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

+ **CS(COMM) 270/2023 & I.A. 8512/2023**

SPORTA TECHNOLOGIES PVT. LTD. AND ANR. Plaintiffs

Through: **Mr. Prithvi Singh and Ms. Shilpi Sinha,**
Advocates.

versus

JOHN DOE AND OTHERS

..... Defendants

Through: **Mr. Harish Vaidyanathan Shankar,**
CGSC with Mr. Srish Kumar Mishra,
Advocates.
Ms. Shweta Sahu, Advocate for D-2.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
15.04.2024

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1. An *ex parte ad interim* injunction was passed in favour of plaintiff by this Court on 02nd May, 2023 in the following terms:

15. Till the next date of hearing, the following directions are issued:

(i) The proprietor of the www.prodream11.com website is directed forthwith to discontinue the use of the said website or



to use any part of the plaintiffs registered trademark Dream11 or any deceptively similar mark as part of its domain name, website ID or in any other fashion.

(ii) Defendants 2 to 4 are directed to forthwith suspend access to block access to the domain name www.prodream11.com.

(iii) Defendant 2 is directed to disclose the address and contact details of the registrant of the domain name www.prodream11.com.

(iv) Defendant 2 is directed to maintain status quo regarding the ownership of the domain name www.prodream11.com.

(v) Defendants 3 and 4 are directed to issue appropriate notifications calling upon the various Internet Service Providers (ISPs) to block access to the website www.prodream11.com and www.dream11.aandra.tech.

2. The said injunction was passed in the context as narrated on 02nd May, 2023, in paras 1-4 which are reproduced as under:



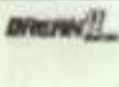
Registered marks of Plaintiff I

S. No.	Trademark	Number	Classes	Date
1.	DREAM11	3802186	9, 16, 35, 41, 42	11 th April 2018
2.	DREAM11	3660715	9, 16, 35, 41, 42	21 st October 2017
3.	DREAM11	3660717	9, 16, 35, 41, 42	21 st October 2017

4.	DREAM11	3660851	9, 16, 35, 41, 42	22 nd October 2017
5.	DREAM11	3660718	9, 16, 35, 41, 42	21 st October 2017
6.	DREAM11	3660720	9, 16, 35, 41, 42	21 st October 2017
7.		3802184	9, 16, 35, 41 & 42	11 th April 2018
8.		3802185	9, 16, 35, 41 & 42	11 th April 2018



Registered marks of Plaintiff 2

S. No.	Trademark	Number	Classes	Date
1.	DREAM11	4863621	9, 16, 18, 28, 35, 38, 42 & 45	25 th September, 2019
2.	 	1823011	38	28 th May, 2009
3.	 	1823015	41	28 th May, 2009

2. On 17th March 2008, Plaintiff 2 got the domain name www.dream11.com registered in its favour. The homepage of the domain name contains a picture of five players positioned in a triangular fashion. The website also contains a link which, if clicked, would download the Dream11 application. The plaintiffs claim copyright with respect to the overall representation, look and feel and information contained on the aforesaid website www.dream11.com.

3. Defendant 1 is the owner and operator of the websites www.prodream11.com and www.dream11.sandra.tech as well as the



mobile applications “ProDream11”. Defendant 1 is also using “Dream11” and “ProDream11” as its trademark, domain name and

part of its logos “Dream11”, “ProDream11”, ,  and



4. Clearly, the marks and the domain names of the defendants infringe the plaintiffs’ registered trademarks. It is also pointed out, in the plaint, that the website of the defendants is a replica of the plaintiffs’ website www.dream11.com. The screenshots of the website have been placed on record and a comparison thereof reveals that this is indeed the case.

3. Pursuant to the summons being issued, service had been effected. However, defendant Nos. 1, 3 & 4 have not filed any written statements and the right was closed by order of the Joint Registrar dated 22nd February, 2024.

4. Defendant no.2 is represented through counsel (*GoDaddy.com LLC*) who has already filed a compliance affidavit as noted by the Joint Registrar *vide* order dated 22nd February, 2024.

5. In the facts and circumstances, counsel for plaintiff, therefore, seeks a decree in terms of prayer 42 (a) (b) (c) & (d) which are reproduced as under:-



- a) A decree of permanent injunction restraining the Defendant No. 1, its representatives and/or others acting for and on its behalf from using the marks 'Dream11' /  /  /  or any deceptively similar variant thereof, as a trademark, trade name, domain name, as part of their email addresses or in any other manner which amounts to infringement of the Plaintiffs' Dream 11 trademarks listed in the plaint;
- b) A decree of permanent injunction restraining the Defendant No. 1, its representatives and/or others acting for and on its behalf from using the marks 'Dream11' /  /  /  or any deceptively similar variant thereof, as a trademark, trade name, domain name as part of their email addresses or in any other manner which amounts to passing off the services and business of the Defendants as that of the Plaintiffs;
- c) A decree of permanent injunction restraining the Defendant No. 1, its representatives and/or others acting for and on its behalf from using a layout/user-interface on the websites www.prodream11.com and www.dream11.aandra.tech, which amounts to infringement of the Plaintiffs' copyright

vested in the layout/user-interface of its website www.dream11.com;

- d) An order and decree directing Defendant No. 2 to transfer the domain www.prodream11.com of the Defendant No. 1 to the Plaintiffs;

6. In view of the facts and circumstances, decree sheet be drawn up



accordingly in terms of prayer at para 42 (a) (b) (c) & (d).

7. The suit is disposed of in the above said terms.
8. Pending applications if any, are also rendered infructuous.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

APRIL 15, 2024/RK/ig