

**IN THE HIGH COURT OF THE WESTERN PROVINCE (EXERCISING ITS CIVIL
JURISDICTION) HOLDEN IN COLOMBO**

David Suresh Rasiah
3/3 Hampden Apartments,
18, Mary's Road, Colombo 04.

PLAINTIFF

Case No : CHC 14 /2026 IP
Nature : Intellectual Property
Procedure : Regular
Value : Rs. 1,000,000/=

Vs.

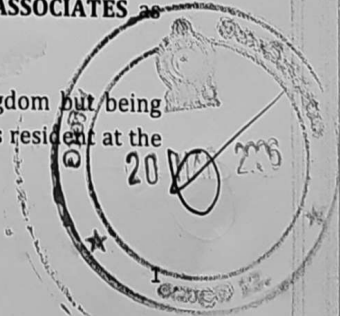
- 1. Friends of Manipay Hospital**
1 Beauchamp Court
10 Victors Way,
Barnet EN5 5TZ
United Kingdom
- 2. George Selvandiran Mather**
31a Old Kennels Drive,
Olivers Battery,
Wichester, Hampshire, SO224JR
United Kingdom
- 3. Sharvanandan Arnold**
76, Waterfall Road,
Southgate, London N147JT
United Kingdom
- 4. Jayantha Arnold**
11, Woodside Road,
Northwood
Middlesex HA63QE
United Kingdom
- 5. Sriomal de Silva**
36/3, Somananda Road,
Nedimala
- 6. Nishantha Abeywardena**
17, Tissa Mawatha,
Quarry Road, Dehiwala
- 7. Kanagaratnam Kandeepan**
127, Thelangapatha Road, Wattala
- 8. Verni Kandeepan**
127, Thelangapatha Road, Wattala

DEFENDANTS

On this 10th day of March 2025

The **AMENDED PLAINT** of the Plaintiff above named appearing by his registered Attorney-at-Law Sanath Wijewardane and his assistants Rasoja Thotagamuwa, Gayani Mallawaarachchi, Madhushika Dilhani, Dinushika Samarasinghe and Welandakulage Dona Sithumini Nisansala practicing under the name, style and firm of **SANATH WIJewardane ASSOCIATES** as follows:-

1. The Plaintiff states that the Plaintiff is a citizen of the United Kingdom but being formerly a citizen of Sri Lanka, has a resident visa in Sri Lanka and is resident at the captioned address.

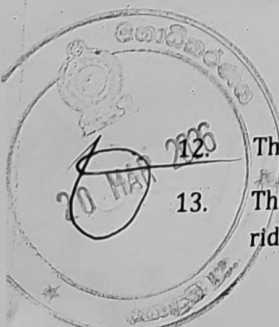


The Plaintiff annexes hereto marked "P1" true copy of the Plaintiff's passport bio page and page containing resident visa extension and plead the same as part and parcel hereof.

2. The Plaintiff states that the 1st Defendant is a company incorporated in the United Kingdom and a registered charity with the capacity to sue and be sued in its own corporate name, having its registered office at the above-mentioned address in the United Kingdom.
3. The 2nd to 4th Defendants are Directors of the 1st Defendant company.
4. The 5th to 8th Defendants are Sri Lankan nationals and are involved in the use in Sri Lanka by the 1st Defendant of the "Ride for Ceylon" name and "Ride for Ceylon" mark, particularly in connection with the "Ride for Ceylon" ride sought to be conducted by the 1st Defendant as hereinafter described.
5. The Plaintiff states that the 5th to 8th Defendants reside and the cause of action hereinafter pleaded arose within the local limits of the jurisdiction of Your Honour's Court.
6. The Jurisdiction of Your Honour's Court is hereby invoked under the provisions of the Intellectual Property Act, No. 36 of 2003 and the exclusive jurisdiction to hear and determine this matter is vested with this Court under and in terms of the Intellectual Property Act No. 36 of 2003 read together with the High Court of the Provinces (Special Provisions) Act, No. 10 of 1996 (As Amended).

