

**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-49/2023-DS-II**

**Dated: 24.11.2023**

**To,**

All Internet Service Licensee's

**Subject: C.S. (COMM) No. 833 of 2023 Universal City Studios LLC & Ors. v. fztvseries.mobi & Ors.**

Kindly find the enclosed Hon'ble Delhi High Court order dated **21.11.2023** on the subject matter.

2. Please refer to the **para 32** of the said court order in respect of blocking of <sup>61</sup>~~65~~ websites enumerated in **Annexure A**.
3. Accordingly, 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.

  
**Director (DS-II)**  
**Tel: 011-2303 6860**  
**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-B**.
- (ii) Mehr Sidhu (mehr@saikrishnaassociates.com) Remfry House Plaintiff Advocate for kind information.
  - (a) Take action as per Annexure-**B**.
- (iii) IT wing of DoT for uploading on DoT websites please.

**Fwd: Compliance with the Order of the Hon'ble Delhi High Court dated 21st November 2023 in C.S. (COMM) No. 833 of 2023 [Universal City Studios LLC & Ors. v. fztvseries.mobi & Ors.]**

**CL** Cyber Law Legal <cyberlaw-legal@meity.gov.in>  
Thu, 23 Nov 2023 10:56:37 PM +0530  
To "Abhinesh Meena" <abhinesh.meena@gov.in>  
Cc "Dr Sandip Chatterjee MeitY" <Sandip@meity.gov.in>, "V Chinnasamy" <chinnasamy.v@meity.gov.in>, "Ritesh Kumar Sahu" <ritesh.s@meity.gov.in>

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Dear Sir

Request your attention to the trailing email as under. Would appreciate, if you could review it and take necessary action, as required.

Please inform us once the directions of the Hon'ble Court have been complied with.

Copy of the order of the Hon'ble High Court has been attached, for your convenience.

Regards

Ritesh Kumar Sahu  
Scientist D  
Government of India,  
Ministry of Electronics and Information Technology (MeitY)  
New Delhi  
Tel: 9990537901

---

**From:** [mehr@saikrishnaassociates.com](mailto:mehr@saikrishnaassociates.com)  
**To:** "Dr. Neeraj Mittal" <[secy-dot@nic.in](mailto:secy-dot@nic.in)>, "Subodh Saxena Director DS II" <[dirids2-dot@nic.in](mailto:dirids2-dot@nic.in)>, "Cyber Law Legal" <[cyberlaw-legal@meity.gov.in](mailto:cyberlaw-legal@meity.gov.in)>  
**Cc:** [suhasini@saikrishnaassociates.com](mailto:suhasini@saikrishnaassociates.com), "r ramkumar" <[r.ramkumar@saikrishnaassociates.com](mailto:r.ramkumar@saikrishnaassociates.com)>, [raghav@saikrishnaassociates.com](mailto:raghav@saikrishnaassociates.com), [ishi@saikrishnaassociates.com](mailto:ishi@saikrishnaassociates.com)  
**Sent:** Thursday, November 23, 2023 6:03:57 PM  
**Subject:** Compliance with the Order of the Hon'ble Delhi High Court dated 21st November 2023 in C.S. (COMM) No. 833 of 2023 [Universal City Studios LLC & Ors. v. fztvseries.mobi & Ors.]

**WITHOUT PREJUDICE**

**By E-mail**

**Date: 23<sup>rd</sup> November 2023**

Ministry of Electronics and Information Technology  
Through the Director General (DIT) Cyber Laws & e-security),  
Ministry of Communications and IT,  
Electronics Niketan, 6, CGO Complex,  
Lodi Road, New Delhi - 110003  
[cyberlaw-legal@meity.gov.in](mailto:cyberlaw-legal@meity.gov.in)

Department of Telecommunications  
Through Secretary,

Ministry of Communications and IT,  
20, Sanchar Bhawan, Ashoka Road,  
New Delhi – 110001  
[secy-dot@nic.in](mailto:secy-dot@nic.in), [dirds2-dot@nic.in](mailto:dirds2-dot@nic.in)

**Re: Compliance with the Order of the Hon'ble Delhi High Court dated 21<sup>st</sup> November 2023 in C.S. (COMM) No. 833 of 2023 [*Universal City Studios LLC & Ors. v. [fztvseries.mobi](http://fztvseries.mobi) & Ors.*]**

Dear Sir,

We write to you on behalf of Universal City Studios LLC., having its office at 100 Universal City Plaza, Universal City, CA 91608, United States of America, Warner Bros. Entertainment Inc., having its office at 4000 Warner Boulevard; Burbank, California 91522, United States of America; Columbia Pictures Industries, Inc., having its office at 10202 W. Washington Blvd., Culver City, CA 90232-3195 United States of America; Netflix Studios, LLC, having its office at 100 Winchester Cir Los Gatos, CA, 95032-1815 United States of America; Paramount Pictures Corporation, having its office at 5555 Melrose Avenue, Hollywood, CA, 90038, United States of America and Disney Enterprises, Inc., having its office at 500 S. Buena Vista, Burbank, California 91521, United States of America; (hereinafter referred to as “**Our Clients**”).

Our Clients are the authors and/ or first owners and/ or owners of cinematograph films (“**Original Content**”). Our Clients instituted a Suit against various infringing websites before the Hon'ble High Court of Delhi, *inter alia*, for permanent injunction restraining violation of Plaintiff's copyrights in relation to the Original Content as well as for other reliefs. Our Clients also impleaded various internet and telecom service providers, as well as the concerned Government Departments (Department of Telecommunication and the Ministry of Electronics and Information Technology), as Defendants, to ensure effective compliance of any order that the Hon'ble Delhi High Court was inclined to pass.

