INDIALAW



INTELLECTUAL PROPERTY RIGHTS

Delhi High Court Upholds Crocs' Design and Brand Integrity in Questsole Dispute

AUTHOR Aditya Suryavanshi

PUBLISHED 29 October 2025

Crocs Inc. & Anr. v. Sagar Doijode trading as Questsole & Ors.

(CS(COMM) 1125/2025, Order dated 16 October 2025, Delhi High Court, per Tejas Karia, J.)

Facts:

Crocs Inc. and its subsidiary filed a commercial intellectual property suit against Sagar Doijode trading as Questsole and others before the Delhi High Court, seeking a permanent injunction for infringement of multiple intellectual property rights, including Patent No. IN 271337 relating to a system for attaching decorative accessories to shoes, the registered trademarks “CROCS” and “JIBBITZ,” the registered design No. 349374-001 concerning the geometric clog-style footwear, and the distinctive trade dress associated with Crocs’ iconic clogs. The plaintiffs alleged that the defendants were manufacturing, advertising, and selling identical or deceptively similar footwear and shoe charms through their website questsole.com as well as third-party e-commerce platforms such as Flipkart, Amazon, and IndiaMart. It was further contended that the defendants’ “clog charms” were a direct copy of Crocs’ patented Jibbitz accessories and replicated the system claimed under the plaintiff’s patent. The plaintiffs also asserted that the defendants were using deceptive marks, including “CROCKS,” “CROC,” and “JIBIT,” with the intention of misleading consumers and creating confusion with Crocs’ well-known brands. Moreover, the defendants’ footwear and overall design were alleged to imitate Crocs’ trade dress and configuration, characterized by its distinctive bulbous shape, ventilation holes, and back strap design. The plaintiffs further submitted that the defendants had uploaded disparaging videos on social media making false claims of superiority over Crocs’ products, thereby attempting to tarnish the plaintiffs’ brand reputation and goodwill.

Analysis:

Justice Tejas Karia examined the pleadings and documentary evidence and observed that the plaintiffs were the registered proprietors of the relevant patent, trademarks, and design, and also enjoyed common law rights in their distinctive trade dress. The Court noted that Crocs had established substantial global goodwill and reputation, strengthened through extensive marketing efforts, consistent product innovation, and high-profile collaborations with celebrities and designers. It was further observed that the defendants’ use of deceptively similar marks, designs, and trade dress appeared to be prima facie dishonest and intended to exploit the plaintiffs’ goodwill and reputation, thereby causing consumer confusion in the marketplace. The Court also took into account the test purchase conducted by Crocs, which confirmed that the products sold by Questsole embodied the patented features described in Claim 1 and the dependent claims of the plaintiffs’ patent, thereby satisfying all essential elements of patent infringement. Additionally, the Court held that the visual and structural resemblance between the defendants’ products and Crocs’ trade dress and registered design amounted to fraudulent imitation and resulted in dilution of the plaintiffs’ distinctiveness and brand identity.

Judgment:

The Delhi High Court held that Crocs Inc. had established a prima facie case warranting the grant of interim relief, observing that the balance of convenience lay in its favour and that failure to grant an injunction would cause irreparable harm to the company. Consequently, the Court issued an ex-parte ad-interim injunction restraining the defendants, their agents, distributors, and associates from using the infringing marks “CROCKS,” “CROC,” “JIBIT,” or any other deceptively similar variants of “CROCS” and “JIBBITZ.” The order further prohibited the defendants from manufacturing, advertising, or selling any products embodying Crocs’ patented system under Patent No. IN 271337, as well as from using or imitating the registered design No. 349374-001. Additionally, the defendants were restrained from copying or imitating the distinctive trade dress of Crocs’ geometric clogs or any deceptively similar footwear. The Court directed compliance with Order XXXIX Rule 3 of the CPC within two weeks and listed the matter for further hearing on 16 February 2026.

Related Practice Areas

Intellectual Property Rights (IPR)