

By Email & DoT Website

Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001
(Data Services Cell)

No. 813-07/LM-11/2024-DS-II

Dated: 21-02-2025

To,
All the Internet Service Licensees

Subject: CS(COMM) 1149 of 2024: DAZN LIMITED & ANR Vs. BACK.METHSTREAMER.COM & ORS before the High Court of Delhi.

Kindly find enclosed the Hon'ble Delhi High Court order dated 18.12.2024 on the subject matter.

2. Please refer to **Para 52 of the said Court order** in respect of blocking of websites **[28 nos]** enumerated in the **Para 51 of the said court order**.

3. In view of the above, all the Internet Service Licensees are hereby instructed to take immediate necessary action for blocking of the said websites, as above, for compliance of the said court order.

Encl: AA

Digitally signed by

SHASHI KUMAR

Date: 21-02-2025

15:38:56

Director (DS-II)

Email: dirds2-dot@nic.in

Copy to:

i. Sh. V. Chinnasamy, Scientist E (chinnasamy.v@meity.gov.in), Electronics Niketan, Ministry of Electronics and Information Technology (MeitY) New Delhi for kind information and requested for taking action as per Annexure.

ii. Ms. Astha Sehgal <astha@saikrishnaassociates.com> Plaintiff Advocate for kind information. [Requested to take action as per Annexure].

iii. IT wing of DoT for uploading this order on DoT websites please.



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

+ CS(COMM) 1149/2024 with I.A. 48754/2024, I.A. 48755/2024, I.A. 48756/2024, I.A. 48757/2024, I.A. 48758/2024 and I.A. 48759/2024

DAZN LIMITED & ANR.Plaintiffs
Through: Mr. Siddharth Chopra, Mr. Yatinder Garg, Mr. Astha S. and Mr. Akshat Agarwal, Advocates.

versus

BACK.METHSTREAMER.COM & ORS.Defendants
Through:

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

ORDER
18.12.2024

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I.A. 48755/2024 (seeking exemption from filing certified/clearer copies etc.)

1. Allowed, subject to the plaintiffs filing legible copies of the documents within four weeks from today.
2. The application stands disposed of.

I.A. 48756/2024 (u/S 80 of CPC)

3. In view of the urgent relief sought, leave is granted to the plaintiffs to file the suit without serving the notice under Section 80 of Code of Civil Procedure, 1908 ('CPC').

I.A. 48757/2024 (u/O XI Rule 1 (4) of CPC)

4. The present application has been filed on behalf of the plaintiffs seeking leave to file additional documents under the Commercial Courts



Act, 2015.

5. The plaintiffs are permitted to file additional documents in accordance with the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

6. Accordingly, the application is disposed of.

I.A. 48758/2024 (u/S 12-A of the Commercial Courts Act, 2015)

7. As the present suit contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023 SCC Online SC 1382, exemption from the requirement of pre-institution mediation is granted.

8. The application stands disposed of.

I.A. 48759/2024 (u/S 149 of CPC)

9. This application has been filed on behalf of the plaintiffs seeking exemption from filing the entire Court Fees at this stage.

10. Mr. Siddharth Chopra, counsel appearing on behalf of the plaintiffs submits that the entire Court Fees shall be paid within two (2) weeks from today.

11. The statement of the counsel is taken on record.

12. The application stands disposed of.

CS(COMM) 1149/2024

13. Let the plaint be registered as a suit.

14. Issue summons.

15. Summons be issued to the defendants through all modes. The summons shall state that the written statement(s) shall be filed by the defendants within thirty days from the date of the receipt of summons.



Along with the written statement(s), the defendants shall also file affidavit of admission/denial of the documents of the plaintiffs, without which the written statement(s) shall not be taken on record.

16. Liberty is given to the plaintiffs to file replication(s), if any, within thirty days from the receipt of the written statement(s). Along with the replication(s) filed by the plaintiffs, affidavit of admission/denial of the documents of the defendants be filed by the plaintiffs.

17. The parties shall file all original documents in support of their respective claims along with their respective pleadings. In case parties are placing reliance on a document, which is not in their power and possession, its detail and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

18. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

19. List before the Joint Registrar on 19th February, 2025 for completion of service and pleadings.

20. List before the Court 27th March, 2025.

I.A. 48740/2024 (u/O-XXXIX Rule 1 & 2 of CPC, 1908)

21. The present suit has been filed seeking permanent injunction restraining the defendant nos.1 to 28 from infringing the plaintiffs' exclusive broadcasting and reproduction rights, along with other ancillary reliefs.

