

No. 813-07/LM-10/2022-DS-II
Department of Telecommunications
(Data Services Cell)

**Subject: CS Comm No. 157 of 2022 Star India Pvt. Ltd. & Anr. Vs live.flixbus.net & Ors.
Before Hon'ble Delhi High Court.**

PUC is an email letter dated 05-04-2022 (47/C) from Akshay Maloo, Associate, Saikrishna & Associates on Behalf of Plaintiffs enclosing therewith Hon'ble Delhi High Court order dated 11.03.2022 (6/C) along with the **Third** list of additional 12 websites in the case CS Comm No. 157 of 2022 for compliance. DoT and MeitY are defendant nos. 18 and 19 in the case.

2. Vide PUC, Saikrishna & Associates has stated that their Clients own the exclusive rights to broadcast, communicate and make available the live matches on various platforms such as TV, Internet, mobile etc (hereinafter "the Exclusive Rights") with respect to Tata Indian Premier League, 2022 ("Tata IPL 2022"). Their Clients have instituted the above-captioned Suit against various 'rogue' websites before the Hon'ble High Court of Delhi, *inter alia*, seeking permanent and *ex-parte* ad-interim and temporary injunction restraining violation of its exclusive statutory rights in relation to the Tata IPL 2022 as well as for other reliefs. Their Clients have also arrayed various internet and telecom service providers (ISPs), (Defendant No. 9 – 17) as well as government departments i.e. Department of Telecommunication (DoT) (Defendant No.18) and the Ministry of Information and Technology (MEITY) (Defendant No.19), to ensure effective compliance of any orders that the Hon'ble Delhi High Court was inclined to pass.

Hon'ble Court was pleased to pass an *ex-parte ad-interim* order 11-03-2022 in terms of the followings:

15. Considering the fact that the Indian Premier League (IPL) series/TATA IPL 2022 is stated to be starting w.e.f. 26th March, 2022, there is an imminent need to protect the Plaintiffs' investment as also to ensure that these Rogue Websites do not stream illegally the cricket matches of TATA IPL 2022. The Court is also prima facie satisfied that the injunction deserves to be granted against any further websites which may suddenly emerge, showing pirated content or start streaming TATA IPL 2022 illegally and unauthorisedly. Under these circumstances, the following directions are issued:

i. ISPs viz., Defendant Nos. 9 to 17 shall block the websites arrayed as Defendant Nos. 1 to 8 i.e.:

ii. DoT and MEITY shall also issue orders for the blocking of these websites, in accordance with today's order.

iii. As and when further websites which stream the contents of TATA IPL 2022 matches illegally and unauthorisedly emerge, an affidavit in this regard may be filed by the Plaintiffs before this Court along with evidence thereof. The said websites shall also stand blocked with immediate effect, upon notice being issued to the ISPs that such an affidavit has already been filed before this Court.

iv. Upon DoT and MEITY receiving the notices and communications from the Plaintiff that the affidavits have been filed before the Court, the orders for blocking such further Rogue Websites shall be passed, immediately and in any case, within 24 hours, so that the websites do not continue to stream the TATA IPL 2022 content in any manner whatsoever.

3. Further, it has been stated that in order to protect and enforce its exclusive rights in Tata - IPL 2022, the Plaintiffs engaged the services of an investigation agency, Copyright Integrity International, to monitor Rogue Websites and with the help of the investigator, have identified **Third** list of **12 additional websites** which are illegally streaming the contents of Tata IPL 2022, and infringing the Plaintiffs' Exclusive Rights.

Consequently, in terms of the directions passed by Hon'ble Court, order dated 11.03.2022 is also applicable on the above mentioned **12 websites**.

Further stated that in relation to the same, Affidavit of Ms. Diksha Snehal dated 05.04.2022 with respect to **3rd Additional** list of Websites comprising additional **12 websites** that are engaged in hosting and/or streaming and/or providing access and/or making available for viewing the broadcast of Tata IPL 2022, has been filed with Hon'ble Delhi High Court vide **Diary No. 546682/2022**.

In light of the above, it has been requested to comply with the order dated 11.03.2022 passed by the Hon'ble Court by issuing the requisite notification to the ISPs, in this regard.

4. Earlier, for compliance of order dated 11.03.2022, this office have issued letters dated 16.03.2022, 30.03.2022 & 04.04.2022 (45/C) to Internet Services Licensees for necessary compliance with respect to websites of defendant number 1 to 8, First list of additional 29 websites and Second list of additional 17 websites/URLs.

5. In view of the direction of the Hon'ble Delhi High Court vide order 11.03.2022; it is proposed that we may issue necessary notification to all Internet Service Licensees for compliance of the Hon'ble court order 11.03.2022 with respect to blocking of **Third** list of additional 12 websites /URLs as per DFA and letter may be sent to all ISPs through emails.

Further, it is also proposed that copy of all the letters issued or to be issued by DoT for compliance of court order may also sent to Mr. Vaidyanathan, Id. CGSC, which has been mentioned in the court order itself and accepted notice on behalf of DoT and MEITY.

Submitted for kind consideration and approval please.

Dir(DS-II)/DDG(DS)/Member(T)

06/04/2022 03:09 PM

The logo for eSign, featuring a green checkmark and the word "Sign" in a cursive font.

HARENDRA

ADET(DS)

Note # 22

06/04/2022 03:29 PM

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TEJPAL SINGH

DIRECTOR(DS-II)

Note # 23

Note 21 may please be seen. It is proposed as follows:

(i) The proposal in para 5 of Note 21 may please be agreed.

(ii) Apart from the email list to which the instructions of blocking is sent (list based on inputs from LSAs) , The list may also me uploaded on DOT Website to ensure communication to all ISPs as a matter of abundant precaution.

Submitted for approval of proposals in Para (i) and (ii) above.

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Vivek Narayan

DEPUTY DIRECTOR GENERAL

Note # 24

06/04/2022 06:07 PM



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Member(T)

Note # 25

07/04/2022 12:04 PM

Vivek Narayan

DEPUTY DIRECTOR GENERAL

Note # 26

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TEJPAL SINGH

DIRECTOR(DS-II)