THE PLAINTIFF'S RIGHTS

7. The Plaintiff states that the Plaintiff along with the one Michael Arnold are the co-owners and/or joint owners in Sri Lanka of the right to the name "Ride for Ceylon" and the "Ride for Ceylon" mark.
8. The Plaintiff states that the Plaintiff, Defendants and several others first became involved in organizing long distance bicycle rides for the purpose of raising funds for the purpose of supporting charitable purposes from around 2017 onwards.
9. The Plaintiff states that the 3rd and 4th Defendants are brothers and were involved in the 1st Defendant charity, and initially this led to an institutional affiliation of the said bicycle rides with the 1st Defendant company, which is a company and a registered charity in the United Kingdom ostensibly formed for the purpose of supporting Green Memorial Hospital in Jaffna.
10. The Plaintiff states that in or around 2018, the Plaintiff caused the logo of "Ride for Ceylon" to be designed after his wife proposed the name "Ride for Ceylon" and thereafter the rides were organized as "Ride for Ceylon".
11. The Plaintiff states that the said trademark is set out herein for ready reference of Court:



The Plaintiff states that also in 2018 set up a website and a Facebook page.

13. The Plaintiff states that in order to acknowledge the joint involvement in the bicycle rides of the Plaintiff, Michael Arnold and the 2nd and 3rd Defendants who were in

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control of the 1st Defendant, and also to distinguish the "Ride for Ceylon" organization and brand from the 1st Defendant, the following arrangements were made from 2019 onwards:

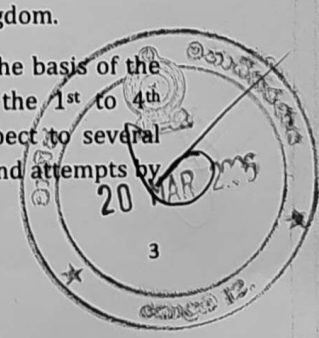
- a. The "Ride for Ceylon" trademark was sought to be registered in Sri Lanka with the said Michael Arnold and the Plaintiff as co-owners and/or joint owners;
- b. The "Ride for Ceylon" brand in Sri Lanka was to be owned by the Plaintiff and Michael Arnold;
- c. In the United Kingdom, the 1st Defendant would continue to use the "Ride for Ceylon" brand for purposes of fundraising;
- d. "Ride for Ceylon" was to be incorporated in Sri Lanka as a guarantee company. In 2021, "Ride for Ceylon Guarantee Limited" was incorporated with the Plaintiff and 7th Defendant as initial subscribers, and with a Board of Directors including the 5th and 6th Defendants;
- e. The "Ride for Ceylon" rides would be organized by the Sri Lankan guarantee limited company "Ride for Ceylon Guarantee Limited" for which purposes the Plaintiff and Michael Arnold owned the intellectual property rights.

The Plaintiff annexes hereto in proof:

- Marked "**P2**" the Submissions of the 1st Defendant inclusive of the Witness Statement of the 3rd Defendant in proceedings before the Intellectual Property Office in the United Kingdom, which statement is dated 23rd September 2021 with annexures thereto;
- Marked "**P3**" the Witness Statement of the Plaintiff in the said proceedings;
- Marked "**P4**" email thread with subject "Ride for Ceylon (Guarantee) Limited" culminating in email dated 24th September 2024 inclusive of email dated 10th September 2022 by the 4th Defendant;
- Marked "**P5**" email thread with subject "R4C LOGO" culminating in email dated 15th January 2021 by the Plaintiff;
- Marked "**P5A**" true copy of the Articles of Association of Ride for Ceylon Guarantee Limited;
- Marked "**P5B**" true copy of a message circulated by Jayantha Arnold on behalf of the 1st Defendant dated 10th October 2022;

And plead the same as part and parcel hereof.

