

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-01/2025-DS-II

Dated:11-02-2025

To,

All the Internet Service Licensees

Subject: CS (Comm.) 87 of 2025; WINZO GAMES PRIVATE LIMITED Vs. FABZEN TECHNOLOGIES PRIVATE LIMITED & ORS. before Hon'ble Delhi High Court

Kindly find enclosed the Hon'ble Delhi High Court order dated**31.01.2025** on the subject matter.

2. Please refer to the **para 48(iv)** of the said court order in respect of blocking of **websites** enumerated in the said para.
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: 11-02-2025
12:21:44

**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 as per **Annexure**.
- ii. M r . Shivansh Tiwari <Shivansh@ira.law> Plaintiff Advocate for kind information pl. [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) 87/2025 & I.A. Nos. 2626/2025, 2627/2025, 2628/2025,
 2629/2025 & 2630/2025

WINZO GAMES PRIVATE LIMITEDPlaintiff

Through: Ms. Abhilasha Nautiyal with
 Ms. Geetanjali Visvanathan and
 Mr. Shivansh Tiwari, Advocates.
 (M): 9711953311
 Email: office@ira.law

versus

FABZEN TECHNOLOGIES PRIVATE LIMITED &
 ORS.Defendants

Through: Mr. Varun Khanna with Ms. Navlin
 Swain , Mr. Gautam Bhasin and
 Mr. Avinash Nagarwal, Advocates
 for defendant nos. 1 and 2.
 (M): 9999306881
 Mr. Mrinal Ojha with Ms. Debarshi
 Dutta, Mr. Arjun Mookerjee and Mr.
 Rishabh Agarwal, Advocates for
 defendant no. 3.
 (M): 9674388460
 Email: arjun.mookerjee@solarislegal.in

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
31.01.2025

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I.A. 2627/2025 (Exemption from filing clear copies of documents)

1. The present is an application under Section 151 of the Code of Civil Procedure, 1908 ("CPC"), on behalf of the plaintiff, seeking exemption from



filing translated copies, clearer copies, documents with correct margins.

2. Exemption is granted, subject to all just exceptions.

3. Plaintiff shall file legible, clear, and translated copies of the documents, on which the plaintiff may seek to place reliance, before the next date of hearing.

4. Accordingly, the present application is disposed of.

I.A. 2629/2025 (Exemption from undergoing Pre-Institution Mediation)

5. The present is an application under Section 12A of the Commercial Courts Act, 2015, read with Section 151 of CPC, seeking exemption from undergoing Pre-Institution Mediation.

6. Having regard to the facts of the present case and in the light of the judgments of Supreme Court in the case of *Yamini Manohar Versus T.K.D. Keerthi, 2023 SCC OnLine SC 1382*, and Division Bench of this Court in *Chandra Kishore Chaurasia Versus RA Perfumery Works Private Ltd., 2022 SCC OnLine Del 3529*, exemption from attempting Pre-Institution Mediation is granted.

7. Accordingly, the application stands disposed of.

I.A. 2628/2025 (Application seeking leave to file additional documents)

8. This is an application under Order XI Rule 1(4) read with Section 151 CPC as amended by the Commercial Courts Act, 2015, seeking leave to file additional documents.

9. The plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly as per the provisions of Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

10. The application is disposed of, with the aforesaid directions.

I.A. 2630/2025 (Exemption from advance service to the defendant nos. 6



and 7)

11. The present is an application under Section 80(2) read with Section 151 CPC, seeking exemption from advance notice of 30 days to the defendant nos. 6 and 7.

12. Considering the submissions made before this Court and considering the urgent nature of the suit, exemption is allowed.

