii. The Plaintiff's voice;
  - iii. The Plaintiff's image/photograph/likeness;
  - iv. The Plaintiff's unique style of dialogue delivery; etc.
13. The Personality Rights of the Plaintiff have in fact also been recognized by this Hon'ble Court in the case of *Titan Industries Limited v. M/s Ram Jewellers 2012 SCC Online Del 2382*.

14. Further, the name "AMITABH BACHCHAN", being the personal name of the Plaintiff, immediately gets associated with the Plaintiff and no one else. The Plaintiff's name carries enormous goodwill and reputation and is exclusively associated with the Plaintiff. The Plaintiff has become a household name not only in India but also all over the world for more than the last 50 years. Such is the distinctive character of the name that in the public perception, whenever the name of the Plaintiff, Mr. Amitabh Bachchan is mentioned, it is immediately identified and related with him and no one else.
15. Quite apart from the above, the names 'Bachchan', 'AB' and 'Big B' are also associated with the Plaintiff and the unauthorized use of the same by third parties is likely to lead to confusion and deception.
16. Rights in the aforesaid names are not claimed by any natural person or corporate entity, other than Mr. Amitabh Bachchan, the Plaintiff herein. The personal name of Mr. Amitabh Bachchan is protectable as a trademark and being a personal name stands on a higher footing than the use of a trademark in relation to goods / services. Section 2(m) of the Trademarks Act, 1999 specifically includes 'name' in the definition of 'mark'. The aforesaid names are peculiar in nature and have attained a distinctive indicia of their own being exclusively associated with the Plaintiff. Any use by a third party of any of the aforesaid names is bound to cause confusion as to association / endorsement / affiliation with the Plaintiff. Therefore, the names 'AMITABH BACHCHAN', 'BACHCHAN', 'BIG B', 'AB' have two

layers of protection, i.e., (i) protectable under the Plaintiff's Personality / Publicity Rights (in respect of which misappropriation does not require confusion); and (ii) protectable under Trademark law / Passing Off (which requires a likelihood of confusion either as to the source of goods or association).

17. Over the years, the Plaintiff has also become well known for his deep, rich, powerful, baritone voice. His voice is distinctive and has become exclusively associated with him. As such, if any member of the public hears the Plaintiff's voice, he/she will unmistakably associate the same with the Plaintiff and no-one else.

18. In a similar manner due to the huge commercial successes of the Plaintiff's many films, TV shows, web-series, etc., the Plaintiff's image, photograph and likeness bring about an instinctive association in the mind of the public with him and no one else.

19. Therefore, no one is entitled to utilize and/or misappropriate and/or imitate any facet of the Plaintiff's personality (including but not limited to his name; voice; image; and any other distinctive elements that are uniquely associated with him) and/or exploit the same commercially in any manner whatsoever without the consent and/or express authorization of the Plaintiff. The same would constitute a violation of the Plaintiff's Personality Rights and liable to be judicially restrained by Courts. Any such use would also amount to Passing Off as being associated with and/or endorsed by the

Plaintiff in some manner, and thus also liable to be judicially restrained.

**DEFENDANTS:**

20. The Defendant No. 1 is one Mr. Rajat Nagi, a resident of Janakpuri, in Delhi, who has developed a mobile application named 'Amitabh Bachchan Video Call', which professes to allow members of the public to use the Plaintiff's likeness to make video calls / prank calls and voice calls. A further description of the infringing activities of this Defendant is provided later in the plaint, in the section dealing with the infringing activities of the Defendants.
21. The Defendant No. 2 is one Mr. Rana Pratab Singh, who is believed to be based in Kolkata, at the address mentioned in the cause title. He has been found circulating messages through the popular messaging App "Whatsapp" in which messages, the photograph of the Plaintiff is illegally affixed along with an infringing text about KBC Lotteries. A further description of the infringing activities of this Defendant is provided later in the plaint, in the section dealing with the infringing activities of the Defendants.
22. The Defendant No. 3 is a publisher, Manoj Publications, which has been found commercially dealing in a General Knowledge quiz book on various e-commerce platforms for aspirants who wish to participate in the television quiz show 'Kaun Banega Crorepati' (hosted by the Plaintiff). The cover of this book prominently displays the image of the Plaintiff. Further details about the infringing activities of this

Defendant are provided later in the plaint, in the section dealing with the infringing activities of the Defendants.