The above-mentioned matter came up before Hon'ble Ms. Justice Prathiba M. Singh, High Court of Delhi on 21<sup>st</sup> November 2023 and the Hon'ble Judge was pleased to pass an *ex-parte ad-interim* order in favour of the Plaintiffs. The relevant portion of the order dated 21<sup>st</sup> November 2023 is extracted below:

*31. 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 present suit or any mirror/redirect websites or alphanumeric websites, or any*

*variations thereof including those websites which are associated with the Defendants' websites either based on the name, branding, identity of its operator, or discovered to provide additional means of accessing the Defendant's website, and other domains/ domain along with their sub-domains and sub-directories, owners, website operators/ entities or even sources of content.*

*32. Insofar as Defendant Nos. 46-54 are concerned, the said ISPs shall give effect to this injunction by blocking the said websites. Defendant No. 55 and 56 - Department of Telecommunications (DOT) and Ministry of Electronics and Information Technology (MeitY) respectively shall issue blocking orders against the websites within a period of one week from the release of the order.*

*33. The Domain Name Registrars (DNRs) of the rogue websites' domain names, upon being intimated by the Plaintiffs shall lock and suspend the said domain names. In addition, any details relating to the registrants of the said domain names including KYC, credit card, mobile number, etc. be also provided to the Plaintiffs.*

Accordingly, we request you, DOT and MEITY (i.e. Defendant No. 55 and 56) to comply with the order of the Hon'ble High Court of Delhi dated 21<sup>st</sup> November 2023 by issuing appropriate blocking orders against the websites identified in Annexure A of the interim order dated 21<sup>st</sup> November 2023, within a period of one week from the release of the order.

A copy of the order dated 21<sup>st</sup> November 2023 is attached herewith. For your reference, the next date of hearing in the matter is 11<sup>th</sup> January 2024 before the Joint Registrar and 21<sup>st</sup> March 2024 before the Hon'ble Court.

In compliance with the provisions of Order XXXIX Rule 3 of the Code of Civil Procedure, 1908, the entire set of papers filed before the High Court of Delhi by us on behalf of Our Clients in the captioned Suit is enclosed herewith. The scan of the entire set is being made available through the following link:

<https://1drv.ms/f/s!ApNb2b9uwU0OsyP0Zt6y0nCgXS3b?e=72u1Ke>

Saikrishna & Associates  
Counsel for the Plaintiffs

Enclosed:

1. Copy of the order dated 21<sup>st</sup> November 2023
2. Schedule-A

Please feel free to contact us in case of any queries.

Regards

Mehr Sidhu | Associate | Saikrishna & Associates| 57 Jor Bagh, New Delhi, 110003, India | Tel: +91-11-40244360 | Handphone: +91-8879106222. [PH/2695/2021

- **MANAGING IP - Global Awards 2014-** Firm of the Year - India – Contentious
- **CHAMBERS - ASIA PACIFIC 2014** - Leading Firm
- **CHAMBERS - ASIA PACIFIC 2014** - Star Individual- IP Litigation [Saikrishna Rajagopal]
- **CORPORATE INTL MAGAZINE GLOBAL AWARD:** Media Law - Law Firm of the Year in India- 2014
- **CORPORATE INTL MAGAZINE GLOBAL AWARD:** IP Litigation - Law Firm of the Year in India- 2014
- **CLIENT CHOICE AWARDS - 2014** - Intellectual Property - Copyright – India
- **INDIAN BUSINESS LAW JOURNAL- Law Firm Awards** - Winner- Intellectual Property- India- 2013
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Universal City v Fzm... .pdf

905.1 KB •



Annexure A.docx

33.9 KB •



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

*Date of decision: 21<sup>st</sup> November, 2023*

+ **CS(COMM) 833/2023, I.As. 23077/2023, 23078/2023 & 23079/2023**

UNIVERSAL CITY STUDIOS LLC. & ORS. .... Plaintiffs

Through: Mr. Saikrishna Rajagopal, Ms. Suhasini Raina, Ms. R. Ramya, Ms. Mehr Sidhu and Mr. Raghav Goyal, Advocates (M-9845057887)

versus

FZTVSERIES.MOBI & ORS

..... Defendants

Through: None.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.

**I.A. 23078/2023 (for exemption)**

2. This is an application filed by the Plaintiffs seeking exemption from filing certified/translated copies of documents with proper margins, etc. Original documents shall be produced/filed at the time of Admission/Denial, if sought, strictly as per the provisions of the Commercial Courts Act, 2015 and the DHC (Original Side) Rules, 2018.

3. Exemption is allowed, subject to all just exceptions. Accordingly, the application is disposed of.

**I.A. 23079/2023 (u/S 80 CPC)**

4. This is an application filed by the Plaintiffs, seeking exemption from serving notice to Defendant No. 55- Department of Telecommunications (DoT) and Defendant No. 56- Ministry of Electronics and Information



Technology (MEITY) under Section 80 of the CPC.

5. Exemption is allowed. However, Mr. Harish V. Shankar, Id. CGSC has been requested to accept notice.

6. Accordingly, application is disposed of.

**CS(COMM) 833/2023**

7. Let the plaint be registered as a suit.

8. Issue summons to the Defendants through all modes upon filing of Process Fee.

9. The summons to the Defendants shall indicate that the written statement to the plaint shall be positively filed 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 Plaintiffs, without which the written statement shall not be taken on record.

