

By Email/DoT Website

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

No. 813-07/LM-01/2025-DS-II

Dated:28-03-2025

**To,
All Licensees with Internet Service Authorization**

Subject: CS (COMM) 265 of 2025: CASHGRAIL PRIVATE LIMITED Vs. JOHN DOE AND ORS before the High Court of Delhi.

Kindly find enclosed the Hon'ble Delhi High Court order dated **25.03.2025** on the subject matter.

2. Please refer to the **Para 35** of the said court order in respect of blocking of websites [**37 nos**] enumerated in the **Para 35** of the said court order.

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

Encl: A/A

Digitally signed by
SHASHI KUMAR
Date: 28-03-2025
18:17:08
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 with request to take action as per the Annexure.
- ii.) Mr. Prince Kumar <prince@moazzamkhan.in>, Plaintiff's Counsel for kind information and requested to take action as per the 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) 265/2025**

CASHGRAIL PRIVATE LIMITEDPlaintiff

Through: Mr. Moazzam Khan, Ms. Anvita Giel,
Mr. Amrit Bhatia, Mr. Prince Kumar
& Mr. Vedant Mohite, Advocates.

versus

JOHN DOE AND ORSDefendants

Through:

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
25.03.2025

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I.A. 7676/2025 (exemption from filing original/certified/legible typed copies of dim annexure)

1. Allowed, subject to the plaintiff filing legible copies of the annexures within four weeks from today.
2. Plaintiff is exempted from filing original/ certified/ dim/ clearer/ translated/ electronic documents at this stage.
3. The application stands disposed of.

I.A. 7673/2025 (under Section 80(2) of CPC seeking exemption from advance service to defendant)

4. The present application has been filed on behalf of the plaintiff under section 151 of the Code of Civil Procedure, 1908 seeking exemption from advance service to the defendants.
5. Exemption is granted to the plaintiff from serving the requisite notices

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to the defendants no. 38 and 39, under Section 80(2) read with Section 151 of the Code of Civil Procedure, 1908 ('CPC').

6. The application is disposed of.

I.A. 7674/2025 (u/s 12A of 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. 7672/2025 (under Order XI Rule 1(4))

9. The present application has been filed on behalf of the plaintiff seeking leave to file additional documents.

10. The plaintiff is 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, within thirty (30) days.

11. Accordingly, the application is disposed of.

I.A. 7675/2025 (seeking exemption from advance service upon the defendants)

12. This application has been filed on behalf of the plaintiff seeking exemption from effecting advance service of the plaint paper book upon the defendants.

13. In view of the order passed in I.A. 7673/2025, the application is allowed and accordingly disposed of.

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14. Let the plaint be registered as a suit.

15. Issue summons.



16. Since defendants no. 1 to 37 and defendant no. 40 are John Does, whose particulars are not available, let summons be issued only to the defendants no. 38 and 39, through all permissible modes.

17. 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 an affidavit of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.

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

19. 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.

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

21. List before the Joint Registrar on 7th May, 2025 for completion of service and pleadings.

22. List before the Court on 9th September, 2025.

I.A. 7671/2025 (under Order XXXIX Rule 1 and 2)

23. The present suit has been filed seeking relief of permanent injunction restraining the defendants from infringing the trademarks and passing off, along with other ancillary reliefs.



CASE SETUP IN THE PLAINT

24. Plaintiff is a leading online gaming company which offers socially relevant skill-based casual and board online games for recreation and entertainment, through its platform called “ZUPEE”.

25. It is stated that the plaintiff is one of the biggest online gaming companies and the plaintiff’s trademark “ZUPEE”, which is also the name of its mobile application, is one of the fastest-growing skill-based intermediary online gaming platforms. The portfolio of the plaintiff includes a variety of skill-based casual board games which *inter-alia* include ‘Ludo Ninja’, ‘Ludo Supreme’ etc. The games hosted by the plaintiff have been certified to be games of skill by the All-India Gaming Federation.

26. The plaintiff has obtained various trademark registrations in respect of its “ZUPEE” and other “ZUPEE” formative marks. The details of the trademark registrations obtained by the plaintiff are given in paragraph 12 of the plaint.

27. The plaintiff also widely advertises its “ZUPEE” platform. The plaintiff has given its promotional expenses in paragraph 13 of the plaint. It is pertinent to note that in the Financial Year 2023-24, the plaintiff’s sales were around Rs. 806.77 Crores.

28. The plaintiff has also registered the domain www.zupee.in, which was registered in the year 2017. Subsequently, the plaintiff also registered the domain names www.zupee.com and www.zupee.global.

29. It is averred that the plaintiff has been successfully providing games to consumers through its “ZUPEE” platform since the year 2020 and has more than 10 crore downloads on its platform/website, “ZUPEE”. Further, the free-to-play version of the plaintiff’s “ZUPEE” platform has recorded over 5 crore



downloads on Google Play Store.