23. The Defendant No. 4 is an entity, M/s Swag Shirts, based in Tirupur, which has been found dealing in T-shirts through its website <https://www.swagshirts99.com/>, which prominently bear photographs of the Plaintiff. Further details about this Defendant is provided later in the plaint, in the section dealing with the infringing activities of the Defendants.

24. The Defendant No. 5 is M/s Tamatina, based in Gwalior, which has been found dealing in wall posters bearing the Plaintiff's photographs and likeness. Further details about this Defendant is provided in the section below dealing with the infringing activities of the Defendants.

25. The Defendant No. 6 is one Mr. Ragu Sharma, based in Ontario in Canada, who has been found to be the registrant of the domain name <amitabhbachchan.com>. The Domain name registrar of the said domain name, GoDaddy.com, LLC is being impleaded as a proforma Defendant in the present action as the Defendant No. 7, to facilitate the effective implementation of the orders of this Hon'ble Court.

26. The Defendant No. 8 is one Mr. Mahesh Patel, based in Virginia, US, who is presently the Registrant of the domain name <amitabhbachchan.in>. The Defendant No. 9, Dynadot LLC, is the Domain Name Registrar of the said domain name. The Defendant No. 9 is being impleaded in the present action as a proforma Defendant to help in the effective implementation of the orders of this Hon'ble Court.



## INFRINGEMENT BY DEFENDANTS:

27. The Plaintiff states that the infringement of the Plaintiff's Personality / Publicity Rights is taking place mainly in the following manner:

- i. Through digital means: Several websites and mobile apps have been found misappropriating the Plaintiff's photographs and/or other characteristics, to create popularity amongst public and to entice members of the public to download such mobile apps. The Defendant No. 1 in the present case is the developer of a mobile application, by the name of 'Amitabh Bachchan Video Call', which is available for download on mobile phones (compatible with both Android and iOS platforms). The description of the application states that '*Amitabh Bachchan is a fake video call app and can also do voice chatting but that too prank call. Amitabh Bachchan is one of the biggest superstars of Bollywood. Amitabh Bachchan also plays cubs (sic) and entertains people*'. By such representations, the Defendant No.1 is misappropriating the Plaintiff's name, voice as well as image and thereby infringing the Plaintiff's Personality Rights. These apps are being used by unscrupulous parties as a means of obtaining personal data from unsuspecting users, and the users being members of public might give such data (relying on the perceived credibility of the app since the same is ostensibly promoted by the Plaintiff).

- ii. Through instant messaging apps: The Defendant No.2 has been found using the Plaintiff's photograph along with his name, and the name of a TV Show '*Kaun Banega Crorepati*' (which is associated with the Plaintiff). This is a blatant infringement of the Plaintiff's Personality Rights and is also a device to defraud members of the public, who would in all probability see the Plaintiff's name, sign up and take action as described in the impugned message and thereafter be scammed, since no such lottery prizes are being offered by either the Plaintiff or by the producers of *Kaun Banega Crorepati*.
- iii. Through physical means: The Defendant Nos.3, 4 and 5 herein have physically affixed the Plaintiff's images and posters at their places of business, on billboards or even on products such as books, t-shirts etc. that they engage in manufacture and sale of, with the aim to unlawfully show a nexus / affiliation / sponsorship / association with the Plaintiff without any due authorization, so as to boost their illegal profits.
- iv. In the form of impersonation and cybersquatting by registering the infringing domain names <amitabhbachchan.com> and <amitabhbachchan.in>: The Defendant Nos. 6 and 8 through Defendant Nos. 7 and 9 have registered domain names which wholly consist of the Plaintiff's name, with a *malafide* intention of showing some nexus / affiliation with the Plaintiff and in fact impersonate the Plaintiff which may lead to members

of the public being duped. The impugned actions complained of in the present suit are without any authorization by the Plaintiff.

28. The Plaintiff submits that he has suffered and is likely to suffer incalculable loss to its goodwill, reputation, and business on account of infringement of his Publicity / Personality Rights, which also amounts to Passing Off. Some details of damages and losses, which the Plaintiff is likely to suffer, include the following:

- a) Loss of reputation, which is being diluted as the Plaintiff has no control over the quality of any products and/or services produced or distributed by the Defendants. The availability of the Defendants products and/or services under the name, voice, image, likeness, signature and other elements of the Plaintiff's persona is damaging to the Plaintiff's reputation through loss of prestige.
- b) Loss of image, namely the intangible aura around the goodwill of the Plaintiff. Damages would not be an adequate remedy as the Plaintiff's reputation is being jeopardized.
- c) Loss of the confidence or trust of the fans of the Plaintiff, as a consequence of having placed undue reliance on the quality of the products and/or services being marketed by the Defendants on account of false endorsement.