10. Liberty is given to the Plaintiffs to file the replication within 15 days of the receipt of the written statement. Along with the replication, if any, filed by the Plaintiffs, an affidavit of admission/denial of documents of the Defendants, be filed by the Plaintiffs, 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.

11. List before the Joint Registrar for marking of exhibits on 11<sup>th</sup> January, 2024. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

12. List before Court on 21<sup>st</sup> March, 2024.

**I.A. 23077/2023(u/O XXXIX Rules 1 & 2 CPC)**

13. Issue notice.

14. In a continued effort to curb dissemination of pirated content and its





availability on internet, the Plaintiffs who are well established Hollywood Studios have approached this Court seeking blocking and removal of their copyrighted content, from the internet, accessed through rogue websites.

15. The Plaintiffs in the present matter before this Court are engaged in the production and distribution of a large volume of original creative content including cinematograph films, TV series, motion pictures, etc. (*hereinafter 'content'*). The list of Plaintiffs in the present petition is set out in the following table:

<b>Plaintiff No.</b>	<b>Name of the Plaintiff</b>
1.	Universal City Studios LLC.
2.	Warner Bros. Entertainment Inc.
3.	Columbia Pictures Industries, Inc.
4.	Netflix Studios, LLC
5.	Paramount Pictures Corporation
6.	Disney Enterprises, Inc.

16. The suit is filed against a number of rogue websites who are unlawfully disseminating and communicating a large quantum of copyrighted content of the Plaintiffs. For a ready reference of the names of the Defendant websites, the list of Defendant websites as given in the memo of parties of this suit is attached to the present order as **Annexure A**.

17. The Plaintiffs claim that the content created, produced and distributed by, or on behalf of the Plaintiffs' studios, can be accessed and viewed on a variety of devices including Televisions, Personal Computers, Laptops, Tablets, Mobile Phones, etc. The said gadgets also permit authorised streaming and downloading of this content. The Plaintiffs' studios own





Copyright in the entire content which is protectable as cinematograph films and also own rights in various underlying works – which are recognised under the Copyright Act, 1957 (*hereinafter, 'the Act'*). The Plaintiffs also claim to have devoted enormous resources in the creation, production and distribution of the content, as also communication of the content so developed to the public. It is also stated that considerable effort and resources are used for even marketing and advertising of the content developed by the Plaintiffs.

18. Technology has posed a major challenge for entities like the Plaintiffs as there is a proliferation of a large number of platforms including websites from where unauthorised, unlicensed and pirated content of the Plaintiffs can be downloaded, accessed and viewed by customers and viewers. The process of production of copyrighted content is a continuous one and almost on a daily basis new content is being added into the bouquet of content of the Plaintiffs. Thus, the content consisting of films, TV series, shows, etc. is itself dynamic in nature and the reproduction, hosting, uploading, streaming, downloading, broadcasting, telecasting or making available of this content in an unauthorised manner is, apart from constituting infringement of Copyright also resulting in enormous monetary loss to the Plaintiffs.

19. The present suit has been filed by the Plaintiffs against various websites which are permitting the viewing, streaming, accessing and downloading of such content without any license or authorisation from the Plaintiffs. The various websites which are impleaded as Defendant Nos. 1 to 45 have different avatars but continue to make available the unauthorised content of the Plaintiffs and also other copyright holders. Such websites primarily contain content which is being taken in an unauthorised manner,



from various platforms including that of the Plaintiffs. Some of the websites are newer versions of rogue websites which have been enjoined in other litigation. Some of the glaring features of these rogue websites are as follows:

- i) No details are available as to the persons or entities who have registered the domain names and the websites have subscribed to features like privacy protect, to hide/mask their identity;
- ii) There is no clarity from a perusal of the websites as to who is the person or entity who is making available the content, which is being hosted, streamed or viewed on these websites;
- iii) There are no contact details and addresses which are available in most occasions, except e-mails addresses. Some of the websites are also providing advertising for services such as Virtual Private Networks (VPNs) and thus, appear to be generating revenue for themselves;
- iv) These rogue websites are also providing different quality and format options for downloading Copyrighted content of the Plaintiffs, including High Definition (HD option);
- v) The content hosted or linked on the said websites are also downloadable on mobile phones;
- vi) The websites also have utilized content from OTT platforms and various regional as also foreign language cinematograph films;
- vii) It also appears that the websites encourage users to join the platforms which support sharing of voluminous content such as Telegram, etc. in order to be able to communicate and transmit unauthorised content;



- viii) Some websites give different options to the user and also provide the genre of the content;
- ix) The FZ series of domain names like fzmovies.net, fztvseries.mobi, fzstudios.app are making available the pirated content on a real time basis and the said domain names and website operators are also using other domain names such as Mobiletvshows.net;
- x) Some instances of promotion of contents and advertising within the sites are reproduced herein below:



FzMovies      FzTvSeries      FzMusic

[Download App v1.6.1](#)

**What's New:**

Updating App will make all your previous downloads inaccessible, So watch and remove them before updating the app.

Image issue resolved.

**FzStudios is the official app for FzMovies, FzTvSeries and FzMusic**

A single app for all your entertainment needs.

Browse the biggest collection of Movies and TvSeries available on the internet.

Convinently stream the content or Download it for later to watch in offline mode.

The Smart Movie and Tv pages learn from your search history, trending movies, new releases and suggests you the perfect blend of movies and tv series as you use the app more.

The Application is completely free to use. No need for any subscription and no personal data is collected by us.