13. With the aforesaid directions, the present application is disposed of.

CS(COMM) 87/2025

14. Let the plaint be registered as suit.

15. Issue summons.

16. Summons is accepted by learned counsels appearing for defendant nos. 1, 2 and 3.

17. Let written statement be filed defendant nos. 1, 2 and 3 within thirty days from today.

18. Upon filing of the Process Fee, issue summons to the defendant nos. 4 to 7 by all permissible modes. Summons shall state that the written statement be filed by the defendants within thirty days from the date of receipt of summons. Along with the written statement, the defendants shall also file affidavit of admission/denial of the plaintiff's documents, without which, the written statement shall not be taken on record.

19. Liberty is given to the plaintiff to file replication within thirty days from the date of receipt of the written statement. Further, 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 the documents, the same shall be sought and given within the



timelines.

20. List before the Joint Registrar (Judicial) for marking of exhibits, on 02nd April, 2025.

21. List before the Court on 27th February, 2025.

I.A. 2626/2025 (Application under Order XXXIX Rules 1 and 2 CPC)

22. The present suit has been filed for permanent injunction restraining infringement of trademarks, passing off, tarnishment, dilution, damages, rendition of accounts, delivery up etc.

23. Learned counsel appearing for the plaintiff submits that the plaintiff is one of India's premier skill-based online gaming and interactive entertainment platform. Founded in the year 2016, the plaintiff launched its website and applications under its renowned and highly reputed brand name "WinZO" in and around February 2017. Ever since, the plaintiff has revolutionized the online gaming landscape in the country by offering an unparalleled gaming experience through its diverse range of 100+ games across six formats in 12+ regional languages, making it the largest social gaming App in India in terms of game variety, linguistic inclusivity, and user engagement. The plaintiff's platform strictly caters to users aged 18 years and above, operating exclusively in Indian states where skill gaming is permitted under statutory regulations.

24. It is submitted that the plaintiff was one of the first platforms to introduce the concept of real tangible rewards for games of skill, setting benchmarks for innovation and accessibility. This has resulted in the plaintiff's platform building a robust and loyal community exceeding 200 million registered users in India, with a particularly strong foothold in Tier-2 and Tier-3 cities along with rural India, thereby democratizing gaming



across diverse socio-economic segments in the country. Out of these 200 million + registered users, majority of them spend an average of at least 60 minutes per day on the plaintiff's platform, with the same having led to more than 1 billion monthly gameplays and 40 billion micro transactions in the last financial year, i.e., FY 23, alone.

25. It is submitted that ever since its adoption, the plaintiff has continuously and consistently been using the trade mark and trade name "WinZO", which is a coined mark possessing the distinctiveness of an invented word, for its own business activities. The WinZO trademarks as well as its formative marks have all been honestly, independently and with *bonafide* intentions, been conceived and adopted by the plaintiff, with respect to its platform and interactive entertainment services, which have been launched over the years. The trademark "WinZO" in fact, is an arbitrary, innovative, distinctive, unique, and originally curated juxtaposition of the words "Win" and "ZO", wherein the term "ZO" stands for Speed & Energy. The combination of words signifies 'Winning Fast', which is quintessential to skill-based games, as are available on the platform for plaintiff's users to play.

26. It is further submitted that on account of its highly distinctive nature and pioneering activities, the name "WinZO" has acquired an excellent reputation and over the years, the WinZO trademarks accruing thereunder have consistently been associated with and exclusively denote the plaintiff, thereby, acting as a distinct source identifier.

27. It is submitted that the plaintiff is the registered proprietor of the WinZO trademarks in India in various Classes, including, but not limited to Classes 09, 35, 38, 41 & 42 under the Nice Classification of trademarks.