30. In February 2025, the plaintiff conducted an online search and became aware of the websites that were misleading the public by utilizing the plaintiff's "ZUPEE" trademark. The plaintiff has given details of the entities that are dishonestly using the plaintiff's trademark "ZUPEE" for offering online gaming services on various sports and games in paragraph 14 of the plaint, which are set out below:-

<u>S.No.</u>	<u>Website/URL</u>	<u>Defendant No.</u>
1.	<www.zupegaming.com>	1
2.	<www.zupee.download>	2
3.	<www.zupeeeludo.fun>	3
4.	<www.zupee.bar>	4
5.	<www.zupeeapk.org>	5
6.	<www.zupeein.com>	6
7.	<www.zupeeapkdownload.online>	7
8.	<www.zupee.gold>	8
9.	<www.zupeeapp.org>	9
10.	<www.zupee.one>	10
11.	<www.zupee.pro>	11
12.	<www.zupeeappdownload.com>	12
13.	<www.zupee.cam>	13
14.	<www.zupeeprime.com>	14
15.	<www.zupeeeludo.co.in>	15
16.	<www.zupee.news>	16
17.	<www.zupee.site>	17



18.	<www.playzupееgames.com>	18
19.	<www.zupeeapps.com>	19
20.	<www.zupee.ind.in>	20
21.	<www.zupee.org.in>	21
22.	<www.zupeeeludo.in>	22
23.	<www.zupeeeter.com>	23
24.	<www.zupeeegame.in>	24
25.	<www.zupee.quest>	25
26.	<www.zupee247 .com>	26
27.	<www.zupee.club>	27
28.	<www.zupee.click>	28
29.	<www.zupeeexch.com>	29
30.	<www.zupeeexch.com>	30
31.	<www.zupee.website>	31
32.	<www.zupeeecolor.buzz>	32
33.	<www.zupee365.com>	33
34.	<www.zupee9.com>	34
35.	<www.zupee.red>	35
36.	<www.zupee.cc>	36
37.	<mobile.zupeeegame.in>	37

31. The detailed description of the infringing activities of each of the aforesaid defendants is provided in paragraph 19 of the plaint.

32. Based on the averments in the plaint, the plaintiff has established its statutory rights over the “ZUPEE” and its formative marks. The mark adopted



by the defendants is identical to that of the plaintiff's mark and in respect of identical services.

33. On a *prima-facie* view, the aforesaid infringing activities of defendants no.1 to 37 appear to be infringing the trademarks of the plaintiff and eroding the distinctive nature of the plaintiff's mark. The defendants no.1 to 37, on account of their infringing activities, are luring unsuspecting customers into sharing their confidential information and spending their money on their infringing platforms. Clearly, an attempt has been made by the defendants to create an impression that the defendants' websites are connected to the plaintiff. A *prima facie* case is made out on behalf of the plaintiff.

34. Balance of convenience is in favour of the plaintiff and against the defendants. Irreparable injury would be caused to the plaintiff if the defendants continue to use the "ZUPEE" marks. Prejudice would also be caused to the public as the marks of the defendants are identical to that of the plaintiff and likely to cause confusion in the market.

35. Accordingly, defendants no.38 and 39 are directed to issue the necessary notification/direction to all telecom and internet service providers to permanently block access to the following websites/URLs:

<u>S.No.</u>	<u>Website/URL</u>	<u>Defendant No.</u>
1.	<www.zupegaming.com>	1
2.	<www.zupee.download>	2
3.	<www.zupeeludo.fun>	3
4.	<www.zupee.bar>	4
5.	<www.zupeeapk.org>	5
6.	<www.zupeein.com>	6



7.	<www.zupeeapkdownload.online>	7
8.	<www.zupee.gold>	8
9.	<www.zupeeapp.org>	9
10.	<www.zupee.one>	10
11.	<www.zupee.pro>	11
12.	<www.zupeeappdownload.com>	12
13.	<www.zupee.cam>	13
14.	<www.zupeeprime.com>	14
15.	<www.zupeeludo.co.in>	15
16.	<www.zupee.news>	16
17.	<www.zupee.site>	17
18.	<www.playzupeegames.com>	18
19.	<www.zupeeapps.com>	19
20.	<www.zupee.ind.in>	20
21.	<www.zupee.org.in>	21
22.	<www.zupeeludo.in>	22
23.	<www.zupeeeter.com>	23
24.	<www.zupeeegame.in>	24
25.	<www.zupee.quest>	25
26.	<www.zupee247.com>	26
27.	<www.zupee.club>	27
28.	<www.zupee.click>	28
29.	<www.zupeeexch.com>	29
30.	<www.zupeeexch.com>	30
31.	<www.zupee.website>	31



32.	<www.zupee.color.buzz>	32
33.	<www.zupee365.com>	33
34.	<www.zupee9.com>	34
35.	<www.zupee.red>	35
36.	<www.zupee.cc>	36
37.	<mobile.zupee.game.in>	37

36. Plaintiffs are also given liberty to implead any other domain/website/URL, if discovered, by filing an application under Order I Rule 10 of the CPC, based on which the learned Joint Registrar may extend the order passed today, in respect of the new website(s), so discovered.

37. Issue notice.

38. Since defendants no. 1 to 37 and defendant no. 40 are John Does, whose particulars are not available, let notice be issued only to defendant nos. 38 and 39, through all permissible modes.

39. Replies be filed within four weeks.

40. Rejoinders thereto, if any, be filed within two weeks, thereafter.

41. Compliance of Order XXXIX Rule 3 CPC shall be done within a period of five (5) days from today. The affidavit in terms of Order XXXIX Rule 3 of CPC shall be filed by the plaintiff within one (1) week thereafter.

42. List before the Joint Registrar on 7th May, 2025 for completion of service and pleadings.

43. List before the Court on 9th September, 2025.

AMIT BANSAL, J

MARCH 25, 2025/at

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.