

**SUIT FOR PASSING OFF THE TITLE OF THE FILM
(TRADE MARK)**

IN THE HIGH COURT OF JUDICATURE AT _____

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. _____ OF 20____

_____,)
a company incorporated in India)
under the provisions of the)
Companies Act, 1956/2013)
having its registered office at)
_____) ..PLAINTIFF

VERSUS

_____,)
a private limited company)
incorporated in India, under the)
provisions of the Companies Act,)
1956/2013 having its registered)
office at _____)
_____) ..DEFENDANT

THE PLAINTIFF ABOVE NAMED STATES AS UNDER:

1. The Plaintiff is a company incorporated on _____, in India, under the provisions of the Companies Act, 1956/2013. The Plaintiff, inter alia, carries on the business of film-making, including scripting, art direction, cinematography, choreography, casting, costume designing, dubbing, production, editing, music, post-production and direction at the address mentioned above. The Plaintiff has vast expertise of over _____ years in the said business. The Plaintiff has honed the process and refined its knowledge of film making over the years expertly under the aegis of the renowned film producer/director _____, who is also one of the Directors in the Plaintiff's company.

2. The Defendant is also a company existing under the provisions of the Companies Act, 1956/2013, inter alia, carrying on similar business as film producers at the address mentioned above.

3. The Plaintiff's banner known as "_____" is a well-known banner in the film and entertainment industry. Under the Plaintiff's said banner, the Plaintiff has produced _____ number of feature films/movies.

(Note: give a brief history and mention the successful and award winning movies produced under the banner) Today, the Plaintiff's contribution to the film industry is phenomenal. Hereto annexed and marked as **Exhibit "A"** is a list of films released under the _____ banner.

4. In or around _____, the film "_____" (*originally in _____ language subsequently dubbed in _____ languages*) was produced by the

Plaintiff. The said film got wide publicity and was released all over the country in various modes including over several movie theatres (multiplexes as also single screen theaters) and has also been screened in various foreign countries. In addition, posters and hoardings of the said film were displayed all over the country. Hereto annexed and marked as **Exhibit "B"** is a copy of the Censor Certificate dated _____ issued by the Central Board of Film Censors. The said certificate is valid for a lifetime. Hereto annexed and marked as **Exhibit "B-1"** is a statement of the Production Expenses including publicity expenses for the said film up to _____. The Plaintiff craves leave to refer to and rely upon statements of account and other documents relating to the said film and receipts received by the Plaintiff when produced.

5. (a) The said film "_____" was highly successful (known as "*Super Hit*" in the Film Industry) and become extremely popular and received wide acclaim all over India. The gross collection arising from the exhibition and exploitation of several rights of the said Film as on date is Rs. _____/- (approximately). The Plaintiff craves leave to refer to and rely upon documents in support of its gross collection when produced.

(b) The film starred extremely popular film stars of the era viz. _____ and _____. The music and songs of the said Film have become very popular. The songs of the said Film have become highly popular on channels of radio, television, satellite, you tube etc. Hereto annexed and marked **Exhibit "B-2"** is a

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