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-27/2019-DS-II **Dated 08.08.2024**

20

To

All Internet Service Licensee's

Subject: C.S.(COMM) No. 399 of 2019; Warner Bros. Entertainment Inc. vs. http://mp4moviez.io & Ors., before Hon'ble Delhi High Court

Kindly refer to the following:

(i) Hon'ble Delhi High Court order dated **05.08.2024** on the subject.
(ii) **Para 23** of Hon'ble Delhi High Court order dated **05.08.2019** regarding blocking of **websites** identified by plaintiff.
(iii) Memo of Parties in CS (Comm) No. **399 of 2019**.

(Copies enclosed for ready reference)

2. In view of the above all the Internet Service licensees are hereby instructed to take immediate necessary action for blocking access to websites of defendants no. **30-34.**

Director (DS-II)
Email: dirds2-dot@nic.in

Encl: A/A

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 with request to take action as per **Annexure.**

(ii) **Sanidhya Maheshwari**, (s.maheshwari@saikrishnaassociates.com) Plaintiff Advocate for kind information.

a) Take action as per Annexure.

(iii) IT wing of DoT for uploading on DoT websites please.

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

\+ CS(COMM) 399/2019

WARNER BROS. ENTERTAINMENT INC. .....Plaintiff

Through: Ms. Anjali Agarwal, Ms. Mehr Sidhu, Mr. Raghav Goyal & Ms. Priyanka Jaiswal, Advs.
(M- 7862887964)

versus

HTTP://MP4MOVIEZ.IO & ORS. .....Defendant

Through: None.

CORAM:
SIDHARTH MATHUR (DHJS), JOINT REGISTRAR (JUDICIAL)

O R D E R

% 05.08.2024

IA No. 34511/2024 (By plaintiff u/o 1 Rule 10 CPC seeking impleadment of additional mirrors, redirects, or alphanumeric variations as defendants in the memo of parties)

The plaintiff is seeking to implead additional mirrors/re-directs/alphanumeric variations as the defendant no. 30 to 34 since they are illegally distributing the copyrighted content of the plaintiff. The relevant details of this infringer are mentioned in para no. 2 of the application. Keeping in view, the contents of this application so read in the light of the prayers made in the suit, the same is allowed.

It is worthwhile to note that the additional mirrors/re-directs/alphanumeric variations impleaded as the defendant nos. 30 to 34 shall be subject to the decree already passed in the suit.

SIDHARTH MATHUR (DHJS)
JOINT REGISTRAR (JUDICIAL)

AUGUST 5, 2024/jr

Click here to check corrigendum, if any

$~23

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

\+ CS(COMM) 399/2019

WARNER BROS. ENTERTAINMENT INC. ..... Plaintiff

Through: Ms. Suhasini Raina, Mr. Saikrishna Rajagopal, Ms. Disha Sharma, Ms. Snehima Jauhari, Ms. Surbhi Pande and Mr. Vivek Ayyagri, Advocates.

versus

HTTP://MP4MOVIEZ.IO & ORS. ..... Defendants

Through:

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 05.08.2019

I.A. 10536/2019 (Exemption)

1. Exemption allowed, subject to all just exceptions.

I.A. 10537/2019 (under Section 80 CPC)

2. Issue notice to the non applicants/Defendant Nos. 13 and 14 by all modes including email, returnable on 24th October 2019.

CS(COMM) 399/2019

3. At the outset, the attention of learned counsel for the Plaintiff is drawn to Order I Rule 2 and 3A, CPC and it is queried as to why multiple suits have been filed when common question of fact and law apparently arises on the

basis of pleadings in all the suits being CS(OS) 400/2019, CS(OS) 402/2019, CS(OS) 403/2019, CS(OS) 407/2019 and CS(OS) 409/2019. Learned Counsel responded by inter alia stating that there is no commonality amongst the Defendants arrayed in the above suits. It was then further queried that even if there was an element regarding severability of the causes of action qua the Defendants, would the Court not be empowered to order a separate trial in case it appears that the joinder of Defendants is likely to embarrass or delay the trial of the suit. Mr. Saikrishna Rajagopal, learned counsel for the Plaintiff submits that going forward he would look into this aspect.

