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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS (COMM) 1200/2018, I.As. 14712/2018 & 14960/2018**

MOHALLA TECH PVT. LTD. Plaintiff

Through: Mr. Akhil Sibal, Senior Advocate with Mr. Nirav Shah, Nikhil Chawla, Mr. Pranut Sharma and Mr. Yash Manaya, Advocates. (M:9920136409)

versus

BYTEDANCE INC. & ORS. Defendants

Through: Mr. N.K. Kaul, Senior Advocate with Mr. Ameet Datta, Mr. Saikrishna Rajgopal, Mr. Himansu Bagai, Mr. Kunal Seth and Ms. Deepshikha Sarkar, Advocates for D-1. (M:9958525210)

Mr. Neel Mason, Ms. Ekta Sharma and Ms. Sanyukta Banerjee, Advocate for D-2.

Mr. Akhil Anand, Advocate for D-3. (M:9810315368)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **01.11.2018**

1. Learned counsel for the Defendants has handed over a reply yesterday. On the basis of the affidavit, it is submitted that they have made undertaken the following steps: -

- (i) That the user interface of the Defendants 'Helo' app has been changed.
- (ii) That the login screen of the 'Helo' app has also been changed;
- (iii) That the partial image appearing on Google Play Store earlier

which was shown at page 92 of the plaint has already been changed;

(iv) Insofar as the Google general search and the Google Play Store search is concerned, the ad-words which were booked by the Defendants using the words 'Share' and 'Chat' have been discontinued and/or deactivated.

(v) The content categories and sub-categories of the user interface have also been changed.

2. The above have been done without prejudice to the Defendants' rights.

3. Learned counsel for the Plaintiff submits that his client would like to respond to the affidavit filed. However, they still have a few grievances. In this regard, submissions would be heard on the next date after the rejoinder is filed. Insofar as the query as to whether the Defendants' app has a chat feature or not, the Defendants submit that at this moment, they are unable to locate a chat feature on the Defendants' app. However, they would like to seek instructions before making a categorical statement in this regard.

4. Let rejoinder be filed on or before 15th November, 2018.

5. List for arguments on 5th December, 2018. Mr. Neel Mason has entered appearance for Defendant no.3. If Defendant Nos.2 & 3 wish to file any affidavits, they may do so on or before 15th November 2018.

6. Interim orders already passed shall continue till the next date of hearing. Order *dasti*.

PRATHIBA M. SINGH, J.

NOVEMBER 01, 2018

Rekha