28. It is further submitted that Internet users all over the world can access information about the plaintiff and its platform bearing the WinZO trademarks on its website, www.winzogames.com. The plaintiff is further the registrant and/or the owner of various domain names containing the WinZO trademarks, which are reproduced as under:

Domain Name	Date of Creation (dd/mm/yyyy)	Status
winzogames.com	03/05/2017	Registered
win-zo.com	07/05/2017	Registered
winzo.app	18/05/2021	Registered
winzo.games	30/11/2020	Registered
winzo.store	07/05/2021	Registered
winzoboss.com	14/11/2021	Registered
winzocoin.com	14/11/2021	Registered
winzocoins.com	14/11/2021	Registered
winzogames.co	07/05/2021	Registered
winzogames.in	16/05/2021	Registered
winzoscholar.com	14/11/2021	Registered



winzoscholars.com	14/11/2021	Registered
winzostore.in	07/05/2021	Registered

29. It is submitted that hence, consumers from all over the world including, in India and within the jurisdiction of this Court have access to and access the plaintiff's active websites and other domain names, and are well-acquainted with its business and services under the WinZO trademarks.

30. It is further submitted that accordingly, by virtue of prior, long, continuous, uninterrupted, extensive, and exclusive use of the prior, highly reputed, and registered WinZO trademarks by plaintiff, it has acquired distinctiveness and immense goodwill and reputation in India and worldwide. Thus, plaintiff's highly reputed, and registered WinZO trademarks qualify as well-known trademarks in India, as envisaged by the provisions of Section 2(1)(zg) of the Trade Marks Act, 1999 and the rules made thereunder as well as Article 6 *bis* of the Paris Convention, to which India is a signatory.

31. It is submitted that, WinZO Ludo, launched in the year 2022 is one of plaintiff's flagship games on its platform, which has become synonymous with its users for blending the charm of the traditional board game with the conveniences of modern digital platforms. By introducing fun gameplays and innovating upon a beloved classic, WinZO Ludo has positioned itself as a go-to option for players seeking entertainment rooted in familiarity but enhanced by innovation. This successful fusion has strengthened its reputation as a family-friendly, community-driven game that resonates deeply with players across demographics.



32. It is further submitted that the plaintiff under its platform and WinZO trademarks, offers multiple innovative and engaging variants of the classic Ludo game, including Ludo Rapid and Football Ludo, designed to elevate the traditional gameplay experience. Ludo Rapid emphasizes strategic movement and quick decision-making, with unique features like safe zones, point-based scoring, and limited moves, creating a dynamic yet familiar game. On the other hand, Football Ludo adds a thrilling twist by incorporating elements of soccer, where players strategically score goals while defending against opponents, making it a blend of skill and excitement. These variants cater to a broad spectrum of players, offering immersive gameplay while retaining the nostalgic essence of the Ludo game.

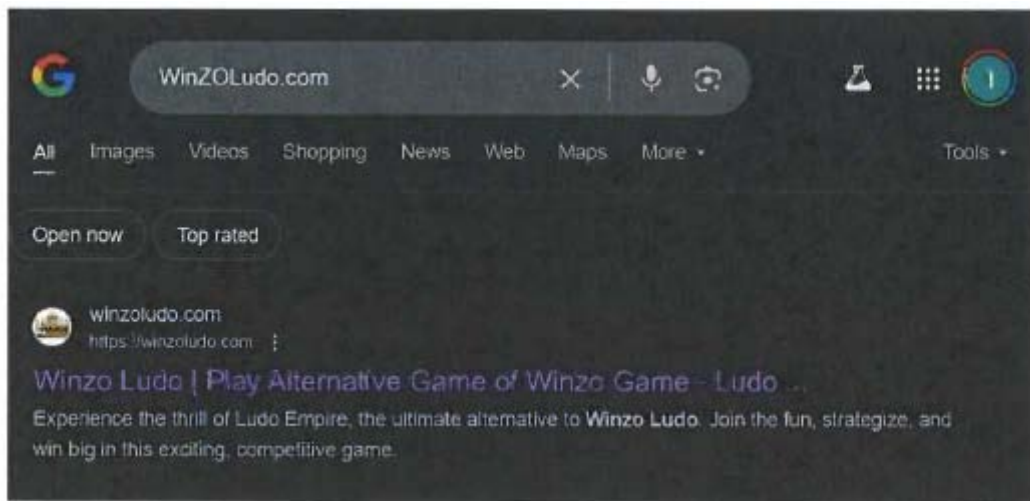
33. It is further submitted that the plaintiff honestly and with a *bona-fide* intention, adopted the “WinZO Ludo” marks, when it launched its Ludo game under the said marks in 2022. The mark is a juxtaposition of the plaintiff’s house mark “WinZO” which acts as a distinct source identifier, coupled with the word “Ludo”. The reputation and goodwill associated with the plaintiff’s house mark WinZO, has hence, also spilled to its Ludo offering on its platform. This, coupled with the unique and innovative twists offered to the traditional Ludo game on the plaintiff’s platform has resulted in WinZO Ludo becoming one of the best rated and most played online Ludo game within a short span of time.

