

CS (COMM.) No.667/2025

Foodtech Biz (OPC) Pvt Ltd & Anr v/s Stand Point Media (OPC) Pvt Ltd & Ors

26.08.2025

Fresh case received by way of allocation. It be checked and registered.

Present: Sh. Mudit Sharma, ld. counsel for plaintiff (VC).

Along with the suit, an application under Section 151 CPC, 1908 seeking exemption from filing legible copies of the documents is filed along with supporting affidavit. Same be filed within four weeks.

Another application under Section 151 CPC, 1908 r/w Section 12 A of the Commercial Courts Act, 2015 seeking exemption from pre-institution mediation along with supporting affidavit is filed.

As this is a commercial suit filed with an urgent application seeking urgent relief(s), application under 151 CPC r/w Section 12 A of the Commercial Courts Act seeking exemption from pre-institution mediation is hereby allowed and same stands disposed of.

As per the averments made in the plaint, plaintiff no.1, FoodTechBiz (OPC) Private Limited is a One Person Company incorporated and registered under the Companies Act, 2013 and plaintiff no.2 Mrs. Mandeep Kaur is Founder, Director and Editor of plaintiff no.1. Plaintiff no.1 is the exclusive and lawful owner of the online B2B platform www.footechbiz.com, a premier exclusive platform in Food and Beverage Industry and news in the Food,

Beverages, Food Technology and Food-related packaging industry. Plaintiffs established the platform/one magazine website <https://www.footechbiz.com/> which is one of the leading digital platforms for the food and beverage industry. It is stated that plaintiff no.1, through plaintiff no.2, on its platform/online website <https://www.foodtechbiz.com/> regularly provides insights, news and updates on recent developments within the food and beverage industry, specifically including coverage of the latest advancements in food technology. Plaintiff no.1 has been partnering with major International Trade Fair organizers in the field and ensuring the participation of its Editor. It is stated that all works are original, protected under the Digital Millennium Copyright Act (DMCA) and expressly governed by stringent Terms of use prohibiting reproduction/copying such original content from the plaintiff no.1's website without prior written permission.

Defendant no.1 i.e. Standpoint Media (OPC) Private Limited is one person company incorporated and registered under the Companies Act, 2013, which operates platform, website with domain name <https://foodinfotech.com/>. Defendant no.2 Sh. Manas Nandi is the director of defendant no.1 and also acts as the Group Editor-in-Chief of the above website. Defendant no.3 Sh. Prakash Mishra is the author/article writer of platform of defendant no.1 i.e. <https://www.foodinfotech.com/>. It is stated that in early 2022, plaintiff discovered the defendants' website, which not only had a strikingly similar name and purpose as that of plaintiffs' platform but had also blatantly copied and republished, with minor alterations, the original

stories, news articles and press releases that plaintiff no.2 had authored and released on plaintiff no.1's official website/magazine <https://www.foodtechbiz.com/>. It is alleged that defendants' use of the confusingly similar website was clearly designed to confuse and mislead the audience into believing that their content was affiliated with, or originated from plaintiffs' platform. It is further stated that owing to such continuous acts of stalking and copying of content from plaintiffs' platform, plaintiff no.2 immediately contacted defendant no.2 and apprised him in detail about the illegal and unethical acts of copyrights' infringement that were committed by the editorial team of defendant no.1. Pursuant to such discussions, plaintiff no.2 addressed email dated 22.04.2022 to defendant no.2 and defendant no.1, reiterating the issues of infringement/unethical and illegal acts on part of editorial team of defendant no.1. The defendant no.2 vide his email dated 25.04.2022 expressed his gratitude for bringing the aforesaid acts to his notice and assured to take remedial actions. Pursuant to the said discussion and mail, the defendants merely removed one of the stories from their website, which had been copied from plaintiffs' website and even thereafter continued to stalk and indulge in the acts of infringement by unlawfully copying the plaintiffs' original content in violation of the plaintiffs' rights. Consequently, plaintiff no.2 vide email dated 31.07.2022 and 12.04.2024, once again brought to notice of the defendants the unethical practices of copying the original content of the plaintiff no.1's website. It is alleged that defendants continued to engage in blatant plagiarism and copyright infringement by stalking, copying

and publishing similar content and news articles from the plaintiffs' website on their infringing platform/website which were substantially identical to and infringed upon the plaintiffs' proprietary literary work.

It is further alleged that plaintiff no.2 on behalf of plaintiff no.1 attended the IFFA Fair at Frankfurt, Germany and provided comprehensive coverage of the event through its various social media handles and websites, as well as conducting exclusive interviews with key representatives from companies showcasing their products at the event. Plaintiff no.2 also took photographs of the interviewees with her own camera phone and subsequently, on 15.05.2025 published the stories/articles on plaintiffs' platform/website <https://www.foodtechbiz.com/> thereby disseminating the original copyrighted content to the public. However, defendants blatantly copied the said photographs along with original stories published by plaintiff no.2 on the plaintiff no.1's platform/website.

Plaintiffs through their Advocates, served a legal notice dated 19.05.2025 upon the defendants, which was duly received by defendants on 31.05.2025 thereby calling upon them for immediate cessation of infringement and removal of unauthorized content from their infringing website <https://www.foodinfotech.com>. However, defendants neither complied with nor responded to said notice and continued to engage in blatant plagiarism and copyright infringement by stalking, copying and publishing the substantially identical content and news articles from the plaintiffs' website.

It is thus prayed that an ex-parte ad interim injunction be passed

in favour of plaintiff and against the defendants thereby directing the defendants to take down, remove and disable the infringing stories/articles or other content uploaded by defendants infringing the plaintiffs' rights which are hosted on the following URLs:-

a. <https://www.foodinfotech.com/essentia-showcases-meat-innovation-at-iffa-2025/>;

b. <https://www.foodinfotech.com/vishakha-showcases-packaging-solutions-at-iffa-2025/>

Having gone through the submissions made by Id. counsel for plaintiffs and on perusal of material placed by plaintiffs on record including the comparison chart, emails exchanged between plaintiff no.2 and Essentia Protein Solutions, original photographs taken by plaintiff no.2, the plaintiffs have made out a *prima facie* case and balance of convenience in its favour. Plaintiffs have also demonstrated that irreparable harm will be caused to plaintiffs, in case, plaintiffs are not granted *ad interim ex-parte* injunction. Defendants are therefore, directed to take down, remove and disable the infringing stories/articles or other content uploaded by defendants infringing the plaintiffs' rights which are hosted on the following URLs:-

a. <https://www.foodinfotech.com/essentia-showcases-meat-innovation-at-iffa-2025/>;

b. <https://www.foodinfotech.com/vishakha-showcases-packaging-solutions-at-iffa-2025/>

Let defendants be served with summons of the suit and notice of the application under Order XXXIX Rules 1 and 2, CPC, through all modes of service, on filing of PF/RC, returnable for **10.10.2025**.

Compliance under the provisions of Order XXXIX Rule 3 CPC be made within 10 days.

Be listed for **10.10.2025**.

HEMANI MALHOTRA

District Judge (Commercial Court-03)
PHC / New Delhi / 26.08.2025