**GROUND FOR THE GRANT OF AN INTERIM INJUNCTION:**

29. The Plaintiff is seeking an interim injunction against the Defendants because of the following reasons:

(i) The Plaintiff has a good case on merits and is most likely to succeed at trial;

(ii) The activities of the Defendants have caused irreparable loss and injury to the Plaintiff, which cannot be fully compensated in terms of damages;

(iii) The Defendants have demonstrated their dishonesty by adopting and using the Plaintiff's name, voice, image, likeness, signature and other elements of the Plaintiff's persona which is damaging to the Plaintiff's reputation through loss of prestige; and

(iv) The balance of convenience is in favour of the grant of injunction in favour of the Plaintiff.

30. The Plaintiff has established a good *prima facie* case and the balance of convenience also tilts in his favour. The Defendants' use of the Plaintiff's name, voice, image, likeness, signature and other elements of the Plaintiff's persona clearly constitutes infringement and is an action that ought to be nipped in the bud.

31. The adoption of the aforementioned attributes such as name, voice, image, likeness, signature etc. of the Defendants without any authorization from the Plaintiff, will inevitably cause consumer confusion and create a perception of endorsement by the Plaintiff, that is unlawful. Further, irreparable loss, damage and injury would be caused to the

Plaintiff's goodwill, reputation and prestige if the Defendants are not restrained by an immediate ad interim *ex parte* order of injunction passed by this Hon'ble Court.

#### PRAYER

32. 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 be passed restraining the Defendants (including John Does), their principal officers, servants, agents, affiliates, subsidiaries, distributors and all others acting for and on their behalf from infringing the Plaintiff's Publicity / Personality Rights by utilizing and/or in any manner directly and/or indirectly, exploiting or misappropriating the various attributes of the Plaintiff's persona including the Plaintiff's (a) name "Amitabh Bachchan/ Bachchan/ BigB / AB"; (b) voice; (c) image; (d) any other attribute which is exclusively identifiable with him, for any commercial and/or personal gain and/or otherwise by exploiting them in any manner whatsoever without the Plaintiff's consent and/or authorization, as also from Passing Off and false endorsement, including on all formats and mediums like through any physical and/or online formats/ mediums or any future formats / mediums;
- ii. an order of ex-parte ad-interim injunction restraining the Defendant Nos. 6 to 9 from transferring, alienating and/or creating any third party rights in respect of the

domain names <amitabhbachchan.com> and <amitabhbachchan.in>;

- iii. An *ex-parte* order directing the DoT and the MeitY to require the respective Internet Service Providers to pull down all links / websites provided by the Plaintiff (filed at pages 567-596 of the List of Documents filed along with the plaint) which unlawfully infringe the Plaintiff's personality/ publicity rights;
- iv. An *ex-parte* order directing the Telecom Service Providers to block access to all phone numbers used by the Defendants to circulate messages on messaging apps such as WhatsApp which messages amount to infringement of the Plaintiffs rights (the required phone numbers are mentioned in the various documents filed as part of the List of Documents with the present suit- a list will be provided by the Plaintiff of the said numbers to the Telecom Service Providers as and when directed by the Hon'ble Court); and
- v. Any further orders as this Hon'ble Court deems fit and proper in the facts and circumstances of this case.

*Dhruv Anand*

New Delhi

DHRUV ANAND/UDITA M PATRO

Dated: November 21, 2022 D/798/2006 D/2779/2011

ANAND AND ANAND & ANAND AND NAIK

Advocates for the Plaintiff

B-41, Nizamuddin East

New Delhi – 110 013

Email id: [dhruv@anandandanand.com](mailto:dhruv@anandandanand.com)

Phone No.: +91 9958111098 / +91 9313399860

IN THE HIGH COURT OF DELHI AT NEW DELHI  
(Ordinary Original Commercial Jurisdiction)

I.A. No. of 2022  
In  
C.S. (COMM) No. of 2022

Amitabh Bachchan ...Plaintiff

*Versus*

Rajat Nagi & Ors. ...Defendants

AFFIDAVIT OF MR. AMITABH BACHCHAN, AGED ABOUT 80 YEARS, S/O LATE MR. HARIVANSH RAI BACHCHAN, R/O PRATIKA, 10<sup>TH</sup> ROAD, JVPD SCHEME, MUMBAI - 400 049.