22. The subject matter of the present suit pertains to the upcoming boxing matches - *Tyson Fury v Oleksandr Usyk Rematch* and all featured undercard bouts taking place in Riyadh, Saudi Arabia, which will include the following fights:

a. Oleksandr Usyk vs. Tyson Fury;



- b. For Usyk's WBA, WBC and WBO heavyweight titles
- c. Serhii Bohachuk vs. Ishmael Davis; Light middleweight
- d. Moses Itauma vs. Demsey McKean; Heavyweight
- e. Johnny Fisher vs. Dave Allen; Heavyweight
- f. Isaac Lowe vs. Lee McGregor; Featherweight (hereinafter collectively referred to as 'Event').

23. The Event is scheduled on 21st December 2024. The live DAZN broadcast will begin at 4 PM GMT; 11AM Eastern Time (ET); 8am Central Time (CT); 7pm Kingdom of Saudi Arabia (KSA). The *Tyson Fury v Oleksandr Usyk Rematch* includes 6 bouts.

24. It is stated in the plaint that the plaintiff no.1 owns and operates the online streaming platform/website '<https://dazngroup.com/>' and <https://www.dazn.com/en-IN/home> (hereinafter, "DAZN") and mobile application. DAZN enables its viewers to watch sporting content including live streaming of sporting events etc. The plaintiffs broadcast various sporting events on its platform and has also been dubbed as the "Netflix of Sports" due to its wide popularity and the host of sporting events that it broadcasts after attaining rights from organisers. Plaintiff no. 2 is the Indian subsidiary of the plaintiff no. 1, overseeing operations in India as well as technological developments.

25. The plaint avers that the plaintiffs have acquired certain exclusive media rights *inter alia* for India territory which includes television rights (to be exercised *via* broadcast delivery systems), digital rights (to be exercised *via* digital delivery systems including through internet and mobile technology), and certain ancillary rights in respect of the Event "*Tyson Fury v Oleksandr Usyk Rematch*" and all featured undercard bouts taking place on



or around 21st December 2024 in Riyadh, Saudi Arabia, from Sela, which is the owner of the exclusive rights in the above-mentioned event. In exercise of the Exclusive Rights granted *vide* the Rights Confirmation Letter dated 8th December 2024, the plaintiffs have the exclusive rights to exploit such rights *via* their Indian subsidiary – plaintiff no. 2. A copy of the said Rights Confirmation Letter has been placed on record by the plaintiffs as document no. 6 filed along with the plaint. Consequently, the plaintiffs enjoy broadcast reproduction rights which are contemplated and conferred in terms of Section 37 of the Copyright Act, 1957 [hereinafter ‘Copyright Act’].

26. It is stated that the plaintiffs have paid a significant consideration for the acquisition of the media rights in the Event and are also expecting to earn substantial revenue from the broadcast and live streaming of the Event on its digital platform. Earning such revenue is the only way the plaintiffs can recoup the huge investment made in acquisition of the media rights.

27. It came to the knowledge of the plaintiffs that certain rogue websites are infringing the plaintiffs’ rights and the rights of various third-party owners. The said rogue websites/domain names have been impleaded in the present suit as defendant nos. 1 to 28.

28. Defendant nos. 29 to 36 are Domain Name Registrars (DNRs) of the domain names, where the said rogue websites are being hosted.

29. Defendant nos. 37 to 45 are various Internet Service Providers (ISPs), and Telecom Service Providers (TSPs).

30. Defendant no. 46 is National Internet Exchange of India (NIXI).

31. Defendant Nos. 47 and 48 are, respectively, the Department of Telecommunications (DoT) and Ministry of Electronics and Information Technology (MeitY).



32. It is contended that based on past instances of illegal dissemination of major sporting events, such as the recently concluded ‘*Artur Beterbiev vs Dmitry Bivol Fight Card*’ which was scheduled on 12th October 2024, the plaintiffs strongly apprehend that once the boxing matches – ‘*Tyson Fury v Oleksandr Usyk Rematch*’ commence, given their status as one of the most popular boxing event in the world, a large number of websites, including, but not limited to defendant nos.1 to 28, are likely to indulge in unauthorized disseminations and communications of the said matches and parts thereof, on online platforms.

33. Additionally, the plaintiffs believe that a large number of rogue websites, upon being blocked/ taken down, may also create further mirror websites to continue the illegal transmission/ communication/ broadcast of the Event.

