

News

The Delhi High Court prohibits unauthorized use of the "Andaz Apna Apna" intellectual property.



Character names like Teja, Crime Master Gogo, Amar, and Prem were all protected by the court.

Recently, the Delhi High Court issued an interim injunction prohibiting more than thirty parties from using the characters, title, dialogue, and artistic creations of the 1994 Hindi film Andaz Apna Apna without permission.

In a lawsuit brought by Vinay Pictures via Shanti Vinaykumar Sinha, the legal heir of the movie's producer Vinay Sinha, Justice Amit Bansal issued an ex parte interim injunction. The plaintiff requested relief from claimed copyright and trademark infringement including digital

content, products, domain names, and artificial intelligence-generated content.

According to the Court, "the plaintiff has proven a prima facie case...[and] will suffer irreparable loss if relief is not granted."

Amit Bansal, Justice

The complainant argued that the late Vinay Sinha's production, *Andaz Apna Apna*, is nonetheless enduringly popular and culturally significant. The complaint asserted that the title of the movie, its literary and dramatic works, and its characters, including:

The famous phrase "Aankhen nikaal ke gotiyan khelta hoon main" is attributed to Crime Master Gogo.

"Teja main hoon, mark idhar hai" is the subplot about Teja and mistaken identity.

Paresh Rawal plays the identical twins Ram Gopal Bajaj and Shyam Gopal Bajaj.

Aamir Khan and Salman Khan portray the lead roles, Amar and Prem, respectively.

Additionally, the lawsuit referenced registered trademarks over terms like "Aila" and "Ouima," which it said had taken on a secondary connotation in the public's consciousness.

Unauthorized parties were allegedly commercializing certain materials by:

- T-shirt, mug, poster, notebook, and other item sales
- AI-produced video snippets and digital material
- Websites like www.ailaouima.com

internet retailers and social media content.

Major e-commerce sites including Flipkart, Meesho, Etsy, Desertcart, and others were selling the infringing goods. A list of more than 70 infringing URLs from various platforms and domains was given by the plaintiff.

The Court determined that the plaintiff had the advantage of convenience, pointing out that unapproved goods could give the impression that they had a valid license.

The Court noted, "Any complaints regarding the defendants' products' quality will be attributable to the plaintiff, as the public would have bought such goods under the false impression that they emanate from the plaintiff."

The Court issued a number of interim orders after examining the plaintiff's documentation and more than 70 infringing URLs, including:

preventing different defendants from:

"...creating any content that is identical to, adapted from, or derivative of the plaintiff's film Andaz Apna Apna, including images, videos, audio-visual content, or AI-generated content."

prohibiting the marketing and sale of products with markings that are misleadingly similar to the registered trademarks of the movie and the names of its characters, including Teja, Crime Master Gogo, Amar, and Prem.

directing the removal, removal, and disabling of any infringing movies, shorts, or other content uploaded by defendants 19 to 21 by Google LLC (Defendant 26). Additionally, Google was requested to reveal the identities of the people who uploaded the identified YouTube shorts.

guiding Desertcart, Meesho, Etsy, and Flipkart to:

Take down any listings that violate the law.

Provide the sellers' identity and payment information.

directing GoDaddy (D25) to distribute the domain registration details for www.ailaouima.com

giving MeitY instructions to "...block and disable all infringing links, websites, and social media channels as identified by the plaintiff."

The Court also granted the plaintiff the freedom to impose more infringers and made it clear that the injunction would cover mirror or redirect URLs.

Pravin Anand, Ameet Naik, Vaishali Mittal, Madhu Gadodia, Siddhant Chamola, Prachi Sharma, Shivang Sharma, Saijal Arora, Sujoy Mukherjee, and Devushal Tudekar from Anand & Naik were the advocates for Vinay Films.

Advocates Mamta Jha, Rohan Ahuja, Shruttima Ehensa, Aiswarya Debadarshini, and Rahul Choudhary from International Advocare represented Google.

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