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LOUIS VUITTON SUFFERS SETBACK AS DELHI COURT DISMISSES THE SUIT

~Kriti Tyagi

INTRODUCTION

The judgement “*Louis Vuitton Malletier v. Sh. Manjeet Singh & Anr*¹.” significantly establish a fundamental principle that plaintiff’s registration however valid is not enough. Plaintiff must provide the judicial authorities with cogent evidence that the defendant infringed upon the plaintiff’s rights. The burden of proving remains on the plaintiff throughout the proceedings. Trademark registrations, goodwill, reputation does not automatically establish liability. It serves an important message that trademark infringement suits are decided not only on the valid registration but on the evidence of the infringement produced before the court.

FACTS OF THE CASE

The plaintiff, a famous luxury brand from France named Louis Vuitton Malletier filed the suit for trademark infringement, passing off, permanent injunction, damages, rendition of account and related reliefs against anonymous persons infringing on their rights.

The plaintiff asserted ownership of trademarks “Louis Vuitton”, “LV” and other labels and associated device marks. It was pleaded that these marks had acquired worldwide reputation and goodwill in the market and are registered in accordance with the provision of Section 2 (1) (zg) of the Act of the TradeMarks Act, 1999².

According to plaintiff, the defendants Manjeet Singh and Kapil Kumar are indulged in the manufacturing and selling of the counterfeit products bearing identical or deceptively similar

¹ *Louis Vuitton Malletier v. Sh. Manjeet Singh & Anr*, (2025) SCC OnLine (Del.) 1938

² TradeMarks Act, 1999, § 2(1)(zg)

marks under the “lifestyle” category without authorization from the plaintiff, thereby causing the trademark infringement.

The Plaintiff placed reliance on the judgements such as :

Kohinoor Seed Fields India Pvt. Ltd. Vs. Veda Seed Sciences Pvt. Ltd.³

A John Doe order was passed at the initial stage of the proceedings and a Local Commissioner was appointed to inspect the premises where infringing activities were suspected.

Consequently, with regard to defendant no. 1 Manjeet Singh, 15 pair of shoes bearing the mark “Louis Vuitton Malletier” were traced from outside his shop according to the Local Commissioner’s report. Defendant no. 1 denied the allegations and claimed that they owned to the customer named Rahul (Defendant No.2) and declined to take custody of the seized products.

The position regarding defendant no. 2 was similarly instructive. The Local Commissioner report found that only one pair of shoes carried a mark similar to “LV” and seized the same. Accordingly, a superdarnama was executed and released the goods on superdari.

ISSUES

The court observed that the crucial question was not that whether plaintiff hold the valid registration of the trademark. It was clearly undisputed. Rather, it was to observe the credible evidence placed by the plaintiff that whether defendants associated with the infringing activity were involved.

Whether the plaintiff had successfully establish that the defendants were involved in the infringing activities alleged in the suit?

FINDINGS OF THE COURT

While examining the photographic evidence annexed to the Local Commissioner’s report, the court found the discrepancies between the inventory and the products visible in the photographs. The court noted that the report did not ask the defendant to produce a bill for the single pair of shoes carrying the logo claimed by the plaintiff. In fact, the court found that the remaining shoes carried the logo “So what – in your mind” that nowhere resemble remotely to the trademark claimed by the plaintiff.

³ Kohinoor Seed Fields India Pvt. Ltd. Vs. Veda Seed Sciences Pvt. Ltd., FAO(OS)(COMM) 66/2025 (Del.)

The court observed the absence of supporting material such as invoices, purchase records and related documents. It was further noted that merely having a registered trademark is deficient to hold the defendants liable.

“Thus, the material available on record itself probabilities the defence of defendants and demolishes the very foundation of plaintiff’s case against present defendants. Mere existence of plaintiff’s trademark registrations does not automatically entitle plaintiff to decree against a person whom no actionable involvement has been proved. The burden remained upon plaintiff to establish that present defendants were indulging in infringing activities”⁴, the court held.

As a result, court concluded that the plaintiff had failed to establish the actionable involvement on the part of the defendants.

JUDGEMENT

The court held that the plaintiff failed to meet the burden of proof. It was held that the evidence produced before the court was insufficient to prove the actionable involvement of the defendants in the infringing activities. Accordingly, the claims of obtaining permanent injunction, damages and rendition were dismissed.

LESSONS

The most crucial learning from the judgement is that it instructs what right holders should do to win an infringement suit.

➤ INVESTIGATIONS AND DOCUMENTS

Private investigators could be appointed to collect evidences such as invoices, infringers involved, sales, distribution channels that can help in strengthening the infringement claim. Documents such as invoices help display that the defendants are involved in selling the counterfeit products, thereby establishing direct link between the defendants and the infringement took place. Moreover, documentary evidence could also help prove that goods belong to the defendants and thereby, exposing the false counters claimed by defendants. Had there been no documentary evidence, the court could not be persuaded that the seized goods obtained from the particular site belong to the defendants and therefore, are reluctant to accept the plaintiff contentions.

➤ ACTIONABLE INVOLVEMENT ON THE END OF THE DEFENDANTS

⁴ *Louis Vuitton Malletier v. Sh. Manjeet Singh & Anr*, (2025) SCC OnLine (Del.) 1938

To prove the actionable involvement of the defendants in the infringing activity, comprehensive credible evidence should be gathered such as defendant dealt in infringing the products – manufactured, sold or distributed the same. Producing the seized products cannot stand alone to establish strong evidence.

CONCLUSION

The ruling serves an important lesson that infringement suits are not won merely by inspecting the products. To win the same, a comprehensive evidentiary proof is required to establish the infringement on the part of the defendants as well as the identity and the involvement of the defendants associated with the infringement. The principle established is simple that being the proprietor of the registered trademark does not lead to the entitlement to relief. The ruling bears certain significance in the Intellectual Property regime. After all, it's not a matter of owning the rights, it's a matter of convincing.