I, the above named deponent do hereby solemnly affirm and declare as under:

1. I am the Plaintiff in the above matter and as such am well conversant with the facts and circumstances of the present case.
2. I have read the contents of the accompanying application under Order 39 Rules 1 and 2 read with Section 151 of CPC and say that the same are true to the best of my knowledge.
3. I say that I adopt the contents of the accompanying application as part and parcel of my affidavit, the same not being reproduced herein for the sake of brevity.



*Amitabh Bachchan*

DEPONENT

VERIFICATION:

Verified at Mumbai on this 21<sup>st</sup> day of November, 2022 that the contents of paragraphs 1 to 3 of my above affidavit are true to my knowledge and nothing material or relevant has been concealed therefrom.

*[Handwritten Signature]*  
DEPONENT

Identified by me  
*[Handwritten Signature]*

NAH / 3393 / 2002

**BEFORE ME**



*[Handwritten Signature]*  
21/11/22  
**SANTOSH MISHRA**  
ADVOCATE & NOTARY  
Govt. Of India  
Lele Wadi Pipe Lane, J. B. Nagar  
Andheri (E) Mob:9892094066

Sr. No.:	765
Date:	21.11.22





273	<a href="https://www.youtube.com/channel/UCiLUSUR3Ycqz73nqbtjzi1g">https://www.youtube.com/channel/UCiLUSUR3Ycqz73nqbtjzi1g</a>	<a href="https://www.youtube.com/channel/UCiLUSUR3Ycqz73nqbtjzi1g">https://www.youtube.com/channel/UCiLUSUR3Ycqz73nqbtjzi1g</a>	Name and Image Infringing
274	<a href="https://www.youtube.com/channel/UCQ2kQ1m0ov4ZU6-hlOdr4Lw">https://www.youtube.com/channel/UCQ2kQ1m0ov4ZU6-hlOdr4Lw</a>	<a href="https://www.youtube.com/channel/UCQ2kQ1m0ov4ZU6-hlOdr4Lw">https://www.youtube.com/channel/UCQ2kQ1m0ov4ZU6-hlOdr4Lw</a>	Name and Image Infringing
275	<a href="https://www.youtube.com/channel/UCFjhsbYFfn5sFAColggypEPQ">https://www.youtube.com/channel/UCFjhsbYFfn5sFAColggypEPQ</a>	<a href="https://www.youtube.com/channel/UCFjhsbYFfn5sFAColggypEPQ">https://www.youtube.com/channel/UCFjhsbYFfn5sFAColggypEPQ</a>	Name and Image Infringing
276	<a href="https://www.youtube.com/channel/UCMjg5q3IK3z6KZR0B-V9E7g">https://www.youtube.com/channel/UCMjg5q3IK3z6KZR0B-V9E7g</a>	<a href="https://www.youtube.com/channel/UCMjg5q3IK3z6KZR0B-V9E7g">https://www.youtube.com/channel/UCMjg5q3IK3z6KZR0B-V9E7g</a>	Name and Image Infringing
277	<a href="https://www.youtube.com/channel/UCHJsmo7RK-NU_wmQ12a1I3g">https://www.youtube.com/channel/UCHJsmo7RK-NU_wmQ12a1I3g</a>	<a href="https://www.youtube.com/channel/UCHJsmo7RK-NU_wmQ12a1I3g">https://www.youtube.com/channel/UCHJsmo7RK-NU_wmQ12a1I3g</a>	Name and Image Infringing
278	<a href="https://www.youtube.com/channel/UCVWccYrhrsWu1IBczAYLxjQ">https://www.youtube.com/channel/UCVWccYrhrsWu1IBczAYLxjQ</a>	<a href="https://www.youtube.com/channel/UCVWccYrhrsWu1IBczAYLxjQ">https://www.youtube.com/channel/UCVWccYrhrsWu1IBczAYLxjQ</a>	Name and Image Infringing