14. The Plaintiff states that there was a dispute between Michael Arnold said and the 1st Defendant that arose when Michael Arnold attempted to register himself as the owner of the intellectual property relating to Ride for Ceylon in the United Kingdom. The Plaintiff also provided the 1st Defendant with a witness statement referred to hereinabove in that context, as Michael Arnold has no exclusive rights and also as the intellectual property of Michael Arnold and the Plaintiff are in respect of the rights in Sri Lanka.
15. The Plaintiff states that the said Michael Arnold was unsuccessful in his application by himself to register the said claims in respect of rights in the United Kingdom.
16. The Plaintiff states that after concluding several successful rides on the basis of the aforesaid arrangement, disputes arose between the Plaintiff and the 1st to 4th Defendants and eventually with the 5th to 7th Defendants with respect to several matters, due inter alia to a lack of accountability in financial matters and attempts by



the 1st to 4th Defendants to interfere with Sri Lankan company, contrary to the aforesaid arrangement.

17. The Plaintiff states that Ride for Ceylon Guarantee Limited severed ties with the 1st Defendant in 2024, which decision was communicated to all parties concerned by the 6th Defendant himself

True copy of email thread with subject "R4C GC - FOMH Severs Ties" culminating in email dated 17th May 2024 is annexed hereto marked "P6" and pleaded as part and parcel hereof.

18. The Plaintiff states that he has spearheaded two rides organized in 2025 and 2026 under the name "Trek for Ceylon" due to disputes concerning the Board of Directors of Ride for Ceylon Guarantee Limited.

19. The Plaintiff states that the 1st to 4th Defendants together with the 5th and 6th Defendants unlawfully attempted in July 2025 to conduct a ride under the name "Ride for Ceylon", from which the Plaintiff distanced himself, and due to the same, the ride was not successfully conducted and did not have the participation of a significant number of riders.

20. The Plaintiff states that as matters were in dispute within the company, he did not wish to take any legal action at the said time in order to avoid further conflict.

A press release by the Plaintiff and 7th Defendant published in the Daily Mirror Online on 29th June 2025 is annexed hereto marked "P7" and pleaded as part and parcel hereof

21. The Plaintiff states that he and the Sri Lankan guarantee limited company have caused to be sent lawyer's letters regarding the unlawful use of trademark and trade name related to "Ride for Ceylon" in Sri Lanka by the aforesaid Defendants, which in terms of the arrangement aforesaid was owned in Sri Lanka by the Plaintiff and Michael Arnold for the use of the Sri Lankan guarantee company.

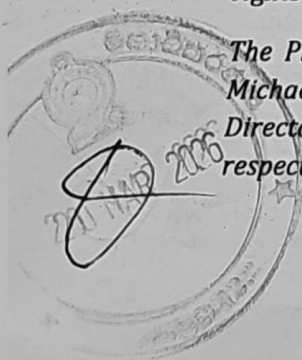
22. The Plaintiff states that he is aware that the 1st to 4th Defendant have sometimes claimed that the Plaintiff and Michael Arnold's ownership in Sri Lanka of the intellectual property in issue is for the purpose of the 1st Defendant.

23. The Plaintiff denies the same but states that in any event with the 1st Defendant explicitly acknowledging the independence of the Sri Lankan guarantee company, the 1st Defendant relinquished any such beneficial claims, if any, over the intellectual property rights in issue in Sri Lanka, and only retained such rights in the United Kingdom.

24. The Plaintiff states without prejudice that in any event, by agreeing to have the Plaintiff and Michael Arnold registered as owners of the trademark, the 1st to 4th Defendants have agreed and/or accepted that the Plaintiff and Michael Arnold should and would have the exclusive rights to the same in Sri Lanka.

25. The Plaintiff states that in the circumstances, at all times relevant, the 1st Defendant and all Defendants abovenamed have been well aware with and agreed and/or consented expressly and/or otherwise in the Plaintiff and Michael Arnold being registered as the owners of the trademark for Ride for Ceylon and having exclusive rights to the same in Sri Lanka.

The Plaintiff annexes hereto the application for registration citing the Plaintiff and Michael Arnold as owners; and extracts of Gazette dated 31st October 2025 by which the Director General gave notice of the aforesaid application marked "P8" and "P9" respectively and plead the same as part and parcel hereof.



