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

Date of Decision: 15th July, 2022

+ **CS (COMM) 151/2021 & I.A. 4669/2021**

STAR INDIA PVT. LTD. & ANR. Plaintiffs
Through: Mr. Yatinder Garg, Ms. Subhoshree
Sil and Ms. Surabhi Rao, Ms. S.
Sujitha, Advocates. (M:9971513806)
versus

Y1.MYLIVECRICKET.BIZ & ORS Defendant
Through: None.

CORAM:
JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J. (Oral)

1. Plaintiff No.1- Star India Pvt. Ltd. and Plaintiff No.2- Novi Digital Entertainment Pvt. Ltd. have filed the present suit seeking reliefs in respect of Vivo Indian Premier League 2021 (*hereinafter 'IPL 2021'*) cricketing events. Plaintiff No.1 is a leading broadcaster in India and is the exclusive licensee of media rights to various sporting events. Plaintiff No.2 owns and operates the online video streaming platform and website www.hotstar.com and the mobile application "Disney + Hotstar" on which it streams various sporting events amongst other programs.

2. The Plaintiffs have acquired the exclusive Television, Internet, and Mobile Rights for IPL for 5 years starting from 1st January 2018 for a substantial consideration vide an agreement dated 7th September, 2017. Vide the said agreement the Plaintiffs have acquired the right of exhibiting live streaming, highlight clips and repeat exhibitions of the event. A letter issued by Chief Operating Officer, IPL dated 7th April, 2018 confirmed the rights



of the Plaintiffs. IPL 2021 was scheduled to be held from 9th April, 2021 to 30th May, 2021. In view of the pandemic, the dates were changed from 9th April, 2021 to 4th May, 2021 and was resumed again on 19th September, 2021 to 15th October, 2021. Ld. counsel for the Plaintiff submits that the IPL 2021 is now over.

3. The present suit was filed to prevent unauthorized telecasting/broadcasting and streaming of IPL 2021 matches by various rogue websites which are arrayed as Defendant Nos. 1 to 13 in the present suit. Defendants No. 15 to 23 are ISPs/domain Registrars and Department of Telecommunications (*hereinafter 'DoT'*) and Ministry of Electronics and Information Technology (*hereinafter 'MeitY'*) are also impleaded as Defendant No.24 and 25 respectively. Vide order dated 26th March, 2021, the following ad interim directions were issued in the matter.

“(i) Defendant Nos. 1 to 13 are restrained from, in any manner, posting, streamlining, reproducing, distributing, making available to the public and/or communicating to the public, the "Vivo IPL 2021" season of the Indian Premier League, conducted by the BCCI, scheduled to take place between 9th April, 2021 and 30th May, 2021 or facilitating the same, on the aforesaid sixteen websites via the internet, in any manner, whatsoever.

(ii) Defendant No. 14 is directed to suspend the domain name of Defendant No. 13.

(iii) Defendant Nos. 24 and 25 (Department of Telecommunications and Ministry of Electronics and Information Technology respectively), shall issue necessary directions/ notifications, calling on various internet providers including Defendant Nos. 15 to 23 to block access to the aforesaid sixteen websites of Defendant No. 1 to 13, as also to any mirror/re-direct/alphanumeric websites of the said defendants.



(iv) If there are any other websites which are found to be illegally streaming Vivo IPL 2021 matches, the plaintiffs are permitted to approach Defendant Nos. 24 and 25 to seek blocking orders, which, if passed, shall be implemented by Defendant Nos. 15 to 23.”

4. The order dated 24th September, 2021, passed by the Joint Registrar records that all the rouge websites i.e., Defendant Nos.1 to 13 were served and they were also blocked. The ISPs and other Defendants who are the regulatory bodies and hence proforma Defendants have already carried out the directions issued by the Court.

5. There is no defence put up by any of the rouge websites, who have chosen not to appear before the Court. The right of Defendant No.1 to 13 to file written statement was closed vide order dated 1st June, 2022 passed by the Joint Registrar. The cricketing tournament which is the subject matter of the present suit having come to an end, and the injunction order already granted having been given effect to by the ISPs and the regulatory bodies, the suit no longer survives.

6. Insofar as the relief *qua* DNRs is concerned, no further orders are called for in the present suit. The DoT and MeitY having issued appropriate orders during the currency of the event IPL 2021, and the same having been given effect to by the ISPs, no further order orders are called for.

7. Accordingly, the suit is decreed in terms of paragraph 68 (i) of the plaint. Insofar as paragraph 68 (ii) of the plaint is concerned, it is confirmed by Id. Counsel for the Plaintiffs that Defendant No.14 i.e., GoDaddy has already suspended the domain name of Defendant No.13, and therefore, the said defendant was deleted from the array of parties vide order dated 11th May, 2021.



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8. The suit is decreed in terms of paragraph 68 (i) of the plaint.
9. Decree sheet be drawn accordingly. All pending applications are also disposed of.

PRATHIBA M. SINGH
JUDGE

JULY 15, 2022/dk/sk