34. Mr Sidharth Chopra, counsel appearing on behalf of the plaintiffs submits that on previous occasions, while an initial injunction has typically been granted in respect of the few websites identified in the plaint, a substantial number of rogue websites tend to be subsequently uncovered, which continue to unlawfully disseminate the sporting events. Accordingly, such rogue websites have been enjoined and taken down by virtue of the ‘dynamic injunction’ granted by this Court, details of which are given at pages 1253 to 1498 of the documents filed by the plaintiffs along with the plaint.

35. Mr Chopra therefore submits that there is an urgent need to restrain such rogue websites on a real time basis, without requiring parties to first approach the Court, by filing affidavits in respect of each such website(s) which start unauthorizedly disseminating/ telecasting matches. Accordingly,



the plaintiffs seek a ‘dynamic +’ injunction to ensure protection of the plaintiffs’ rights over works mentioned in the plaint, as well as any other protected content generated during the pendency of the suit proceedings. [See: *Universal City Studios LLC v. Dotmovies.baby*, 2023:DHC:5842].

36. Attention of this Court has been drawn to a list of cases, wherein, similar issue was involved and orders have been passed by this Court granting dynamic injunction, detailed at Pg.1213 to 1217 of the documents filed along with the plaint.

37. I have heard the counsel for the parties and perused the material on record.

38. Having considered the submissions and prayers outlined in the present application, the Court recognizes the widespread appeal and significance of the Event, particularly, given the popularity of boxing in India. These events are broadcasted through the plaintiffs’ website and mobile application i.e. DAZN, which is accessible across a variety of digital devices including computers, smartphones, tablets, and other electronic gadgets. The plaintiffs have secured the digital and television broadcasting rights for various events, including, the Event as specified in the rights confirmation letter, through substantial financial investment.

39. The unauthorized dissemination, telecasting, or broadcasting of the Event on various websites and digital platforms, pose a significant threat to the plaintiffs’ revenue streams. Such illicit activities undermine the value of the considerable investment made by the plaintiffs in acquiring these rights. Additionally, the broadcast content, including footage, commentary, and other composite elements, is fully safeguarded under the Copyright Act.



40. Thus, the unauthorized use of these elements not only affects the financial returns, but also infringes upon the copyright protections accorded to the broadcast content. It is, thus, imperative to recognize the legal rights associated with the creation and dissemination of this content, emphasizing the need for stringent measures to prevent unauthorized broadcasts and safeguard the plaintiffs' interests.

41. The issue of rogue websites engaging in the piracy of copyrighted content presents a recurring threat, especially, with the imminent Event. These sites have demonstrated a propensity to illegally broadcast copyrighted works, underscoring the urgency to pre-emptively block their access to such content. Consequently, there's a critical need for judicial intervention to prohibit these rogue websites from disseminating or communicating any portions of the Events, without proper authorization or licensing from the plaintiffs.

42. The dynamic and ever-evolving nature of the digital landscape necessitates that court orders are not static but evolve in tandem with the technological advancements and challenges posed by the virtual domain. The legal remedies must remain robust and effective in curtailing copyright infringement, particularly, in the fast-paced environment of the internet. In **Universal City Studios** (*supra*), this Court has elucidated on this issue, relevant portion whereof, is extracted as under:

"17. Any injunction granted by a Court of law ought to be effective in nature. The injunction ought to also not merely extend to content which is past content created prior to the filing of the suit but also to content which may be generated on a day-to-day basis by the Plaintiffs. In a usual case for copyright infringement, the Court firstly identifies the work, determines the Copyright of the Plaintiff in the said work, and thereafter grants an injunction. However, owing to the nature of the illegalities that rogue websites indulge in, there is a need to pass



injunctions which are also dynamic qua the Plaintiffs as well, as it is seen that upon any film or series being released, they may be immediately uploaded on the rogue websites, causing severe and instant monetary loss. Copyright in future works comes into existence immediately upon the work being created, and Plaintiffs may not be able to approach the Court for each and every film or series that is produced in the future, to secure an injunction against piracy.

19. **As innovation in technology continues, remedies to be granted also ought to be calibrated by Courts.** This is not to say that in every case, an injunction qua future works can be granted. Such grant of an injunction would depend on the fact situation that arises and is placed before the Court.