34. It is submitted that in or around the first week of December 2024, the plaintiff’s in-house team, while carrying out its regular due-diligence exercise, came across the following listing on Google when it searched for the term “WinZO Ludo” along with the generic top level domain (gTLD),



“.com” in the Google Search Bar, just to check if the top results showing up, are those for the plaintiff’s own platform, or something else.

35. It is further submitted that to the utter surprise of the plaintiff, the plaintiff came across a listing under the domain name <winzoludo.com>, which was entirely unrelated to the plaintiff, but incorporated in full, the plaintiff’s WinZO and WinZO Ludo trademarks in its domain name. A screenshot of the listing, as given in the plaint, is reproduced as under:



36. It is submitted that when opened, the impugned domain name directs to a website, which presents Ludo Empire as an alternative to WinZO Ludo, and also uses the plaintiff’s brand name and highly reputed trademarks to forward and promote the defendants’ own game, by presenting itself as the top alternative to WinZO Ludo, endorsed by and associated with the plaintiff. A screenshot of the landing page of the said website, as given in the plaint, is reproduced as under:





37. It is further submitted that the website also has other links, under the tag “Download App”, which, when accessed, automatically downloads the .apk file for the Ludo Empire game, on any user’s device. Similarly, there are also links, which redirect to the other games of the defendant nos. 1 and 2. The plaintiff has grave apprehensions about the safety and privacy implications associated with the website on the impugned domain name and the other links present thereon, and suspects that the said domain name and links are not only unsafe, but also illegally collect data of unsuspecting consumers, who might click on these links, thinking, that the said domain name and links are associated with the plaintiff, and redirect to plaintiff’s platform.

38. It is submitted that a perusal of the contents of the website at the impugned domain name, give the impression that the said domain name has been registered by the defendant nos. 1 and 2, and they have used the said domain name to develop a website, which can be used to mislead unsuspecting consumers, who might click on the website thinking that it belongs to the plaintiff and redirects to the WinZO Ludo game and is associated with or endorsed by the plaintiff.

39. It is further submitted that additionally, the defendant nos. 1 and 2 have also made other misleading statements on their website at the impugned domain name such as suggesting Ludo Empire to be the “*The top alternative to the Winzo app and win big cash prizes daily*” and “*The ultimate Winzo game alternative and start winning real cash daily*”. These phrases explicitly reference WinZO, creating an impression that the defendant nos. 1 and 2’s platform, Ludo Empire, is similar or superior to WinZO Ludo. Additionally, the claim that the defendant nos. 1 and 2’s App



offers “all similar features” while introducing new features and twists leading to “more excitement and entertainment” misrepresents the capabilities of WinZO Ludo.

40. It is submitted that hence, making such patently false statements would not only mislead consumers, but also disparage WinZO Ludo by suggesting it is inferior in functionality and features to Ludo Empire. By falsely asserting that the defendants’ App offers better or more comprehensive gaming options, the website risks tarnishing WinZO’s reputation and goodwill. Such false and baseless claims may misguide users into believing that WinZO Ludo is limited in scope, thereby undermining consumer trust in the plaintiff’s platform and causing reputational harm.

