

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 2496 OF 2021
IN
COMMERCIAL IP SUIT NO. 313 OF 2021**

BVC Media LLC	...	Applicant / Orig. Plaintiff
vs.		
Vodafone Idea Limited and others	...	Defendants

Mr. Sharan Jagtiani, Senior Counsel a/w. Mr. Astad Randeria, Ms. Shruti Dasondi and Ms. Aditi Palnitkar, i/by. Khimani and Associates for applicant/plaintiff.

Mr. Pranay Kamdar, i/by. Trilegal for defendant No.1.

Mr. Hiren Kamod a/w. Ms. Hemangi Abyankar and Ms. Narayani P. Choudhary, i/by. ANM Global for defendant No.2.

**CORAM : MANISH PITALE, J
DATE : 23rd NOVEMBER, 2022**

P.C. :

1. This application was listed on 21st November, 2022 and it was heard for quite some time. As recorded in the said order, in the midst of the arguments, learned counsel for the defendant No.2 sought a short adjournment for seeking instructions to make an appropriate statement on behalf of the said defendant.

2. Today, when the application is called out for hearing, learned counsel for defendant No.2, on instructions, makes a statement in terms of prayer clause (a), without prejudice to the rights and contentions of the said defendant.

3. Accordingly, ad-interim relief is granted in terms of prayer clause (a), without prejudice to the rights and contentions of the said defendant. The said prayer clause (a) reads as follows:

“a. Pending hearing and final disposal of the present Suit, a temporary order and injunction restraining the Defendants, their servants, directors, agents, licensees or any other persons/entity claiming through or under them from in any manner, directly or indirectly, exploiting the Applicant's copyright in the said Original Show, including communicating the said Original Show to the public and/or permitting members of the public to make or retain a copy of the said Original Show, through the process of downloading or otherwise, through the Defendants' OTT platforms, or other consumer offerings, features or applications or through any other other mode or medium whatsoever;”

4. A further statement is made on behalf of defendant No.2 that no further licences have been issued by the said defendant, other than those stated in the reply affidavit. Therefore, prayer clause (b) is rendered infructuous as against defendant No.2.

5. In view of the above, the application stands disposed of.

6. Liberty to the plaintiff to move this Court as against defendant No3, if the occasion arises.

(MANISH PITALE, J)