26. The Plaintiff states that the application of the Plaintiff and Michael Arnold for registration is pending.
27. *In the circumstances the Plaintiff states that the Defendants have no right whatsoever to use the trademark "Ride for Ceylon" as depicted in "P9" and/or the name "Ride for Ceylon" within Sri Lanka.*
28. The Plaintiff states that he has recently become aware that the Defendants are attempting to conduct in Sri Lanka a ride under the name "Ride for Ceylon" and utilizing the trademark "Ride for Ceylon" as depicted in "P9" and/or similar to the same commencing 11th March 2026.
29. The Plaintiff states that the only difference is the replacing of the website url ending with ".com" with the website url ending with ".org" which domain the 1st Defendant appears to control.

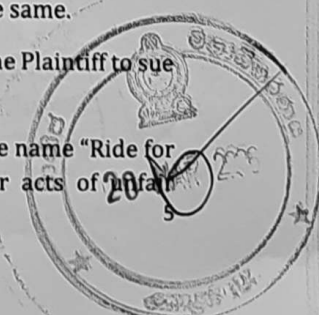
The Plaintiff annexes hereto flyers issued by the Defendant marked "P10" compendiously and plead the same as part and parcel hereof.

30. The Plaintiff states that the same would be unlawful and in violation of the Plaintiff's rights.
31. The Plaintiff states that in order to cover up and justify their unlawful conduct, the Defendants have caused to be written to the Plaintiff most recently a series of letters accusing the Plaintiff inter alia of unlawful conduct including redirecting hits to the Plaintiff's domain www.ride4ceylon.org to www.trek4ceylon.org
32. The Plaintiff states that the Plaintiff is entitled as owner of the said domains to so redirect visits but the said allegation is an inherent admission that the Plaintiff is entitled to the use of the www.ride4ceylon.org domain.
33. The Defendants have also accused the Plaintiff of not using funds given to the Sri Lankan company for their intended purpose. The Plaintiff states that the funds given to the Sri Lankan company can be used for any charitable purpose as is consistent with the objects and purposes of the Sri Lankan company. In any event, the same is irrelevant to the intellectual property rights concerned.
34. The Plaintiff is preparing detailed responses to the said letters.
35. The Plaintiff states that the said letters and their allegation that the Plaintiff has no intellectual property rights in respect of the brand/logo/name in issue has caused the Plaintiff to seek relief from Your Honour's Court.

The Plaintiff annexes hereto all correspondence between and/or on behalf of the Plaintiff and the Defendants inclusive of letters of demand marked "P11a" to "P11q" and pleads the same as part and parcel hereof.

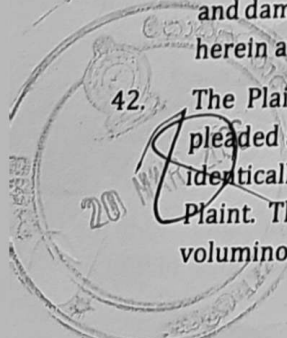
36. The Plaintiff states that the use in Sri Lanka by the Defendants of the name "Ride for Ceylon" and/or the mark set out in "P9" is a dishonest series of act and/or practice contrary to honest trade practises and in violation of Chapter XXXII of the Intellectual Property Act No. 36 of 2003.
37. The Plaintiff states that the actions of the Defendants as aforesaid causes or is likely to cause confusion, misleads the public and/or is likely to do the same, and also damages the goodwill and reputation of the Plaintiff including by dilution of the same.
38. In the aforesaid circumstances a Cause of Action has thus accrued to the Plaintiff to sue the Defendant for:

- a. A Declaration that the use in Sri Lanka by the Defendants of the name "Ride for Ceylon" as set out in the Plaintiff amounts to an act and/or acts of



competition in violation of Chapter XXXII of the Intellectual Property Act No. 36 of 2003;