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Series    Episodes

**New download option**

[www.fzstudios.app](http://www.fzstudios.app)

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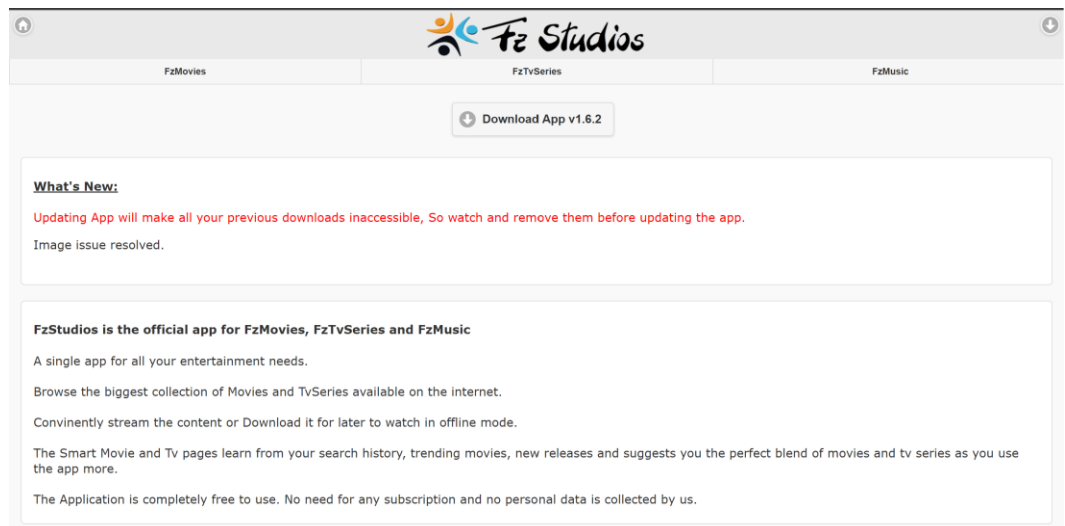
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FzMovies - Best Quality movies for Mobiles and Tablets <https://fzmovies.live>

Request TVShows or Report error with existing ones, Email us at [support@fztvseries.mobi](mailto:support@fztvseries.mobi)



xi) In some instances, these rogue websites are also promoting their mobile applications and promoting the downloading of the ‘.apk’ files for the same. An example of this is set out below:



20. The Id. Counsel for the Plaintiffs submits that the Plaintiffs have issued legal notices to all the Defendant websites, however only few of them reverted to the notices.

21. Some of the websites such as raretoonsindia.pro, raretoonsindia.com.co, and similar extensions thereof are showing children’s content. A reply was received from the one series of domain names i.e., raretoonsindia.pro, raretoonsindia.watch raretoonsindia.com.co, raretoonsindia.tv from the email id- [raretoonsindia@proton.me](mailto:raretoonsindia@proton.me) on 3rd November, 2023 to the effect that all content is deleted. The said reply is extracted herein below:

*“Thanks For Informing Us! All Requested Content is Deleted!”*



22. However, immediately thereafter, instead of the four domain names which were issued a notice, a new domain name being [www.raretoons.me](http://www.raretoons.me) was made available online and the corresponding website had surfaced having the identical pirated content to that of the earlier four domain names.

23. It is clear from a perusal of the screenshots that have been placed on record that the rogue websites have a way of surfacing every time when notices are issued or blocking orders are issued. This Court has from time-to-time evolved jurisprudence on protecting copyrighted content. One of the first decisions which took stringent measures against such websites was the decision authored by *Justice Manmohan* in *UTV Software Communication Ltd. and Ors v. 1337x.to and Ors, (2019) 78 PTC 375 (Del)*. In the said decision, the Court took note of the dynamic nature in which duplication of websites can happen, especially because mirror websites can spring up within a matter of a few minutes.

24. Thereafter, several orders have also been passed by this Court in respect of rogue websites such as such as in *CS(COMM) 157/2022* titled *Star India Pvt. Ltd v. Live Flixhub.Net*, *CS(COMM) 471/2019* titled *Star India Pvt. Ltd. Vs. Moviemad.biz & Ors*, and *CS(COMM) 195/2019* titled *Star India Pvt. Ltd. Vs. Extramovies.host & Ors*. These orders have clearly established without any doubt that the ease with which domain names can be registered and privacy protection on the registration of domains allows the owners and the operators of these websites to hide and camouflage themselves behind the said registrations. The said operators are also not being subject to any monetary damages or compensation due to the privacy protect feature made available by DNRs. The same in effect gives them an immunity to continue to engage in privacy of this nature.



25. Recently, vide judgement date 9<sup>th</sup> August, 2023 in *Universal City Studios LLC. & Ors. v. Dotmovies.baby & Ors., 2023:DHC:5842* this Court has also taken stringent measures to protect Copyright owners from infringement of their content by rogue websites by issuing a Dynamic+ Injunction. The relevant extract of the said decision in *Universal City Studios LLC. & Ors. (supra)* is extracted below:

*“11. The Court had put a question to the ld. Counsel for the Plaintiffs as to how the dynamic generation of content can be protected in a suit where even future works of the Plaintiffs’ can be covered. Mr. Saikrishna, ld. Counsel has taken the Court through the decision of this Court in UTV Software Communication Ltd. and Ors v. 1337x.to and Ors, (2019) 78 PTC 375 (Del) where this aspect is considered by the Court as under:*

*“16. He pointed out that there were at least 122 other movies of the plaintiffs on www4.fmovies.to. Learned Amicus Curiae stated that the plaintiffs had not fully checked their own movies on the said website, let alone third-party content. He contended that the least due diligence expected of the plaintiffs was to provide evidence of at least all of their own movies, if not of third parties (though expected) that were illegally available on the impugned websites.*