20. In the facts and circumstances as set out above, an ex parte ad interim injunction is granted restraining the Defendants, who are all rogue websites, from in any manner streaming, reproducing, distributing, making available to the public and/or communicating to the public any copyrighted content of the Plaintiffs including future works of the Plaintiffs, in which ownership of copyright is undisputed, through their websites identified in the suit or any mirror/redirect websites or alphanumeric variations thereof including those websites which are associated with the Defendants' websites either based on the name, branding, identity or even source of content. **To keep pace with the dynamic nature of the infringement that is undertaken by hydra-headed websites, this Court has deemed it appropriate to issue this 'Dynamic+ injunction' to protect copyrighted works as soon as they are created, to ensure that no irreparable loss is caused to the authors and owners of copyrighted works, as there is an imminent possibility of works being uploaded on rogue websites or their newer versions immediately upon the films/shows/series etc.** The Plaintiffs are permitted to implead any mirror/redirect/alpha numeric variations of the websites identified in the suit as Defendants Nos.1 to 16 including those websites which are associated with the Defendants Nos.1 to 16, either based on the name, branding, identity or even source of content, by filing an application for impleadment under Order I Rule 10 CPC in the event such websites merely provide new means of accessing the same primary infringing websites that have been enjoined. The Plaintiffs are at liberty to also file an appropriate application seeking protection qua their copyrighted works, including future works, if the need so arises. Upon filing such applications before the Registrar along with an affidavit with sufficient supporting evidence seeking extension of the injunction to such websites, to protect the content of the Plaintiffs, including future works, the injunction shall become operational against the said websites and qua such works. If there is any work in respect of which there is any dispute as to ownership of copyright, an application may be moved by the affected party before



the Court, to seek clarification.”

(Emphasis Supplied)

43. In view of the above, given the fact that the plaintiffs’ digital rights, as acquired from Sela are in question, the Court is of the view that the plaintiffs have made out a *prima facie* case for grant of an *ex-parte ad-interim* injunction.

44. If an *ex-parte ad-interim* injunction is not granted at this stage, irreparable harm would be caused to the plaintiffs. Balance of convenience also lies in the favour of the plaintiffs. The need for immediate relief is particularly pressing in this case, considering the live broadcast of the Event, which are characterized by their brief duration. The short duration of these matches means that any delay in blocking access to rogue websites, could lead to significant financial losses for the plaintiffs, and an irreparable breach of their broadcast reproduction rights. Therefore, swift action to prevent such infringements is crucial to preserving the plaintiffs’ investment in the broadcasting rights and maintaining their copyright protections.

45. None appears on behalf of the defendants despite advance service of the plaint paper book.

46. Issue Notice.

47. Notice be issued to the defendants *via* all permissible modes, including e-mail.

48. Reply(ies) be filed within four (4) weeks.

49. Rejoinder(s) thereto, if any, be filed within two (2) weeks thereafter.

50. Accordingly, till the next date of hearing the defendant nos.1 to 28, and/or any person acting on their behalf, are restrained from communicating, hosting, streaming, screening, disseminating or making available for



viewing/ downloading, without authorization, any part of the Event on any electronic or digital platform, in any manner whatsoever.

51. The defendant nos. 29 to 36, i.e., the Domain Name Registrars and defendant no. 46 i.e. NIXI - National Internet Exchange of India, are directed to lock and suspend the following domain names of defendant nos.1 to 28 (detailed below) within 72 hours of being communicated a copy of this order by the plaintiffs. Further, they shall file an affidavit in a sealed cover disclosing the complete details of defendant nos.1 to 28, as available with them, including e-mail addresses, mobile numbers, contact details, payment details and KYC details, within a period of two (2) weeks from date of communication of this order.

Defendant No.	Website	DNR	Defendant No.
1.	back.methstreamer.com	Tucows Domains Inc.	29
2.	methstreams.com	Tucows Domains Inc.	29
3.	pawastreams.org	NameCheap, Inc.	30
4.	pre.1stream.me	NameCheap, Inc.	30
5.	pre.methstreams.me	NameCheap, Inc.	30
6.	apkship.xyz	GoDaddy.com, LLC	31
7.	streamseast.tv	GoDaddy.com, LLC	31
8.	strims.in	Tucows Domains Inc (NIXI)	29
9.	the.crackstreams.ws	NameCheap, Inc.	30
10.	the.streameast.app	Tucows	29