- b. A Declaration that the use in Sri Lanka by the Defendants of the "Ride for Ceylon" mark as set out in the Complaint amounts to an act and/or acts of unfair competition in violation of Chapter XXXII of the Intellectual Property Act No. 36 of 2003;
 - c. A Permanent Injunction restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the name "Ride for Ceylon" and / or similar name, without the consent of the Plaintiff;
 - d. A Permanent Injunction restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the of the "Ride for Ceylon" mark as set out in the Complaint and/or identical and/or similar mark, without the consent of the Plaintiff;
 - e. An Interim Injunction pending final determination restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the name "Ride for Ceylon" and / or similar name, without the consent of the Plaintiff;
 - f. An Interim Injunction pending final determination restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the of the "Ride for Ceylon" mark as set out in the Complaint and/or identical and/or similar mark, without the consent of the Plaintiff;
 - g. An enjoining order pending determination of the interim injunction inquiry restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the name "Ride for Ceylon" and / or similar name, without the consent of the Plaintiff;
 - h. An enjoining order pending determination of the interim injunction inquiry restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the of the "Ride for Ceylon" mark as set out in the Complaint and/or identical and/or similar mark, without the consent of the Plaintiff;
39. The Plaintiff respectfully states that the Defendants will, unless restrained, continue to wrongfully and unlawfully commit the aforesaid wrongful acts and/or acts of Unfair Competition to the detriment of the Plaintiff.
40. The Plaintiff also states that the Plaintiff is in no manner or form attempting to prevent the Defendants from engaging in charitable rides in a manner not in contravention to the honest trade practises.
41. The Plaintiff states that further irremediable mischief and grave and irreparable loss and damage would be caused to the Plaintiff unless the reliefs prayed for by the Plaintiff herein are granted.
42. The Plaintiff states that the documents produced marked "P-1" to "P-11(h)" and pleaded as part and part of the original Complaint dated 06th March 2026 are also marked identically in this Amended Complaint and pleaded as part and parcel of this Amended Complaint. The Plaintiff states however, to avoid unnecessarily adding to the already voluminous brief in this matter, the Plaintiff has refrained from annexing and



producing the said documents marked "P-1" to "P-11(h)" once again with this Amended Plaintiff, and the Plaintiff most respectfully seeks the permission of Your Honour's Court to rely on the said documents produced with the original Plaintiff which are already part and parcel of the case Record.

43. The Plaintiff values this action for the purpose of stamp duty in a sum of Rs. One Million

WHEREFORE the Plaintiff respectfully prays that Your Honour's Court be pleased to grant:

- a. A Declaration that the use in Sri Lanka by the Defendants of the name "Ride for Ceylon" as set out in the Plaintiff amounts to an act and/or acts of unfair competition against the Plaintiff in violation of Chapter XXXII of the Intellectual Property Act No. 36 of 2003;
- b. A Declaration that the use in Sri Lanka by the Defendants of the "Ride for Ceylon" mark as set out in the Plaintiff amounts to an act and/or acts of unfair competition against the Plaintiff in violation of Chapter XXXII of the Intellectual Property Act No. 36 of 2003;
- c. A Permanent Injunction restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the name "Ride for Ceylon" and / or similar name, without the consent of the Plaintiff;
- d. A Permanent Injunction restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the of the "Ride for Ceylon" mark as set out in the Plaintiff and/or identical and/or similar mark, without the consent of the Plaintiff;
- e. An Interim Injunction pending final determination restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the name "Ride for Ceylon" and / or similar name, without the consent of the Plaintiff;
- f. An Interim Injunction pending final determination restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the of the "Ride for Ceylon" mark as set out in the Plaintiff and/or identical and/or similar mark, without the consent of the Plaintiff;
- g. An enjoining order pending determination of the interim injunction inquiry restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the name "Ride for Ceylon" and / or similar name, without the consent of the Plaintiff;
- h. n enjoining order pending determination of the interim injunction inquiry restraining and preventing the Defendants their agents and / or servants and / or shareholders and / or directors and / or otherwise directly / indirectly from the use in Sri Lanka of the of the "Ride for Ceylon" mark as set out in the Plaintiff and/or identical and/or similar mark, without the consent of the Plaintiff;
- i. Grant Costs;
- j. Grant any such and other further relief as Your Honour's Court shall seem meet.

REGISTERED ATTORNEYS-AT-LAW FOR THE PLAINTIFF

SANATH WIJewardane ASSOCIATES
Attorneys-at-Law

