



# Trademark “VOLVO” protected in two simultaneous suits before the Delhi High Court

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In two concurrent suits filed before the Hon’ble High Court of Delhi, ad interim ex-parte orders restraining the Defendants from making use of the Plaintiff’s trademark “Volvo” as a part of their domain name, e-mail ID, trading name or any other manner were passed. The Court also directed the Registrar of Domain names to suspend the operation of the respective domain names (which made use of the mark “VOLVO”) upon receiving communication from the Plaintiff.

## 1. AB Volvo vs Avantika Holidays

Vide order dated May 31, 2019, the Court passed an *ad-interim ex-parte* order restraining the Defendants from infringing the Plaintiffs' trademark VOLVO as a part of the domain name (www.himachalvolvobus.com), e-mail ID (booking@himachalvolvobus.com) and any other manner whatsoever. Additionally, the Court directed the Defendants to produce documentary proof (if any) to ascertain if the use of the mark VOLVO by the Defendants is legitimate.

In addition to the above, the Court also directed the Registrar of Domain Names for the domain name (www.himachalvolvobus.com) to suspend the operation of the domain name upon receiving communication from the Plaintiff.

## 2. AB Volvo vs Gagan Kumar

Vide order dated May 31, 2019, the Court passed an *ad-interim ex-parte* order restraining the Defendants from infringing the Plaintiffs' trademark “DAILY VOLVO BUS SERVICE”, “VOLVO BUS YATRA”,  as a part of the domain name volvobusyatra.com and e-mail IDs info@volvobusyatra.com and volvobusyatra560@gmail.com or any other manner similar to the Plaintiff’s trademark VOLVO as a part of their trading name, in relation to buses, tourism-related services or any other services. Additionally, the Court directed the Defendants to produce documentary proof (if any) to ascertain if the use of the mark VOLVO by the Defendants is legitimate.

In addition to the above, the Court also directed the Registrar of Domain Names for the domain name (volvobusyatra.com) to suspend the operation of the domain name upon receiving communication from the Plaintiff.

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