



## Article

May 2025



### Delhi High Court Shields Andaz Apna Apna in IP Clash.

In a landmark ruling for India's entertainment industry, the Delhi High Court in *Vinay Pictures v. Good Hope & Ors.*<sup>1</sup> has granted an ex-parte ad-interim injunction restraining 25 entities from unauthorized use of the 1994 Hindi film Andaz Apna Apna's intellectual property. The Hon'ble High Court, led by Justice Amit Bansal, emphasized the judiciary's dedication to upholding copyright and trademark rights in the digital era, establishing a significant precedent for the protection of films and their allied intellectual property ("IP") from unauthorised use such as the distribution of unauthorized merchandise and digital content, interestingly, including within its purview even AI-generated works.

The suit was filed by Vinay Pictures, founded by the late Mr. Vinay Kumar Sinha, through its proprietress Ms. Shanti Vinaykumar Sinha ("**Plaintiff**"), and legal heirs, Ms. Priti Sinha, Ms. Namrata Sinha, and Mr. Amod Sinha, who inherited all rights to the film, against Good Hope and 24 other entities ("**Defendants**").

Andaz Apna Apna ("**Film**"), a cult classic, first released in 1994 and was re-released on the big screen on 25 April 2025. The Plaintiff in these proceedings claimed that they were the sole proprietors of the Film as a whole as well as its composite parts including the film's title, its iconic characters (e.g., Crime Master Gogo, Amar, Prem), popular dialogues (e.g., "Aila," "Ouima", etc.), and other such IPs that are directly and indirectly associated with the Film. The Plaintiff further submitted that their ownership of the various IPs was evidenced by the fact that the Plaintiff held various trademarks and copyrights associated with the Film as a whole and its composite parts. The Defendants were accused of infringing these proprietary rights through the unauthorised use of the Plaintiff's IP to create T-shirts, hoodies, mugs, posters, badges, fridge magnets, notebooks, digital art and AI-generated content. The Defendants also owned and operated domain names like <https://ailaouima.com>, which again unauthorisedly used IPs belonging to the Plaintiff. The Defendants' unauthorised activities relied upon and

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<sup>1</sup> Order dated 14 May 2025 in '*Vinay Pictures through its proprietress, Ms. Shanti Vinaykumar Sinha v. Good Hope & Ors.*' [CS(COMM) 475/2025]

used the services of various third-party e-commerce and other platforms such as Flipkart, Meesho, Etsy, Desertcart, and YouTube. The Plaintiff identified over 70 infringing URLs, highlighting widespread national and international violations.

The Hon'ble High Court held that the Plaintiff had established a prima facie case of copyright and trademark infringement with the balance of convenience in its favour. The Hon'ble High Court found that the use of registered marks like "Aila", "Ouima," and character names e.g., Crime Master Gogo, Teja on products and domains was deceptively similar, risking consumer confusion, and amounted to dilution of the Plaintiff's proprietary rights. Therefore, in order to prevent irreparable harm to the Plaintiff's rights and reputation, the Hon'ble High Court issued a dynamic injunction, restraining the Defendants from creating or selling infringing content. The Hon'ble High Court also directed the third-party aggregator platforms such as Flipkart, Etsy, Meesho, Desertcart, etc. to delist products, while also instructing not only Google LLC but also the Ministry of Electronics and Information Technology to block infringing links, websites, and social media channels. The Hon'ble High Court also directed GoDaddy, which is a leading domain provider, to disclose details of infringing domains, while granting liberty to implead additional potential infringers, including those using redirected URLs, to address evolving digital violations.

This order provides filmmakers and producers the ability to prevent unauthorized use of their creative works, especially in the quickly changing digital and artificial intelligence-driven landscape. Additionally, the Hon'ble High Court's acknowledgement of protecting iconic catchphrases and character rights as registered trademarks creates a strong legal foundation to prevent their dilution as well as prevent infringement on e-commerce sites. This protection is essential as social networking platforms and digital marketplaces like as Flipkart, Etsy, Meesho, and YouTube have transformed into havens for distribution of unauthorised merchandise and content that dilute the distinctive nature of the IP held by the various stakeholders including producers, script writers, etc.

These difficulties are further compounded with the prevalence of AI technologies, which can increase the scope of dilution and infringement exponentially with minimal effort. Through this order the Hon'ble High Court has placed the burden firmly on the E-commerce websites and domain registrars, requiring them to proactively monitor and remove infringing products, and to reveal comprehensive infringer data, including but not limited to seller names, IP logs, bank account information, etc.

The evolving practice of issuing dynamic injunctions addresses the fluid nature of online infringement by allowing new infringers to be impleaded, covering mirror/redirect URLs. This precedent promotes a transparent digital ecosystem, where IP rights are upheld, creators are rewarded, and consumers access authentic merchandise, thereby reinforcing trust in the marketplace.

The order marks a significant step in India's digital evolution, addressing challenges posed by the ingraining of e-commerce and artificial intelligence in everyday life. It highlights the judiciary's crucial role in protecting cultural legacies and artistic expressions that have earned public goodwill, while emphasizing the need for proactive enforcement of proprietary IP rights.

By safeguarding India's cinematic heritage and empowering creators to benefit from their original intellectual efforts, the ruling preserves both the cultural integrity and commercial value of films. Notably, it also dispels the notion that platforms are mere intermediaries, positioning registrars as proactive allies in combating digital piracy and curbing low-quality imitations, thereby enhancing transparency, protecting brand reputation, and reinforcing consumer trust in the digital ecosystem.

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