*17. He submitted that the “three-step verification test” evolved by the Bombay High Court in Eros International Media v. BSNL, Suit No. 751 of 2016, which consisted of verification by an independent entity, extensive documents being placed on record and an affidavit on oath, was not satisfied in the present case. He contended that the evidence of the nature envisaged by courts*





was lacking in the present case. The relevant portion of the orders in Eros International Media (supra) relied upon by Mr. Hemant Singh are reproduced hereinbelow:-

a) Order dated 22nd July, 2016

“2. I am making it clear that I will not grant an injunction or order to block URLs that point to websites unless it is demonstrated that the entirety of the website contains, and contains only, illicit material. Without that being attested to and established on Affidavit, I will not consider an order that results in the blocking of an entire website.

b) Order dated 26th July, 2016

“14. Thus, what I have before me now is a three-step verification. First, a verification and an assessment by Aiplex (Plaintiff). This is accompanied by their letter in writing. There is then a second level of verification that is said to have been done by the deponent of the Affidavit along with the Plaintiffs' Advocates; and finally all of this material is placed on Affidavit and is now on oath. I think this is sufficient material on which to base an order.”

xxx

xxx

xxx

**87. This Court is also of the opinion that it has the power to order ISPs and the DoT as well as MEITY to take measures to stop current infringements as well as if justified by the circumstances prevent future ones.**

xxx

xxx

xxx

**107. Keeping in view the aforesaid findings, a decree of permanent injunction is passed restraining the defendant-websites (as**



mentioned in the chart in paragraph no. 4(i) of this judgment) 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, from, in any manner hosting, streaming, reproducing, distributing, making available to the public and/or communicating to the public, or facilitating the same, on their websites, through the internet in any manner whatsoever, **any cinematograph work/content/programme/show in relation to which plaintiffs have copyright.** A decree is also passed directing the ISPs to block access to the said defendant-websites. DoT and MEITY are directed to issue a notification calling upon the various internet and telecom service providers registered under it to block access to the said defendant-websites. **The plaintiffs are permitted to implead the mirror/redirect/alphanumeric websites under Order I Rule 10 CPC in the event they merely provide new means of accessing the same primary infringing websites that have been injuncted.** The plaintiffs are also held entitled to actual costs of litigation. The costs shall amongst others include the lawyer's fees as well as the amount spent on Court-fees. The plaintiffs are given liberty to file on record the exact cost incurred by them in adjudication of the present suits. Registry is directed to prepare decree sheets accordingly.

xxx

xxx

xxx

13. Piracy and unauthorized reproduction of copyrighted content is a serious issue the world over. In view of the easy and affordable access to the



internet across the globe, copyright owners are forced to take action in different jurisdictions, that are material to their revenue in order to seek injunctions against rogue websites, which offer content in an unauthorised manner. Courts across the world have been providing various remedies in order to protect the rights of copyright owners. For instance, in **The Football Association Premier League v. British Telecommunications PLC and Ors.**, [2017] EWHC 480 (Ch), the High Court of Justice, Chancery Division, U.K., vide judgement dated 13<sup>th</sup> March, 2017, had passed orders directing ISPs to block access to the websites distributing, transmitting and streaming unauthorised content of the Barclays Premier League matches. In the said decision, the Court considered various issues such as proportionality and safeguards including the avoidance of barriers to legitimate trade before passing the orders of blocking.

14. In addition to the decision in **The Football Association Premier League (supra)**, in several decisions, various torrent websites such as 'The Pirate Bay', 'KAT', 'Fenopy' and 'H33T' which were rampantly indulging in copyrights infringement were directed to be blocked through a series of judgements. The said series of judgements include **Dramatico Entertainment Ltd v British Sky Broadcasting Ltd** [2012] EWHC 268 (Ch) and **EMI Records Ltd v British Sky Broadcasting Ltd** [2013] EWHC 379 (Ch). Further, the High Court of Ireland has in judgement dated 11<sup>th</sup> October, 2010 in **EMI Records [Ireland] Ltd & Ors v. UPC Communications Ireland Ltd**, [2010] IEHC 377 highlighted the nature of the problem being faced by the creative industry as also the economic issues that arise due to rogue websites. The relevant extracts of the said judgement are set out below:

*“The Nature of the Problem*

8. I am satisfied that the **business of the**



recording companies is being devastated by internet piracy. This not only undermines their business but ruins the ability of a generation of creative people in Ireland, and elsewhere, to establish a viable living. It is destructive of an important native industry. While the evidence focussed on the recording industry, the retail sector must also be affected by this wholesale theft. Furthermore, the evidence presented convinces me that a substantial portion of the generation now in their teenage years and twenties are actively dissuaded by illegal alternatives from legitimately purchasing music.

xxx                    xxx                    xxx

*Economic Issues*

xxx                    xxx                    xxx

**19. More widely, however, internet piracy is an economic and a moral problem.** Were men to walk into a cinema and in the dark, set up a small tripod for a machine to digitally record the latest movie blockbuster, to use the appropriate colloquial terminology, most right thinking people would be appalled. To entertain themselves and their families at home, they would have to wait three or four months to buy the DVD on its release and spend about €15 to have the film and whatever extras were added on to make it attractive. It is hardly credible that cinema owners would not be aware of this problem taking place. If they did nothing, and allowed people to proceed with illegally capturing the film, the first step would have been taken with their