4. Let the plaint be registered as a suit.

5. Issue summons to Defendant Nos. 1 to 3 through email and to Defendant Nos. 4 to 14 through all modes upon filing of Process Fee.

6. The summons to the Defendants shall indicate that a written statement to the plaint shall be filed positively within 30 days from date of receipt of summons. Along with the written statement, the Defendants shall also file an affidavit of admission/denial of the documents of the Plaintiff, without which the written statement shall not be taken on record.

7. Liberty is given to the Plaintiff to file a replication within 15 days of the receipt of the written statement. Along with the replication, if any, filed by the Plaintiff, an affidavit of admission/denial of documents of the Defendants, be filed by the Plaintiff, without which the replication shall not

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

8. List before the Joint Registrar for marking of exhibits on 27th September 2019. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

9. List before Court on 24th October 2019.

I.A. 10535/2019 (U/O 39 Rule 1 & 2 CPC)

10. Issue notice to Defendant Nos. 1 to 3 through email and to Defendant Nos. 4 to 14 through all modes upon filing of Process Fee, returnable on 24th October 2019.

11. The present suit has been filed for permanent injunction, rendition of accounts and damages etc. Plaintiff- Warner Bros. Entertainment Inc., is a Company incorporated at the state of Delaware, having its office at 4000 Warner Boulevard, Burbank, California 91522, United States of America.

12. Defendants Nos. 1 to 3, https://Mp4moviez.io, https://Mp4moviez.la, https://Mp4moviez.in, https://Mp4moviez.desi, (hereinafter Defendant No. 1), http://Mp4moviez.lol (hereinafter Defendant No. 2), https://Mp4moviez.im (hereinafter Defendant No. 3), [hereinafter collectively referred to as Defendant websites] are online locations which enables users of the Defendant Websites' services to: (a) view (by a process known as "downloading") cinematograph films, being motion pictures,

television programs or other audio-visual content, on devices connected to the Internet; (b) cause copies of those cinematograph films to be downloaded onto the memory of their devices for watching later or enabling others to watch or further copy those cinematograph films; and/or (c) identify other online locations including (by a process known as "linking") which enables those users to engage in the activities set out in (a) or (b).

13. It is stated in the plaint that Defendant Websites are primarily and substantially engaged in communicating to the public, hosting, streaming and/or making available to the public Plaintiff's original content without authorization, and/or facilitating the same. Defendant Nos. 1 to 3 are making available, illegally and unauthorizedly, content of various third parties like UTV Software Communications Ltd., STAR India Pvt. Ltd., Disney Enterprises, Inc., Paramount Pictures Corporation, Columbia Pictures Industries, Inc., Universal City Studios LLC., and Netflix Entertainment Services India LLP, etc. (hereinafter referred to as 'studios').

14. It is further submitted that Plaintiff's films are works of visual recording and include sound recordings accompanying such visual recordings, which qualify as a "cinematograph film" under Section 2(f) of the Copyright Act, 1957 (hereinafter 'the Act'). Further, by virtue of Section 13(1) read with Section 13(2), Section 5 and Section 40 of the Act, the Plaintiff's cinematograph films whether released or not released in India would be entitled to all rights and protections granted under the Act for cinematograph films. The cinematograph films produced by the Plaintiff are "works" as defined under Section 2(y) of the Act, Plaintiff has all the rights in such

cinematograph films granted under Section 14(d) of the Act, and Plaintiff is author and/or first owner and/or owners (under Section 17 of the Act) of the following illustrative list of cinematograph films that are entitled to protection under the Act:

S.No.	Film	Year
1.	Aquaman	2018
2.	A Star Is Born	2018
3.	Wonder Woman	2017
4.	Arrow, Season 7, Episode 22	2019