41. It is further submitted that the defendant nos. 1 and 2 have clearly acted dishonestly and in bad faith in securing registration of the impugned domain name, <winzoludo.com>, which is a clear act of infringement of the plaintiff’s WinZO and WinZO Ludo trademarks. The said acts of defendant nos. 1 and 2 clearly amount to infringement of plaintiff trademarks. The use of the marks WinZO on the website hosted on the said domain name also amount to infringement of the plaintiff’s trademark rights, especially, since the search engine results page for the impugned domain name and website www.winzoludo.com will lead a consumer into believing that not just this domain name but also the website and “Ludo Empire” are associated with or endorsed by the plaintiff.

42. It is submitted that defendant nos. 1 and 2 could not have had any justifiable or *bona fide* reason to have adopted the impugned domain name and using the WinZO and WinZO Ludo trademarks, except to mislead unsuspecting consumers by riding upon the goodwill and reputation of the



plaintiff, so as to illegally redirect traffic to their own game and platform.

43. It is further submitted that the plaintiff is also suffering loss of distinctiveness, uniqueness and exclusivity attached to its WinZO and WinZO trademarks by reducing their capacity to identify and distinguish the business of the plaintiff as originating from a particular source. The damage in terms of revenue as well as to the reputation of the plaintiff's brand and trademarks is therefore, severe and irreparable.

44. Learned counsel appearing for the plaintiff has drawn the attention of this Court to the document to show that the site of the defendant nos. 1 and 2, is using the mark of the plaintiff. It is submitted that in view thereof, the defendant nos. 1 and 2 are showing false association with the plaintiff.

45. Further, attention of this Court has also been drawn to the source code of the impugned website, wherein the name of defendant no. 2 occurs as the owner of the website.

46. At this stage, learned counsel appearing for defendant nos. 1 and 2 submits that defendant nos. 1 and 2 are not using the domain name. He further submits that the defendant nos. 1 and 2 are ready to settle the matter.

47. However, the considering the submissions made before this Court and in the facts and circumstances of the present case, the plaintiff has demonstrated a *prima facie* case for grant of injunction and, in case, no *ex-parte ad-interim* injunction is granted, the plaintiff will suffer an irreparable loss. Further, balance of convenience also lies in favour of the plaintiff, and against the defendants.

48. Accordingly, till the next date of hearing, the following directions are issued:

I. Defendant nos. 1 and 2, their proprietary concerns, firms, associated



companies, subsidiaries, partners, directors, or as the case may be, officers, employees, representatives, servants and agents, and all other persons/entities in active concert or participation with them are restrained from directly or indirectly incorporating, exploiting or in any way using the plaintiffs 'WinZO' and 'WinZO Ludo' trademarks and/or their variations, and/or any mark deceptively similar to the plaintiff's trademarks and/or formative marks as part of their domain names, websites, mobile applications, social media handle names/profile credentials/description, promotional/business activities on digital or print media, or in any other manner or form across any modes or mediums, which would amount to infringement of the plaintiff's 'WinZO' and 'WinZO Ludo' trademarks/or amounting to passing off of the defendant nos. 1 and 2's business and/or their goods and services, as those of the plaintiff under the 'WinZO' and 'WinZO Ludo' trademarks/so as to lead to dilution or blurring or tarnishment of the plaintiff's 'WinZO' and 'WinZO Ludo' trademarks.

II. Defendant no. 3 is directed to block and suspend the impugned domain name i.e., winzoludo.com. Further, the defendant no. 3 shall also disclose the complete contact details, postal address and other details available with defendant no. 3.

III. Defendant nos. 4 and 5 are directed to suspend the hosting services provided to the impugned domain name i.e., winzoludo.com. Further, defendant nos. 4 and 5 are also directed to disclose the complete contact details, postal address and other details that are available with them.

IV. Defendant nos. 6 and 7 are directed to issue directions to all the Internet Service Providers (ISPs) to block and remove access to the impugned domain name i.e., winzoludo.com.