*acquiescence in the undermining of Copyright. Attendance at the film would plummet, because a group of friends would be drawn into deciding that a cheaper alternative for say five or ten of them, instead of having to spend between €50 and €100 on cinema admission, would be to buy a pirated copy of the film and watch it in the comfort of their home on the now almost ubiquitous flat screen television of large size that graces our home life. If nothing were done about the men, their camera and their tripod, their digital reproduction equipment and their sales, on the release of the DVD of the film, legal purchases would be minimal. Similarly, in the week of commencing writing this, the National Youth Orchestra of Ireland presented a stirring new composition, 'Summer Overture' by Shaun Davey, in the National Concert Hall. . Nowadays it is possible to attend a concert and to have CDs of it legally for sale fifteen minutes after conclusion. A person could covertly capture the music on a small digital recorder. If that individual went out to a van in which he had a great deal of digital copying equipment, reproduced it without permission and sold the CDs to those leaving the concert, it would rightly be regarded as flagrant abuse of Copyright. **I cannot see how an illegal recording on site and the subsequent public or internet offering for free, with no return to the composer or performer for their creativity, is anything other than a scandal.** I have no doubt that any responsible cinema owner, or concert hall owner would stop internet piracy, if made aware of it. I am further satisfied that a reasonable person in*



*that position would be vigilant to prevent it in a cinema or in a concert venue. A failure to address those problems, by those who can address the abuse, is not excusable. It constitutes the abuse of the economic interests of the creative community. This kind of theft is shameful. Many who see that activity on the street would shun the commerce of exploiting the rights of artists for no return. Peer pressure would prevent much of it. But the internet allows a dispensation from shame, as internet thieves figure that no one will know what is being done behind the closed doors of internet access. Essentially, that coupled with the failure of internet service providers to act like a responsible cinema or concert venue owner would act, is why the problem is so extreme*

20. *There is no difference between the public situations I have described and the piracy of music tracks over the internet. It has the same consequence. The conduit for that illegal activity is, however, not the street or the pavement outside a cinema; it is the internet service providers. It is clear that they have an economic and moral obligation to address the problem. I do not accept any of the evidence from UPC, referred to later in this judgment, as to why this has not been done. Instead, the effect on the market place of illegal downloads, through the internet, is to increase the profit levels of internet service providers. Relevant correspondence from within UPC is profoundly disturbing as to the reality of their approach.*

21. *The evidence establishes that this problem is a massive one. This is an*



instance where the multiplication on a huge scale of small problems has changed the nature of the issue into a huge pilfering of the resources of creative artists. For each individual person, the number of downloads cannot be regarded as being on a commercial scale. It is the multiplication of the problem through millions of individuals feeling free to use the internet to pirate the Copyright of creative artists and recording companies that has created the undermining of that right on a foundational scale.”

15. Even in India, regularly orders are being passed by Courts, against websites which consist of unauthorized and illegal content, in an effort to combat the scourge of internet/network piracy. Recently, the Bombay High Court in **Applause Entertainment Pvt. Ltd. v. Meta Platforms Inc., 2023 SCC OnLine Bom 1034**, has directed the blocking of all social media accounts which were being used for communicating substantial parts of a web series hosted on an OTT platform. In the said decision, while apprehending that continuation of such unauthorised dissemination using different names and identities, the Court issued an *ex-parte ad-interim dynamic injunction*, restraining even the adoption of different identities to perpetuate such unauthorised dissemination. The only effective measure at this stage, which domestic courts are therefore granting is blocking of these websites and extension of the injunction to mirror websites even if they are with alphanumeric variations.

16. The dynamism of the injunction, by itself, in one country or another may not, however be sufficient to protect copyright owners. There is an imminent need to evolve a global consensus in this regard inasmuch as despite ISPs blocking these websites, the said websites can be accessed through VPN servers,





*and other methods to which the long arm of the law cannot extend etc.*

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.”

26. Having noticed the need for passing effective injunction orders and observing globally well-settled jurisprudence that such websites primarily consist of pirated content, which deserve to be enjoined, the Court had passed a *Dynamic+ injunction* in the above-mentioned case in the following terms:

“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/alphanumeric 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.

21. Insofar as Defendant Nos.17 to 25 are concerned, the said ISPs shall give effect to this injunction by blocking the said websites. MeitY and DoT shall issue blocking orders against the websites within a period of one week from the release of the order.

22. The Domain Name Registrars (DNRs) of the rogue websites' domain names, upon being intimated by the Plaintiffs shall lock and suspend the said domain names. In addition, any details relating to the registrants of the said domain names including KYC, credit card, mobile number, etc. be also provided to the Plaintiffs."

27. Mr. Saikrishna, Id. Counsel for the Plaintiffs, submits that post the passing of the order of dynamic+ injunction in **Universal City Studios LLC. & Ors. (supra)**, several of such rogue websites are being blocked on an international level and not just within the territory of India, which is therefore having a positive impact to curb piracy on the internet. Id. Counsel further submits that the decisions of the Delhi High Court on curbing of piracy are having vast implications as DNRs are locking and suspending the domain names, rendering them inaccessible. As per Id. Counsel, this is leading viewers to avail access to legitimate platforms as was evident in the recent World Cup Cricket finals 2023 when one of the OTT platforms had a logging in of more than 5.3 crores, thus multiplying the viewership for such platforms and curbing viewing of pirated content.



28. In the present case, a situation has arisen where several documents have been placed on record by the Plaintiffs clearly demonstrating a brazen effort towards continued piracy on the internet. While the internet provides unimpeded access, one of its challenges is the unrestricted access to such rogue websites. However, as soon as these websites come to the attention of any court of law or law enforcement authority, their free access deserves to be blocked. The rogue websites are offering illegal viewing almost on a real-time basis to Plaintiffs' content such as Stranger Things, Wonder Woman, Aquaman, Batman, Spider Man: No Way Home, Top Gun: Maverick, The Jungle Book, etc.

