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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 11/2023 , I.A. 496/2023, I.A. 5336/2023& I.A. 6962/2023.

STAR INDIA PRIVATE LIMITED. & ANR. Plaintiffs

Through: Mr. Akshay Maloo and Ms. Runjhun
Tiwari, Advocates.

versus

LIVE4WAP.CLICK & ORS. Defendants

Through: Ms. Shweta Sahu and Mr. Parva
Khare, Advocates for D-14.
Mr. Arjun Mahajan, SPC for UOI with
Ms. Neha Rai and Mr. Apoorv
Upmanyu, Advocates for D-27 & 28.
Mr. Ajay Gupta, Advocate for
defendant no.29.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
24.04.2024

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1. This suit was filed seeking a decree of permanent injunction restraining defendant nos. 1 to 11, which are websites/URLs from streaming/broadcasting, disseminating in any manner, the content of plaintiffs' broadcast in Star Channel and Disney+ Hotstar in relation to BCCI events, so as to not to infringe plaintiffs' broadcast reproduction rights.
2. None of the defendants have entered appearance except for defendant no. 14 (*Go. Daddy.com, LLC*), defendant no.27 (*Department of Telecommunications*), defendant no. 28 (*Ministry of Electronics and Information Technology*) & defendant no. 29 (*National Internet Exchange of*



India).

3. An *ex parte ad interim* injunction was granted in favour of plaintiffs by order of this Court dated 11th January, 2023, in the following terms which has been extracted as under:

26. Accordingly, the following interlocutory directions are passed, to remain in force till the next date of hearing:

(i) Defendants No. 1 to 11 (and such other mirror/redirect/alphanumeric websites of Defendants 1 to 11 which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiffs to have been infringing the Plaintiffs' exclusive rights and copyrights), 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, shall stand



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restrained from communicating, hosting, streaming, and/or making available for viewing and downloading, without authorization, on their websites or other platforms, through the internet in any manner whatsoever, the content over which the plaintiff has exclusive copyright, so as to infringe the Plaintiffs' exclusive rights, copyrights and broadcast reproduction rights.

(ii) Defendant 12 is directed to suspend the domain name registration of Defendants 1, 3, 8 and 10 in respect of the websites (live4wap.click, khantv.khantv.com, sl.mylivecricket.club and hesgoalTV.me).

(iii) Defendant 13 is directed to suspend the domain name registration of Defendants 2 and 6 & 29 in respect of the websites (a-sports-live.com and cricbuzzlive.in).



(iv) Defendant 14 is directed to suspend the domain name registration of Defendants 4 and 5 in respect of the websites (beemsports.com and btsportlivestream.com).

(v) Defendant 15 is directed to suspend the domain name registration of Defendant 11 in respect of the website (wikicast.tv).

(vi) Defendant 16 is directed to suspend the domain name registration of Defendant 9 in respect of the website (neymartv.net).

(vii) Defendant 17 is directed to suspend the domain name registration of Defendant 7 (123cric.com) in respect of the website (neymartv.net).



(viii) Defendant 29 is directed to suspend/cancel the domain name registration of the domains cricbuzzlive.in.

(ix) Defendants 12 to 17 and 29 are directed to disclose, on affidavit, (a) complete details such as name, address, email address, phone number, IP addresses, etc. (b.) Mode of payment along with payment details used for registration of domain name by the registrant(s) and (c.) details of other websites registered by the Defendant Nos. 1 to 11 using similar details, same credit card, payment gateway etc. (disclosed as per sub-clause (b) above) with the Defendant Nos. 12 to 17 & 29.

(x) To facilitate implementation of the aforesaid directions, Defendants 27 and 28 are directed to issue a notification, calling on internet and telecom service providers registered under the said defendants, to block access to the aforesaid websites identified by the plaintiff and enumerated in the serial no.1 in the documents annexed to the plaint.

29. Accordingly, Defendants 18 to 26 and 29 are directed to block access to any alphanumeric/redirect/mirror website of the defendant-websites which is communicated, to them, by the plaintiffs, on affidavit, to be indulging in infringing activities similar to those in which Defendants 1 to 11 in the present plaint are indulging.

4. It is stated that compliance of the same has been made and plaintiff seeks a decree.

5. The background facts which prefaced the injunction are recorded in paras 8-14 of the order dated 11th January, 2023, are reproduced as under for reference:



8. Plaintiff 1 provides broadcasting services. Plaintiff 2 owns the online streaming platform/website www.hotstar.com and "Disney + Hotstar" and the corresponding Mobile App, which enables viewers to watch serials, sports, movies and the like.

9. The plaint asserts that, *vide* agreement dated 5th April 2018 executed between the Board of Control for Cricket in India (BCCI) and the plaintiffs, exclusive global media rights, for streaming/transmitting, over the television and digital media, events conducted by the BCCI, including the cricket tournaments which are to take place between Sri Lanka and India, New Zealand and India and Australia and India during the period from 15th March 2018 to 31st March 2023, have been granted to the plaintiffs.

10. By virtue of this agreement, the plaintiffs assert exclusive rights to make available to the public the events relating to cricket tournaments conducted by the BCCI during the aforesaid period 15th March 2018 to 31st March 2023, on any platform including the



internet and mobile. Any such transmission or broadcasting of the said event by any other entity, it is submitted, would be infringing the exclusive copyright held by the plaintiffs in that regard, emanating from the agreement dated 5th April 2018.

11. Defendants 1 to 11 are stated to be rogue websites, engaged in making available to public third-party content and information through internet and mobile transmission.

12. The websites are stated to be streaming and providing access, as well as transmitting and broadcasting matches being conducted between India and Sri Lanka during the ongoing tour which commenced on 3rd January 2023 without any authorisation from the plaintiffs. For this purpose, it is stated that Defendant 6 is illegally using the name of website Cricbuzz.com, to which, too, the said defendant has no right.

13. In these circumstances, the plaint asserts that the plaintiffs issued cease and desist notices to Defendants 1 to 11 on 3rd and 4th January 2023 calling on them to desist from transmitting or broadcasting the aforesaid content. The plaintiffs also sent a notice dated 6th January 2023 to the internet service providers (ISPs, Defendants 18 to 26, calling on them to block access to the websites of Defendants 1 to 11.

14. It is in these circumstances that the plaintiffs have approached this Court by means of the present suit, seeking protection against infringement of copyright.

6. There is no rebuttal of these facts or averments. The Court has also perused the pleadings and documents. Accordingly, the decree is passed in



favour of plaintiff in terms of prayer contained in para 85 (i) of the plaint, which is extracted as under:

- i. Pass a decree of permanent injunction restraining the Defendant Nos. 1 to 11 (and such other websites / entities which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiffs to have been engaging in infringing the Plaintiffs' exclusive rights, copyrights and broadcast reproduction rights), 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, broadcasting, rebroadcasting, retransmitting, exhibiting, making available for viewing and downloading, providing access to and / or communicating to the public, displaying, uploading, modifying, publishing, updating and/or sharing (including to its subscribers and users), on their websites, through the internet in

any manner whatsoever, the Plaintiffs' broadcast, as broadcast / contained in Star Channels and Disney+ Hotstar in relation to the BCCI Events and content related thereto, so as to infringe the Plaintiffs' broadcast reproduction rights;

7. Decree sheet be drawn up accordingly.
8. The suit is disposed of accordingly. Pending applications are rendered infructuous.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

APRIL 24, 2024/RK/na



[Click here to check corrigendum, if any](#)