279	<a href="https://www.youtube.com/channel/UCPMZsU0LqJuTQILKUVhHBqA">https://www.youtube.com/channel/UCPMZsU0LqJuTQILKUVhHBqA</a>	<a href="https://www.youtube.com/channel/UCPMZsU0LqJuTQILKUVhHBqA">https://www.youtube.com/channel/UCPMZsU0LqJuTQILKUVhHBqA</a>	Name and Image Infringing
280	<a href="https://www.youtube.com/channel/UChcaxzKGVdK3yvmV2wOqNQ">https://www.youtube.com/channel/UChcaxzKGVdK3yvmV2wOqNQ</a>	<a href="https://www.youtube.com/channel/UChcaxzKGVdK3yvmV2wOqNQ">https://www.youtube.com/channel/UChcaxzKGVdK3yvmV2wOqNQ</a>	Name and Image Infringing
281	<a href="https://www.youtube.com/channel/UCTEW57UxPL6FiH16Bvnhyw">https://www.youtube.com/channel/UCTEW57UxPL6FiH16Bvnhyw</a>	<a href="https://www.youtube.com/channel/UCTEW57UxPL6FiH16Bvnhyw">https://www.youtube.com/channel/UCTEW57UxPL6FiH16Bvnhyw</a>	Name and Image Infringing
282	<a href="https://www.youtube.com/channel/UCQyop1yFqlwf-ILGn9bbwwg">https://www.youtube.com/channel/UCQyop1yFqlwf-ILGn9bbwwg</a>	<a href="https://www.youtube.com/channel/UCQyop1yFqlwf-ILGn9bbwwg">https://www.youtube.com/channel/UCQyop1yFqlwf-ILGn9bbwwg</a>	Name and Image Infringing
283	<a href="https://www.youtube.com/channel/UCCE4Sf0Uy4WKsBV0BoSu6BQ">https://www.youtube.com/channel/UCCE4Sf0Uy4WKsBV0BoSu6BQ</a>	<a href="https://www.youtube.com/channel/UCCE4Sf0Uy4WKsBV0BoSu6BQ">https://www.youtube.com/channel/UCCE4Sf0Uy4WKsBV0BoSu6BQ</a>	Name and Image Infringing
284	<a href="https://www.youtube.com/channel/UCreKZ6FmOo6fmRLqpdKRa-Q">https://www.youtube.com/channel/UCreKZ6FmOo6fmRLqpdKRa-Q</a>	<a href="https://www.youtube.com/channel/UCreKZ6FmOo6fmRLqpdKRa-Q">https://www.youtube.com/channel/UCreKZ6FmOo6fmRLqpdKRa-Q</a>	Name and Image Infringing
285	<a href="https://www.youtube.com/channel/UCu0ZHO6OHNVebSIN6DZ_RIQ">https://www.youtube.com/channel/UCu0ZHO6OHNVebSIN6DZ_RIQ</a>	<a href="https://www.youtube.com/channel/UCu0ZHO6OHNVebSIN6DZ_RIQ">https://www.youtube.com/channel/UCu0ZHO6OHNVebSIN6DZ_RIQ</a>	Name and Image Infringing
286	<a href="https://www.youtube.com/channel/UCXuq8zy3OFDT_TQ52fZIPNg">https://www.youtube.com/channel/UCXuq8zy3OFDT_TQ52fZIPNg</a>	<a href="https://www.youtube.com/channel/UCXuq8zy3OFDT_TQ52fZIPNg">https://www.youtube.com/channel/UCXuq8zy3OFDT_TQ52fZIPNg</a>	Name and Image Infringing
287	<a href="https://www.youtube.com/channel/UCIjQ8YgPIApImltHm32ZQ">https://www.youtube.com/channel/UCIjQ8YgPIApImltHm32ZQ</a>	<a href="https://www.youtube.com/channel/UCIjQ8YgPIApImltHm32ZQ">https://www.youtube.com/channel/UCIjQ8YgPIApImltHm32ZQ</a>	Name and Image Infringing
288	<a href="https://www.youtube.com/channel/UCn2hmBDzT_8MOOuDI_LYmUC">https://www.youtube.com/channel/UCn2hmBDzT_8MOOuDI_LYmUC</a>	<a href="https://www.youtube.com/channel/UCn2hmBDzT_8MOOuDI_LYmUC">https://www.youtube.com/channel/UCn2hmBDzT_8MOOuDI_LYmUC</a>	Name and Image Infringing
289	<a href="https://www.youtube.com/channel/UCFL35ST7v3QJFc-NBWNwoHg">https://www.youtube.com/channel/UCFL35ST7v3QJFc-NBWNwoHg</a>	<a href="https://www.youtube.com/channel/UCFL35ST7v3QJFc-NBWNwoHg">https://www.youtube.com/channel/UCFL35ST7v3QJFc-NBWNwoHg</a>	Name and Image Infringing