15. In order to protect and enforce their exclusive rights, the Plaintiff investigated and monitored the Defendant Websites and gathered evidence of their infringing activity. During the period of investigation the Defendant Websites infringed the Plaintiff's Original Content or facilitated the same, using or facilitating the use of the Defendant Websites, inter alia, by downloading and streaming the Plaintiff's Original Content. The illustrative list of illegal content made available by Defendant Nos. 1 to 3, that are entitled to protection under the Act are mentioned hereinbelow:

Studio	Film	Year
Columbia	Miracles from Heaven	2016
Columbia	This is the End	2013
DEI	Finding Dory	2016
DEI	The Jungle Book	2016

Paramount	Transformers: The Last Knight	2017
Paramount	Transformers: Age of Extinction	2014
Paramount	xXx: Return of Xander Cage	2017
Universal	Straight Outta Compton	2015
Universal	The Purge: Election Year	2016
Universal	The Secret Life of Pets	2016
Netflix	Stranger Things	2017-2019
Netflix	Santa Clarita Diet	2018-2019

16. Learned counsel for the Plaintiff submits that legal notice was served upon the Defendant Websites calling upon them to cease from engaging in their infringing activities. Despite such legal notices, the Defendant Websites continue to infringe the rights in Plaintiff's Original Content. The Defendant Websites are therefore willfully infringing Copyright material and ignoring or failing to respond to notice to cease all infringement.

17. Learned Counsel for the Plaintiff submits that Defendant Websites provides illegal content directly for free without any requirement of registration by users, and such availability of content is supported by the advertisements featured on the website. The primary purpose of the Defendant Websites is to commit or facilitate copyright infringement. Thus, Defendant Nos. 1 to 3 are liable for infringement under Section 51(a)(ii), Section 51(b), and Section 51(a)(i) for making a copy of the Original Content including the storing of it in any medium by electronic or other means and communicating the Original Content to the public. Further the

hosting, streaming, reproducing, distributing, making available to the public, and/or communicating to the public of the Original Content, or facilitating the same, without authorization of the Plaintiff amounts to violation of the Plaintiff's copyright work, protected under the Act. In support of his contentions reliance has also been placed on the decision of this court in ***CS(COMM) 724/2017*** dated 11th April, 2019, ***UTV Software Communication Ltd. vs. 1337X.TO and Ors***

18. Plaintiff has arrayed various internet and telecom services providers (ISPs) as Defendant Nos. 4 to 12 (hereinafter "the said ISPs") in the present suit to ensure the effective implementation of any relief that this Hon'ble Court may grant in favour of the Plaintiff. The limited relief being claimed against the said ISPs is to ensure the effective implementation of any order that this Hon'ble Court may be pleased to grant in favour of the Plaintiff by disabling access of the Defendant Websites in India.

19. Plaintiff has also arrayed Defendant No. 13, the Department of Telecommunications (DoT), and Defendant No. 14, the Ministry of Electronics and Information Technology (MEITY), for a similar reason. The limited relief being claimed against the DoT and the MEITY is the issuance of a notification to the internet and telecom service providers registered with it to disable access into India of the Defendant Websites.

20. In view of the averments noted hereinabove and in view of the judgment passed in ***UTV Software Communication Ltd.*** (supra), this Court is of the opinion that a prima facie case is made out in favour of the Plaintiff and

balance of convenience is also in its favour. Further, irreparable harm or injury would be caused to the Plaintiff if an ad interim injunction order is not passed.

21. Consequently, Defendant Nos. 1 to 3 (and such other domains/domain owners/website operators/entities which are discovered during the course of the proceedings to have been engaging in infringing the Plaintiff's exclusive rights), their owners, partners, proprietors, officers, servants, employees, and all others in capacity of principal or agent acting for and on their behalf, or anyone claiming through, by or under it, are restrained from, hosting, streaming, reproducing, distributing, making available to the public and/or communicating to the public, or facilitating the same, in any manner, on their websites, through the internet any cinematograph work/content/programme/ show in relation to which Plaintiff has copyright.

