

News

The Delhi High Court orders Ghadi detergent to take offensive language about Surf Excel out of their advertisements.



The complaint relates to four commercials that RSPL aired in early June 2025 to promote their Ghadi detergent and featured well-known actor Ravi Kishan.

Recently, the Delhi High Court ordered RSPL Limited, the company that makes Ghadi detergent, to take disparaging remarks about rival Surf Excel out of its digital and television ads.

Justice **Prathiba M. Singh** issued the ruling in a lawsuit brought by Surf Excel's maker, Hindustan Unilever Limited (HUL/plaintiff).

Before continuing to broadcast, the Court ordered RSPL to change its commercial by June

24.

"The Defendant (RSPL) shall carry out the proper amendments in the impugned advertisements by 24th June 2025 and only then telecast/broadcast the impugned commercials," the judge stated.

Three particular statements that the Court determined to be blatantly disparaging of the Surf Excel brand must be removed, per the order.

The following three phrases need to be removed from the advertisement:

"Aapka kare badi badi baatein par dho nahi paate" means that your product is unable to wash despite its lofty claims.

The plaintiff's merchandise is the subject of phrases like "Na Na, yeh dhoka hai" and "Aapka kare badi badi baatein, dho nahi patey," the Court stated.

"Iske jhaag acche hai, daam acche hai" (This means that the foam is good and the pricing is good). It appeared to be derived from the plaintiff's 'Daag ache hai' campaign, and the court determined that it made a clear reference to the plaintiff's product.

- **"Na Na, yeh dhoka hai"** (This is a scam, no lie).

After RSPL rejected their cease-and-desist notification on June 7, Hindustan Unilever launched a lawsuit against the company, requesting an injunction. The case involved four commercials that RSPL released in early June 2025 to promote their Ghadi detergent and featured well-known actor Ravi Kishan.

Hindustan Unilever argued that it has marketed Surf Excel in recognizable blue packaging since 1996 and reports an annual turnover of about ₹11,000 crore for its Surf-branded products.

Three aspects of the ads, according to Hindustan Unilever's legal team, explicitly target Surf Excel: the usage of bright and dark blue packaging, the name "XL Blue," and lines that allude to HUL's "Daag Acche Hai" campaign slogan.

RSPL argued that several detergent manufacturers use similar colors, that Hindustan

Unilever's trademark registration contains caveats, and that the company does not have the sole right to use the term "Excel" or blue packaging.

According to the Court's application of well-established rules governing comparative advertising, businesses are allowed to advertise their goods but are not allowed to intentionally disparage rivals.

"That it is permissible for an advertiser to undertake an advertising campaign to promote its own product so long as the same is not deliberately tarnishing or defaming the competitor's product," the Supreme Court said.

The ruling emphasized that although puffing up is OK, tarnishing and slander are not.

On July 16, the matter will be heard again.

With the assistance of attorneys Saikrishna Rajagopal, Vivek Ayyagari, Julien George, Arjun Ghadhoke, and Abhinav Bhalla from Saikrishna and Associates, Senior Advocate **Sandeep Sethi** represented HUL.

Senior Advocate **Chander M. Lall** defended RSPL, accompanied by Lall and Sethi attorneys Nancy Roy, Annanya Chug, and Prashant.