290	<a href="https://www.youtube.com/channel/UCFyegfYosm5O0katFQBCISA">https://www.youtube.com/channel/UCFyegfYosm5O0katFQBCISA</a>	<a href="https://www.youtube.com/channel/UCFyegfYosm5O0katFQBCISA">https://www.youtube.com/channel/UCFyegfYosm5O0katFQBCISA</a>	Name and Image Infringing
291	<a href="https://www.youtube.com/channel/UCFZ0svWrhaL7DNRD1QdvMvg">https://www.youtube.com/channel/UCFZ0svWrhaL7DNRD1QdvMvg</a>	<a href="https://www.youtube.com/channel/UCFZ0svWrhaL7DNRD1QdvMvg">https://www.youtube.com/channel/UCFZ0svWrhaL7DNRD1QdvMvg</a>	Name and Image Infringing
292	<a href="https://www.youtube.com/channel/UCLdVaCWyusl8RFbko1dtWw">https://www.youtube.com/channel/UCLdVaCWyusl8RFbko1dtWw</a>	<a href="https://www.youtube.com/channel/UCLdVaCWyusl8RFbko1dtWw">https://www.youtube.com/channel/UCLdVaCWyusl8RFbko1dtWw</a>	Name and Image Infringing
293	<a href="https://www.youtube.com/channel/UCS0x7R93gm9K3EZnk3eqMng">https://www.youtube.com/channel/UCS0x7R93gm9K3EZnk3eqMng</a>	<a href="https://www.youtube.com/channel/UCS0x7R93gm9K3EZnk3eqMng">https://www.youtube.com/channel/UCS0x7R93gm9K3EZnk3eqMng</a>	Name and Image Infringing
294	<a href="https://www.youtube.com/channel/UCP9FOuxgUKed7t-RLdp0D_A">https://www.youtube.com/channel/UCP9FOuxgUKed7t-RLdp0D_A</a>	<a href="https://www.youtube.com/channel/UCP9FOuxgUKed7t-RLdp0D_A">https://www.youtube.com/channel/UCP9FOuxgUKed7t-RLdp0D_A</a>	Name and Image Infringing
295	<a href="https://www.youtube.com/channel/UCEmAItCchbeMHKcCh5ow9qg">https://www.youtube.com/channel/UCEmAItCchbeMHKcCh5ow9qg</a>	<a href="https://www.youtube.com/channel/UCEmAItCchbeMHKcCh5ow9qg">https://www.youtube.com/channel/UCEmAItCchbeMHKcCh5ow9qg</a>	Name and Image Infringing
296	<a href="https://www.youtube.com/channel/UC7DpBO8gXvws8a0vGdL_eUg">https://www.youtube.com/channel/UC7DpBO8gXvws8a0vGdL_eUg</a>	<a href="https://www.youtube.com/channel/UC7DpBO8gXvws8a0vGdL_eUg">https://www.youtube.com/channel/UC7DpBO8gXvws8a0vGdL_eUg</a>	Name and Image Infringing
297	<a href="https://www.youtube.com/channel/UCw8jdgKUHLYEsjBEvmIjRmQ">https://www.youtube.com/channel/UCw8jdgKUHLYEsjBEvmIjRmQ</a>	<a href="https://www.youtube.com/channel/UCw8jdgKUHLYEsjBEvmIjRmQ">https://www.youtube.com/channel/UCw8jdgKUHLYEsjBEvmIjRmQ</a>	Name and Image Infringing
298	<a href="https://www.youtube.com/channel/UCJPPYFR0O9q8UCCW3vSBNCg">https://www.youtube.com/channel/UCJPPYFR0O9q8UCCW3vSBNCg</a>	<a href="https://www.youtube.com/channel/UCJPPYFR0O9q8UCCW3vSBNCg">https://www.youtube.com/channel/UCJPPYFR0O9q8UCCW3vSBNCg</a>	Name and Image Infringing
299	<a href="https://www.youtube.com/channel/UCgMeRqMrpgSnmrJe11-Flg">https://www.youtube.com/channel/UCgMeRqMrpgSnmrJe11-Flg</a>	<a href="https://www.youtube.com/channel/UCgMeRqMrpgSnmrJe11-Flg">https://www.youtube.com/channel/UCgMeRqMrpgSnmrJe11-Flg</a>	Name and Image Infringing