29. In the present case, this Court is convinced that a dynamic+ injunction as was granted in *Universal City Studios LLC. & Ors. (supra)* deserves to be granted, failing which, the pirated content will continue to be viewed, replicated and communicated to the public, causing immense loss to the economic as also moral rights of the Plaintiffs. In the said process, various illegalities which are being committed would also get encouraged if no injunction is granted. Moreover, as is clear from a viewing one of the infringing websites, coolmoviez.cloud, the clear position that emerges is that serious illegalities are also sought to be committed by these websites and unlawful activities are also being encouraged as is clear from the following screenshots:



30. Under these circumstances, the Plaintiffs have established a *prima facie* case for grant of an injunction. Balance of convenience is also in favour of the Plaintiffs in view of unauthorised and illegal use of Copyrighted contents by such rogue websites leading to significant monetary losses to the Plaintiffs. Irreparable harm and injury is likely to be caused if the injunction as sought is not granted. Accordingly, Defendant Nos. 1 to 45 arrayed as Annexure A, which are all rogue websites shall stand restrained from streaming, reproducing, distributing, making available to the public and/or communicating to the public, in any manner, any copyrighted content of the Plaintiffs including future works of the Plaintiffs.

31. 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 present suit or any mirror/redirect websites or alphanumeric websites, or any variations thereof including those websites which are associated with the Defendants' websites either based on the name, branding, identity of its operator, or discovered to provide additional means of accessing the Defendant's website, and other domains/ domain along with their sub-domains and sub-directories, owners, website operators/ entities or even sources of content.

32. Insofar as Defendant Nos. 46-54 are concerned, the said ISPs shall give effect to this injunction by blocking the said websites. Defendant No. 55 and 56 - Department of Telecommunications (DOT) and Ministry of Electronics and Information Technology (MeitY) respectively shall issue blocking orders against the websites within a period of one week from the release of the order.

33. The Domain Name Registrars (DNRs) of the rogue websites' domain names, upon being intimated by the Plaintiffs shall lock and suspend the said domain names. In addition, any details relating to the registrants of the said domain names including KYC, credit card, mobile number, etc. be also provided to the Plaintiffs.

34. Compliance of Order XXXIX Rule 3 CPC be effected within one week. Compliance and service is permitted through e-mail owing to the fact that the exact contact details or addresses of these parties are not known.

35. Reply to the application be filed within four weeks from the service of



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the present order along with the paper book.

36. List before the Court on 21<sup>st</sup> March, 2024.

**PRATHIBA M. SINGH**  
**JUDGE**

**NOVEMBER 21, 2023**

*Rahul/bh/am*



**ANNEXURE A**List of Defendants as per Memo of Parties

S. No.	Domain Name	URL	IP Address
Defendant No.1			
1.	fztvseries.mobi	https://fztvseries.mobi	104.21.68.98
			172.67.193.226
Defendant No.2			
2.	Mobiletvshows.net	https://mobiletvshows.net	104.21.52.64
			172.67.196.53
Defendant No.3			
	stagatv.com	https://www.stagatv.com	104.21.61.65
			172.67.206.242
Defendant No.4			
	Vexmovies.uno	https://vexmovies.uno	104.21.90.188
			172.67.159.200
Defendant No.5			
3.	coolmoviez.cloud	https://www.coolmoviez.cloud	104.21.51.140
4.	coolmoviez.com.de	https://www.coolmoviez.com.de	104.21.51.238
5.	coolmoviez.com.co	http://www.coolmoviez.com.co	104.21.32.98
Defendant No.6			
6.	aniwave.to	https://aniwave.to	172.64.129.32
7.	aniwave.bz	https://aniwave.bz	172.67.166.73
8.	aniwave.ws	https://aniwave.ws	172.67.181.176
9.	aniwave.tv	<u>https://aniwave.tv</u>	172.67.145.20
Defendant No.7			



10.	animehana.in	<a href="https://www.animehana.in">https://www.animehana.in</a>	142.251.167.121
Defendant No.8			
	animesenpai4u.com	<a href="https://www.animesenpai4u.com">https://www.animesenpai4u.com</a>	142.251.167.121
Defendant No.9			
	gogoanime.is	<a href="https://gogoanime.is">https://gogoanime.is</a>	104.21.21.203
			172.67.200.81
Defendant No.10			
11.	123animes.mobi	<a href="https://w7.123animes.mobi">https://w7.123animes.mobi</a>	104.21.72.172
			172.67.187.37
Defendant No.11			
12.	anix.to	<a href="https://anix.to">https://anix.to</a>	104.21.73.108
Defendant No.12			
13.	freemovies2021.com	<a href="https://freemovies2021.com">https://freemovies2021.com</a>	104.21.17.73
			172.67.223.59
Defendant No.13			
14.	freemovieswatch.tv	<a href="https://freemovieswatch.tv">https://freemovieswatch.tv</a>	104.21.0.234
			172.67.128.98
15.	freemovieswatch.net	<a href="https://freemovieswatch.net">https://freemovieswatch.net</a>	104.21.59.229
			172.67.184.212
Defendant No.14			
16.	medeberiyaa.com	<a href="https://medeberiyaa.com">https://medeberiyaa.com</a>	104.21.12.120
			172.67.132.36
17.	medeberiyas.com	<a href="https://medeberiyaa.com">https://medeberiyaa.com</a>	104.21.2.140
			172.67.129.73
Defendant No.15			
18.	kinogo.biz	<a href="https://kinogo.biz">https://kinogo.biz</a>	91.215.43.170