22. Further, as held by this court in ***UTV Software Communication Ltd.*** (supra), in order for this court to be freed from constant monitoring and adjudicating the issues of mirror/redirect/alphanumeric websites it is directed that as and when Plaintiff files an application under Order I Rule 10 for impleadment of such websites, Plaintiff shall file an affidavit confirming that the newly impleaded website is mirror/redirect/alphanumeric website with sufficient supporting evidence. Such application shall be listed before the Joint Registrar, who on being satisfied with the material placed on record, shall issue directions to the ISPs to disable access in India to such mirror/redirect/alphanumeric websites.

23. Defendant Nos. 4 to 12, shall ensure compliance of this order by blocking, the websites, their URL's and the respective IP address as under:

List of Websites

Domain	URLs	IP Addresses
Mp4moviez.lol	http://Mp4moviez.lol	104.27.163.251
Mp4moviez.la	http://Mp4moviez.la	104.24.97.140
Mp4moviez.in	http://Mp4moviez.in	104.31.65.171
Mp4moviez.desi	http://Mp4moviez.desi	104.24.98.173
Mp4moviez.io	http://Mp4moviez.io	104.27.189.22
Mp4moviez.im	http://Mp4moviez.im	104.27.188.14

Further, Defendant Nos. 13 and 14 are directed to suspend the aforenoted domain name registration of Defendant Nos. 1 to 3 and issue requisite notifications within 5 working days calling upon various internet and telecom service providers registered under them to block the aforenoted websites identified by Plaintiff.

24. Let provisions of Order XXXIX Rule 3 CPC be complied by way of email within a period of one week.

25. Copy of this order be given dasti under the signatures of the Court Master.

-sd-

SANJEEV NARULA, J

AUGUST 05, 2019
nk

True copy
Nandan
06/8/19
Court Master
High Court of Delhi
New Delhi

IN THE HIGH COURT OF DELHI AT NEW DELHI

(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

I.A. NO. _____ OF 2024

IN

CS(COMM) NO. 399 OF 2019

IN THE MATTER OF

Warner Bros. Entertainment Inc. ….Plaintiff

Versus

HTTP://MP4MOVIEZ.IO & Ors. ...Defendants

AMENDED MEMO OF PARTIES

IN THE MATTER OF:

Warner Bros. Entertainment Inc.
4000 Warner Boulevard,Burbank
California 91522, United States of America
Email:antipiracy@warnerbros.com ….Plaintiff

Versus

1) https://Mp4moviez.io
https://Mp4moviez.la
https://Mp4moviez.in
https://Mp4moviez.desi
Email:support@registry.la
abuse@name.com

2) http://Mp4moviez.lol
Email:movieplanet9@gmail.com

3) https://Mp4moviez.im
Email:info@nic.im

4) Atria Convergence Technologies Pvt. Ltd.
99A/113A, Manorayana Palya
R.T. Nagar Bangalore – 560032

Also At:
2nd and 3rd Floor, No. 1,
Indian Express Building, Queen's Road,
Bangalore 560001 Karnataka
nodal.term@actcorp.in;
Jitesh.chathambil@actcorp.in

5) Bharat Sanchar Nigam Ltd.
Bharat Sanchar Bhawan, Regulation Cell
5th floor, Harish Chandra Mathur Lane
Janpath, New Delhi -110001
ddg_reg@bsnl.co.in; sbkhare@bsnl.co.in
averma@bsnl.co.in;
sushmamishra71@gmail.com

6) Bharti Airtel Ltd.
Airtel Centre, Tower-A, 6th floor
'A'Wing, Plot No.16, Udyog Vihar
Ph - IV, Gurgaon – 122016

ravi.gandhi@airtel.in;121@in.airtel.com; compliance.officer@bharti.in;jyoti.pawar@in.airtel.com ; Ravi.gandhi@airtel.com

7) Hathway Cable & Datacom Pvt. Ltd.
'Rahejas',4 floor, Main Avenue
Santacruz (W), Mumbai-400054
ajay.singh@hathway.net; dulal@hathway.net; Sudhir.shetye@hathway.net

8) Mahanagar Telephone Nigam Ltd.
5th Floor, Mahanagar Doorsanchar Sadan
9, CGO Complex, Lodhi Road
New Delhi – 110003
raco.mtnl@gmail.com; mtnlcsco@gmail.com
gmracomtnl@gmail.com