300	<a href="https://www.youtube.com/channel/UCUGRBI_2uLIpntTEwDnZpxA">https://www.youtube.com/channel/UCUGRBI_2uLIpntTEwDnZpxA</a>	<a href="https://www.youtube.com/channel/UCUGRBI_2uLIpntTEwDnZpxA">https://www.youtube.com/channel/UCUGRBI_2uLIpntTEwDnZpxA</a>	Name and Image Infringing
301	<a href="https://www.youtube.com/channel/UCJvllv779agyOcSgmo88Xfw">https://www.youtube.com/channel/UCJvllv779agyOcSgmo88Xfw</a>	<a href="https://www.youtube.com/channel/UCJvllv779agyOcSgmo88Xfw">https://www.youtube.com/channel/UCJvllv779agyOcSgmo88Xfw</a>	Image Infringing
302	<a href="https://www.youtube.com/channel/UC8Fo865efVGe7nWcRfUtxw">https://www.youtube.com/channel/UC8Fo865efVGe7nWcRfUtxw</a>	<a href="https://www.youtube.com/channel/UC8Fo865efVGe7nWcRfUtxw">https://www.youtube.com/channel/UC8Fo865efVGe7nWcRfUtxw</a>	Image Infringing
303	<a href="https://www.youtube.com/channel/UCgieQgO41XaSzleoZ6G9M5w">https://www.youtube.com/channel/UCgieQgO41XaSzleoZ6G9M5w</a>	<a href="https://www.youtube.com/channel/UCgieQgO41XaSzleoZ6G9M5w">https://www.youtube.com/channel/UCgieQgO41XaSzleoZ6G9M5w</a>	Image Infringing
304	<a href="https://www.youtube.com/channel/UCBe1W6I54pQwAf3lxPI4Q0w">https://www.youtube.com/channel/UCBe1W6I54pQwAf3lxPI4Q0w</a>	<a href="https://www.youtube.com/channel/UCBe1W6I54pQwAf3lxPI4Q0w">https://www.youtube.com/channel/UCBe1W6I54pQwAf3lxPI4Q0w</a>	Image Infringing
305	<a href="https://www.youtube.com/channel/UCuEGmRnkpj9DIV5a2pfMFqQ">https://www.youtube.com/channel/UCuEGmRnkpj9DIV5a2pfMFqQ</a>	<a href="https://www.youtube.com/channel/UCuEGmRnkpj9DIV5a2pfMFqQ">https://www.youtube.com/channel/UCuEGmRnkpj9DIV5a2pfMFqQ</a>	Image Infringing
306	<a href="https://www.youtube.com/channel/UCqELUV_N7giBlzuh-DPwL5g">https://www.youtube.com/channel/UCqELUV_N7giBlzuh-DPwL5g</a>	<a href="https://www.youtube.com/channel/UCqELUV_N7giBlzuh-DPwL5g">https://www.youtube.com/channel/UCqELUV_N7giBlzuh-DPwL5g</a>	Image Infringing
307	<a href="https://www.youtube.com/channel/UCImSLZa7uj0kNsLMISsRViA">https://www.youtube.com/channel/UCImSLZa7uj0kNsLMISsRViA</a>	<a href="https://www.youtube.com/channel/UCImSLZa7uj0kNsLMISsRViA">https://www.youtube.com/channel/UCImSLZa7uj0kNsLMISsRViA</a>	Image Infringing
308	<a href="https://www.youtube.com/channel/UCHcPJXRrOnp8TYHpdFIlz_A">https://www.youtube.com/channel/UCHcPJXRrOnp8TYHpdFIlz_A</a>	<a href="https://www.youtube.com/channel/UCHcPJXRrOnp8TYHpdFIlz_A">https://www.youtube.com/channel/UCHcPJXRrOnp8TYHpdFIlz_A</a>	Image Infringing
309	<a href="https://www.youtube.com/channel/UCFjuAAhSSCSKfouZsZWHecA">https://www.youtube.com/channel/UCFjuAAhSSCSKfouZsZWHecA</a>	<a href="https://www.youtube.com/channel/UCFjuAAhSSCSKfouZsZWHecA">https://www.youtube.com/channel/UCFjuAAhSSCSKfouZsZWHecA</a>	Image Infringing