- V. The plaintiff is granted liberty to bring to the notice of this Court any other mirror/alphanumeric/redirect websites that may have been created by defendant nos. 1 and 2, in order to obtain orders from this Court.
49. Issue notice to the defendants.
50. Notice is accepted by learned counsels appearing for defendant nos. 1 to 3.
51. Issue notice to the defendant nos. 4 to 7 by all permissible modes upon filing of the Process Fee, returnable on the next date of hearing.
52. Let reply be filed within a period of four weeks.
53. Defendant nos. 1 and 2 are directed to disclose on affidavit details of all the servers being used by them as well as any other mirror/alphanumeric/redirect websites or mobile Applications or social media pages, that they have created.
54. Rejoinder thereto, if any, be filed within two weeks, thereafter.
55. Compliance of Order XXXIX Rule 3 CPC, be done, within a period of one week.
56. Considering the submissions made by learned counsel appearing for defendant nos. 1 and 2 that the matter be sent to mediation, learned counsel appearing for the plaintiff submits that she has no objection, if the matter is sent to mediation.
57. Accordingly, with the consent of the parties, the plaintiff as well as defendant nos. 1 and 2, are referred to Delhi High Court Mediation and Conciliation Centre, to be listed before the learned Mediator, on 11th February, 2025.
58. List before the Court on 27th February, 2025.
59. A copy of this order be sent to Delhi High Court Mediation and

6th Rd, EPIP Zone, Whitefield,
Bengaluru - 560066

Email: fabzentech@gmail.com
info@fabzentech.com
admin@fabzentech.com

Contact: +91 94312 81564;
020-67320405.

...Defendant No. 1

2. Mritunjay Kumar Yadav

Director

Fabzen Technologies Private Limited
#15A, 4th Floor, City Vista, Tower A,
Fountain Road, Kharadi, Pune, Pune,
Maharashtra, India, 411014

Email: fabzentech@gmail.com
info@fabzentech.com
admin@fabzentech.com

Contact: +91 94312 81564;
020-67320405

...Defendant No. 2

3. GoDaddy.com LLC

Through its Grievance Officer

14455, N. Hayden Road,
Scottsdale, Arizona 85260,
USA

Email: grievanceofficer@godaddy.com
legal@godaddy.com

Contact: 040-49187600

Also at:

4th Floor, Stateman House, Barakhamba
Road, Connaught Place, New Delhi,
110001

...Defendant No. 3

4. Cloudflare Inc.

Through its Data Protection Officer

101 Townsend St,
San Francisco, CA 94107
USA

Email: dpo@cloudflare.com

Contact: +1 (650) 319-8930

...Defendant No. 4

5. Cloudflare India Private Limited

Through its Grievance Officer

No. 215 Richmond Towers, 12
Richmond Road, Richmond Town
Bangalore, Bangalore, Karnataka, India,
560025

Email: dpo@cloudflare.com

...Defendant No. 5

6. Department of Telecommunications,

Through Secretary,
Ministry of Communication and IT,
20, Sanchar Bhawan, Ashoka Road,
New Delhi – 110001

Email: secy-dot@nic.in;
dirids2-dot@nic.in

...Defendant No. 6

**7. Ministry of Electronics and
Information Technology**

Through the Director General (DIT)

Cyber Laws & E-Security,
Electronics Niketan, 6, CGO Complex,
Lodhi Road, New Delhi – 110003

Email: cyberlaw-legal@meity.gov.in;
gccyberlaw@meity.gov.in;
pkumar@meity.gov.in;
sathya.s@meity.gov.in

...Defendant No. 7

All Defendants are contesting parties, whose presence is necessary for adjudication of the present suit.



New Delhi
Dated: 29-01-2025

Geetanjali Visvanathan | Abhilasha Nautiyal | Shivansh Tiwari

D/2737/2009 | D/3749/2010 | UP/12134/2023

Ira Law | Advocates for the Plaintiff

Email: office@ira.law

Ph.: 95604016631

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.