Defendant No.16			
19.	ridomovies.pw	<a href="https://ridomovies.pw">https://ridomovies.pw</a>	104.21.82.243
			172.67.209.138
Defendant No.17			
20.	1moviestv.com	<a href="https://1moviestv.com">https://1moviestv.com</a>	104.21.1.218
			172.67.128.23
Defendant No. 18			
21.	moviehax.me	<a href="https://moviehax.me">https://moviehax.me</a>	104.21.7.228
			172.67.188.17
Defendant No. 19			
22.	ripcrabbyanime.in	<a href="https://ripcrabbyanime.in">https://ripcrabbyanime.in</a>	104.21.28.121
			172.67.146.30
Defendant No. 20			
23.	moviehunt.us	<a href="https://moviehunt.us">https://moviehunt.us</a>	104.21.67.48
			172.67.213.207
Defendant No. 21			
24.	mlwbd.rent	<a href="https://mlwbd.rent">https://mlwbd.rent</a>	104.21.21.92
25.	mlwbd.digital	<a href="https://mlwbd.digital">https://mlwbd.digital</a>	104.21.92.125
26.	mlwbd.love	<a href="https://mlwbd.love">https://mlwbd.love</a>	104.21.91.26
27.	mlwbd.me	<a href="https://mlwbd.me">https://mlwbd.me</a>	104.21.16.122
			172.67.212.122
28.	mlwbdoofficial.com	<a href="https://mlwbdoofficial.com">https://mlwbdoofficial.com</a>	104.21.14.160
29.	mlwbd.photos	<a href="https://mlwbd.photos">https://mlwbd.photos</a>	104.21.3.5
Defendant No. 22			
30.	mov.onl	<a href="https://www.mov.onl">https://www.mov.onl</a>	104.21.47.254
			172.67.175.35
Defendant No. 23			
31.	nyafilmer.gg	<a href="https://nyafilmer.gg">https://nyafilmer.gg</a>	104.21.46.105
			172.67.137.197
Defendant No. 24			
32.	o2tvseries2.com	<a href="https://o2tvseries2.com">https://o2tvseries2.com</a>	104.21.56.93
			172.67.183.186



Defendant No. 25			
33.	projectfreetv.one	https://projectfreetv.one	104.21.34.90 172.67.157.157
Defendant No. 26			
34.	raretoons.me	<a href="https://raretoons.me">https://raretoons.me</a>	104.21.44.129
35.	raretoonsindia.in.net	https://raretoonsindia.in.net	104.21.18.110 172.67.181.156
Defendant No. 27			
36.	uflix.cc	https://uflix.cc	104.21.54.193 172.67.141.88
Defendant No. 28			
37.	watchmoviesb.top	https://waatchmoviess.top	104.21.96.131
38.	waatchmovies.top	https://waatchmovies.top	104.21.37.124 172.67.208.28
39.	watchmoviess.top	http://watchmoviess.top	104.21.74.145 172.67.159.95
Defendant No. 29			
40.	yifymovies.xyz	https://yifymovies.xyz	104.21.86.195 172.67.136.88
Defendant No. 30			
41.	kickassanime.am	https://kickassanime.am	104.21.34.85 172.67.202.1
42.	kaas.am	http://kaas.am	104.21.20.172 172.67.193.61
Defendant No. 31			
43.	Kickass.onl	https://kickass.onl	104.31.16.123 104.31.16.6
44.	Kickass.help	https://ww1.kickass.help	104.21.10.178 172.67.146.41



Defendant No. 32			
45.	hindimoviesonline.to	https://hindimoviesonline.to	104.21.75.41
			172.67.212.36
Defendant No. 33			
46.	hindimovies.to	https://www.hindimovies.to	104.21.73.241
			172.67.193.117
Defendant No. 34			
47.	freedrivemovie.lol	https://freedrivemovie.lol	104.21.83.191
			172.67.180.221
Defendant No. 35			
48.	freeries.watch	https://freeries.watch	104.21.15.122
			172.67.162.153
Defendant No. 36			
49.	hdmp4mania2.com	https://hdmp4mania2.com	66.154.14.82
50.	hdmp4mania1.net	https://hdmp4mania1.net	163.172.110.116
Defendant No. 37			
51.	genvideos.org	https://genvideos.org	104.31.16.8
			104.31.16.121
Defendant No. 38			
52.	hdflixtor.com	https://hdflixtor.com	104.21.34.104
			172.67.159.25
Defendant No. 39			
53.	24-hd.com	https://www.24-hd.com	104.26.10.67
			104.26.11.67
			172.67.75.193
Defendant No. 40			
54.	123serieshd.ru	https://123serieshd.ru	104.21.9.120
			172.67.189.63
Defendant No. 41			
55.	anihdplay.com	https://anihdplay.com	104.26.10.123
			104.26.11.123
			172.67.70.109



Defendant No. 42			
56.	Nocensor.cloud	https://nocensor.cloud	104.21.89.184 172.67.164.68
57.	Nocensor.click	http://nocensor.click	104.21.80.190 172.67.153.74
Defendant No. 43			
58.	Showbox-movies.net	https://www2.showbox-movies.net	104.21.18.230 172.67.183.223
Defendant No. 44			
59.	Moviestowatch.tv	https://moviestowatch.tv	104.21.28.91 172.67.145.52
60.	Moviestowatch.cc	https://moviestowatch.cc	104.21.80.168 172.67.151.200
Defendant No. 45			
61.	Torrentbay.net	https://torrentbay.net	104.21.68.88 172.67.192.127

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## **Annexure B**

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.