310	<a href="https://www.youtube.com/channel/UCHZog2Kk6dK_XC1rj6b3uBQ">https://www.youtube.com/channel/UCHZog2Kk6dK_XC1rj6b3uBQ</a>	<a href="https://www.youtube.com/channel/UCHZog2Kk6dK_XC1rj6b3uBQ">https://www.youtube.com/channel/UCHZog2Kk6dK_XC1rj6b3uBQ</a>	Image Infringing
311	<a href="https://www.youtube.com/channel/UCey2sli0iUAHkKgjHs9rOw">https://www.youtube.com/channel/UCey2sli0iUAHkKgjHs9rOw</a>	<a href="https://www.youtube.com/channel/UCey2sli0iUAHkKgjHs9rOw">https://www.youtube.com/channel/UCey2sli0iUAHkKgjHs9rOw</a>	Image Infringing
312	<a href="https://www.youtube.com/channel/UCMDLWdxF6864iFm0CjexjRg">https://www.youtube.com/channel/UCMDLWdxF6864iFm0CjexjRg</a>	<a href="https://www.youtube.com/channel/UCMDLWdxF6864iFm0CjexjRg">https://www.youtube.com/channel/UCMDLWdxF6864iFm0CjexjRg</a>	Image Infringing
313	<a href="https://www.youtube.com/channel/UC9uaqF1ujPR4qRyZlrbG-g">https://www.youtube.com/channel/UC9uaqF1ujPR4qRyZlrbG-g</a>	<a href="https://www.youtube.com/channel/UC9uaqF1ujPR4qRyZlrbG-g">https://www.youtube.com/channel/UC9uaqF1ujPR4qRyZlrbG-g</a>	Image Infringing
314	<a href="https://www.youtube.com/channel/UCSpjKGDd2P1v9zIH_2cw-RQ">https://www.youtube.com/channel/UCSpjKGDd2P1v9zIH_2cw-RQ</a>	<a href="https://www.youtube.com/channel/UCSpjKGDd2P1v9zIH_2cw-RQ">https://www.youtube.com/channel/UCSpjKGDd2P1v9zIH_2cw-RQ</a>	Image Infringing
315	<a href="https://www.youtube.com/channel/UCQG4c0izbOka4QuRLDdbw0g">https://www.youtube.com/channel/UCQG4c0izbOka4QuRLDdbw0g</a>	<a href="https://www.youtube.com/channel/UCQG4c0izbOka4QuRLDdbw0g">https://www.youtube.com/channel/UCQG4c0izbOka4QuRLDdbw0g</a>	Image Infringing
316	<a href="https://kbheadofficekolkata.com/">https://kbheadofficekolkata.com/</a>	<a href="https://kbheadofficekolkata.com/">https://kbheadofficekolkata.com/</a>	Name and Image Infringing
317	<a href="https://twitter.com/RanaKbc">https://twitter.com/RanaKbc</a>	<a href="https://twitter.com/RanaKbc">https://twitter.com/RanaKbc</a>	Image Infringing
318	<a href="https://twitter.com/OnlineKbc">https://twitter.com/OnlineKbc</a>	<a href="https://twitter.com/OnlineKbc">https://twitter.com/OnlineKbc</a>	Image Infringing
319	<a href="https://twitter.com/OnlineKbc/status/1179060189770764288">https://twitter.com/OnlineKbc/status/1179060189770764288</a>	<a href="https://twitter.com/OnlineKbc/status/1179060189770764288">https://twitter.com/OnlineKbc/status/1179060189770764288</a>	Image Infringing
320	<a href="https://twitter.com/AnsariKasim786/status/1587068153905184768">https://twitter.com/AnsariKasim786/status/1587068153905184768</a>	<a href="https://twitter.com/AnsariKasim786/status/1587068153905184768">https://twitter.com/AnsariKasim786/status/1587068153905184768</a>	Image Infringing
321	<a href="https://twitter.com/KBCAkashVerma2/status/1585175206100099072">https://twitter.com/KBCAkashVerma2/status/1585175206100099072</a>	<a href="https://twitter.com/KBCAkashVerma2/status/1585175206100099072">https://twitter.com/KBCAkashVerma2/status/1585175206100099072</a>	Image Infringing