		Domains Inc	
11.	totalsportek.best	NameCheap, Inc	30
12.	totalsportk.org	NameCheap, Inc	30
13.	tv247365.info	PDR Ltd. - Public Domain Registry	32
14.	v1.bestsolaris.com	NameCheap, Inc.	30
15.	worldstreams.live	GoDaddy.com, LLC	31
16.	buffstreams.ai	NameCheap, Inc	30
17.	buffstreams.app	Tucows Domains Inc.	29
18.	djmafia.in	Dreamscape Networks International Pte. Ltd. (NIXI)	33
19.	feedzstream.com	Dynadot Inc.	34
20.	footybite.gg	NameCheap, Inc.	30
21.	klubsports.fun	NameCheap, Inc.	30
22.	livetv817.me	NameCheap, Inc.	30
23.	n4.ninjastream.org	PDR Ltd. - Public Domain Registry	32
24.	shootv.in	Spaceship, Inc.	35
25.	sportsnest.co	NameCheap, Inc.	30
26.	streamking.live	NameCheap, Inc.	30
27.	v3.streameast.to	TONIC	36
28.	www1.ihdstreams.xyz	NameCheap, Inc.	30



52. The defendant nos. 37 to 45, i.e., ISPs/ TSPs, are also directed to block the websites of defendant nos.1 to 28, immediately upon receiving copies of this order from the plaintiffs. Defendant nos. 47 and 48 are directed to issue necessary directions to all ISPs and TSPs for blocking/removing access to these websites.

53. During the currency of the Event, if any further websites are discovered, which are illegally streaming and communicating content over which the plaintiffs have rights, the plaintiffs are granted liberty to communicate the details of such websites to the defendant nos.47 (DoT) and 48 (MeitY), for issuance of blocking orders, and simultaneously to the ISPs /DNRs for blocking the said websites, so as to ensure that these websites can be blocked on a real time basis and there is no undue delay. Upon receiving the said intimation from the plaintiffs, the ISPs shall take steps to immediately block the rogue websites in question. Likewise, the DoT and MeitY shall also issue necessary blocking orders immediately upon the plaintiffs communicating the details of the websites, which are illegally streaming the Event.

54. After communicating details of the rogue websites to the concerned authorities, plaintiffs shall file affidavits with the Court in order to ensure that the Court is fully informed of the websites in respect of which blocking orders are sought.

55. If any website, which is not primarily an infringing website, is blocked pursuant to the present order, they shall be permitted to approach the Court by giving an undertaking that it does not intend to engage in any unauthorized or illegal dissemination of the Event or any other content over



which the plaintiffs have rights. In such a situation the Court would consider modifying the injunction as the facts and circumstances, so warrant.

56. In the unique facts of this case, plaintiffs are permitted to ensure compliance of Order XXXIX Rule 3 of Code of Civil Procedure, 1908 through email, within a period of one (1) week, from today.

57. List before the Joint Registrar on 19th February, 2025 for completion of service and pleadings.

58. List before the Court on 27th March, 2025.

59. *Dasti* under signatures of Court Master.

AMIT BANSAL, J

DECEMBER 18, 2024

Vivek/-

Annexure

Subject: Action requested to be taken by MEITY and Plaintiff for effective removal of content for viewing by public at large within India as per the said orders of Hon'ble Court.

It is observed that a number of orders of Hon'ble Court are issued for blocking of websites every month. There are around more than 2700 ISPs in India and these ISPs are connected among themselves in a mesh network. DOT is instructing each of the ISPs through emails/through its website for blocking of the websites as ordered by the Hon'ble Courts. Ensuring compliance of the orders by each of the ISPs is a time-consuming and complex task especially in view of multiplicity of orders of Hon'ble Courts, multiplicity of websites to be blocked and multiplicity of ISPs.

2. Allocation of Business Rules inter-alia states thus:-

'Policy matters relating to information technology; Electronics; and Internet (all matters other than licensing of Internet Service Provider).'

3. In view of above and in order to ensure effective removal by content for viewing by public at large, the plaintiff is requested to do a trace route of the web server hosting the said website. In case the web server happens to be in India, the plaintiff may inform the same to Meity who may direct the owner of such web server to stop transmission of content as per IT Act and as directed by the Hon'ble Court so that the content would be blocked from the source itself and the exercise of blocking by 2700 ISPs would not be required.

4. In case such server is located abroad i.e. outside India then access to such URL/website can be blocked through the international internet gateways which are much less in number. This would result in timely and effectively removal of undesirable content for viewing by public at large as is the requirement as per the orders of Hon'ble Court.