9) Reliance Jio Infocomm Limited
RCP 14 (TC 23), Phase 4,
B-Block , 3rd Floor,
C 4 130 Twane- belapur Road,
Gansoli,
Navi Mumbai- 400701
care@jio.com
Hitesh.marthak@relianceada.com
Kapoor.guliani@ril.com
mahipal.singh@ril.com
sunil.kr.gupta@ril.com
shilpi.kant@ril.com
jyoti.jain@ril.com
rudrakha.sinha@ril.com
Sinharudrakha@gmail.com
Neelakantan.An@ril.com

10) Shyam Spectra Pvt. Ltd.
Plot No. 258,
Okhla Industrial Estate, Phase III,
New Delhi – 110020

Also at:
Plot No. 21-22, 3rd Floor
Udyog Vihar, Phase IV, Gurugram -122015
info@spectra.co; compliance@spectra.co
support@spectra.co

11) Tata Teleservices Ltd.
A, E & F Blocks
Voltas Premises - T. B. Kadam Marg
Chinchpokli, Mumbai – 400033
pravin.jogani@tatatel.co.in; anand.dalal@tatatel.co.in;
satya.yadav@tatatel.co.in; gaganjit.sidhu@tatatel.co.in

12) Vodafone India Limited
Vodafone House,
Peninsula Corporate Park,
Ganpatrao Kadam Marg,
Lower Parel, Mumbai - 400 013 India

Also At:
Birla Centurion,
10th Floor, Plot no.794,
B Wing, Pandurang Budhkar Marg,
Worli, Mumbai - 400 030 India

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nodal.mum@vodafone.com
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Radhika.gokhale@vodafoneidea.com
sheena.thukral@vodafoneidea.com
sanjeet.sarkar@vodafoneidea.com
lavati.sairam@vodafoneidea.com

13) Department of Telecommunications

Through Secretary,

Ministry of Communications and IT,

20, Sanchar Bhawan, Ashoka Road,

New Delhi – 110001

secy-dot@nic.in, dirds2-dot@nic.in,

14) Ministry of Electronics and Information Technology

Through the Director General (DIT) Cyber Laws & e-security),

Electronics Niketan, 6, CGO Complex,

Lodi Road, New Delhi – 110003

gccyberlaw@meity.gov.in; cyberlaw@meity.gov.in

15) Ashok Kumars

16) Mp4moviez.tube

Email:abuse@godaddy.com

17) Mp4moviez.org.in

Email: abuse@godaddy.com

18) Mp4moviez.how

Email: abuse@enom.com

19) Mp4moviez.vegas

Email:abuse@namecheap.com

20) Mp4moviez.wales

Email:abuse@namecheap.com

21) Mp4moviez.vin

Email:abuse@name.com

22) Mp4moviez.photo

Email:abuse@cloudflare.com

23) Mp4moviez.study

Email:abuse@namecheap.com

24) Mp4moviez.berlin

Email:reg-admin@enom.com

25) Mp4moviez.gs

Email:admin@mp4moviez.in,

26) Mp4moviez.gy

Email: abuse@cloudflare.com

27) Mp4moviez.irish

Email:domainabuse@tucows.com

28) Mp4moviez.nagoya
Email:abuse@namecheap.com

29) Mp4moviez.gallery
Email:abuse@name.com

30) mp4moviez.guide
Email:abuse@namecheap.com,
admin@mp4moviez.in

31) mp4moviez.garden
Email: abuse@namecheap.com

32) mp4moviez.limited
Email: abuse@namecheap.com

33) mp4moviez.legal
Email: abuse@namecheap.com

34) mp4moviez.bingo
Email: abuse@namecheap.com

….Defendants

Place: New Delhi
Date: 24th July, 2024

Suhasini Raina (D/2982/2011)
Saikrishna & Associates
Advocates for the Plaintiff
57, Jor Bagh, Delhi – 110003

Annexure

Subject: Action requested to be taken by MEITY and Plantiff 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 sates 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 plantiff 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 plantiff 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.