

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-28/2023-DS-II

Dated: 23.06.2023

To;

All Internet Service Licensee's

Subject: CS (COMM) No. 194 of 2023 ANI Media Pvt. Ltd. Vs. Ravi Ranjan & Ors. South at Saket Court, New Delhi

Kindly find the enclosed Hon'ble Delhi High Court order dated **29.03.2023** on the subject matter.

2. Please refer to the **para 21** of the said court order in respect of blocking of **one (01) website** enumerated in the aforesaid para.
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 website, 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) V.Chinnasamy, Scientist E (chinnasamy.v@meity.gov.in), Electronics Niketan, Ministry of Electronics and Information Technology (MeitY) New Delhi for kind information and necessary action.
- (ii) counsel for the plaintiff for kind information.
- (iii) IT wing of DoT for uploading on DoT websites please.

19:10

राजीव बंसल
RAJEEV BANSAL
जिला न्यायाधीश (वणिज्यिक) डिजिटल-04, दक्षिण
District Judge (Commercial)-04, South
कक्ष संख्या-29, दूसरा तल
Room No. 29, 2nd Floor
नया बिल्डिंग, ब्लॉक-2
साकेत कोर्ट परिसर, नई दिल्ली
Saket Court Complex, New Delhi

**IN THE COURT OF DISTRICT JUDGE
(COMMERCIAL COURT) (DIGITAL-04),
SOUTH, SAKET COURTS, NEW DELHI**

**Presiding Officer: Sh. RAJEEV BANSAL
CS (Comm) No. 194/2023**

In the matter of:

ANI Media Pvt. Ltd.

.....Plaintiff.

Vs.

Ravi Ranjan & Ors.

.....Defendants.

ORDER

Present : Ms. Manya Chandhok and Ms. Muskan Gopal, learned
counsel for plaintiff.

1. The present suit has been filed for permanent and mandatory injunction for infringement of Trademark, passing off, rendition of accounts, dilution, damages etc. of the plaintiff's marks

ANI,  by defendant by using the Mark **ANI**.

2. **Mark of the plaintiff**

The case of the plaintiff as set out in the plaint in nutshell is that Plaintiff is India's leading multimedia news agency providing syndicated news feeds with over 100 bureaus in India, South Asia and across the globe under the name of 'Asian News International' and 'ANI' operating since the year 1971. It is submitted that various leading news channels and newspapers rely upon the plaintiff and its services for regular news content and updates. It is further submitted that the plaintiff

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CS (Comm) No. 194/2023

coined and adopted the ANI Brand name and ANI Marks 

 for use in connection with the services of providing content including photographs, videos, printed matter for newspapers in general circulation, TV, digital platforms, mobile apps and news consolidators. It is further submitted that ANI news portals are available through its website, YouTube Channel, Twitter Account, Facebook Page, Instagram Page and its Applications are also available for download on the Apple Store and Google Play Store. Screen-shots of the Plaintiff's website, YouTube Channel, Twitter Account, Facebook Page, Instagram Page and its Applications available for download on the Apple Store and Google Play Store have been placed on record alongwith the plaint. It is stated that in relation to digital services and services over the Internet, the Plaintiff has developed a distinct identity for their ANI Marks and any use of 'ANI' over the Internet automatically links such use as an association / connection / affiliation / relationship with the Plaintiffs. It is further stated that the plaintiff's ANI Mark are registered under Class 16 and 38 for the purpose of providing news for newspaper in general circulation, printed matters, namely, newspaper, photographs, magazines, books, printed periodicals, newsletters and syndicated newspaper columns and as a news agency services for electronic transmission. The details of registration of the plaintiff's ANI Marks are given in the plaint and the Trademark Registration Certificates as well as domain name registration documents have been placed on record alongwith the plaint. It is further stated that the word and mark 'ANI' and the aforesaid registered Plaintiff's ANI Marks form an integral part of the Plaintiff's Domain Names aniin.com, aninews.in since 1999 and

2010 respectively.

3. **Defendant No. 1 and his Mark**

It is stated that defendant no. 1 Mr. Ravi Ranjan is the owner of the registered domain [newsani.in](https://www.newsani.in) and is using the Impugned Mark on their website <https://www.newsani.in> with the Impugned Domain Name and is providing news services to the public in electronic and digital form i.e., same services as the Plaintiff.

4. It is stated that the Defendant No. 1 is using the Mark



along with the 'ANI' brand name and is engaged in providing identical services which fall in the Class 38 category of services over the Internet, under which Class the Plaintiffs have registered their ANI Marks which are deceptively similar to those of the Plaintiff, i.e., providing content to the public online. These services have been advertised by Defendant No. 1 on their website www.newsani.in. It is further stated that defendant no. 1 is also owner of websites <https://khabretv.com/> and <http://atnlivenews.com/>. The screen shot of the website of defendant no. 1 i.e. newsani.in, khabretv and atnlivenews.com have been placed on record alongwith the plaint.

5. **Other Defendants**

Plaintiff has impleaded defendant no. 2 being the Registrar of Domain Name of defendant no. 1. Defendant no. 3 is owner of Social Media Platform Facebook. Defendant no. 4 is owner of Search Engine Google. Defendant nos. 5 to 13 are different Internet and Telecom Service Providers which give access through its ISP to the Website of

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defendant no. 1. Defendant nos. 14 and 15 are Department of Telecommunication and Ministry of Electronics and Information Technology which are required to issue directions for disabling access of defendant no. 1's website in India.

6. Learned counsel for the plaintiff has placed reliance upon the Judgment passed by the Hon'ble High Court of Delhi in CS (Comm) 703/21 titled ANI Media Pvt. Ltd. vs. Vinay G. David in which right of the plaintiff with regard to its registered ANI Marks and Domain Names was protected vide Judgment dated 15.03.2022. Learned counsel has prayed for protection at par with the aforesaid Judgment, a copy of which has been placed on record alongwith the plaint.

7. It is stated that defendant's website newsasni.in can be accessed within the territorial jurisdiction of this Court and hence, this Court has the territorial jurisdiction.

8. Application under Order 39 Rules 1 and 2 CPC

Ld. Counsel for the plaintiff argued that plaintiff is entitled to grant of *ex-parte* injunction on account of infringement of its trademark and passing off by defendant no. 1 as those of plaintiff. She further submitted that in case *ex-parte* injunction is not granted, the plaintiff shall suffer irreparable loss and injury because defendant no. 1 is hosting a deceptively similar website www.newsani.in using the Mark **ANI** and thus causing substantial loss to the business of the plaintiff as well as to its goodwill and reputation. Similarly, directions have been

prayed for defendant nos. 2 to 15 also for effective implementation of any orders for blocking the website, Facebook Account, blocking access to the website etc. of the defendant no. 1.

9. I heard Ld. Counsel for the plaintiff and have perused the records of the case.

10. Section 135 (2) of Trade Mark Act empowers the Court to grant *ex-parte* injunction in a suit for infringement or passing off.

11. In *Corn Products Refining Company v Shangrila Foods Products AIR 1960 SC 142*, the Hon'ble Supreme Court held that the question as to whether the two competing marks are similar or have the potential of causing confusion, the question is to be approached from the view point of a man of average intelligence with imperfect recollection.

12. A side by side comparison of the two marks is as under :-

Plaintiff's registered trademark	Defendant no. 1's infringing mark
 <p data-bbox="440 1939 632 1962">aniin.com, aninews.in</p>	 <p data-bbox="960 1939 1056 1962">newsani.in</p>

The bare comparison of the representations of registered trademark/labels of the plaintiff with that being used by the defendant no. 1 as shown in various paras of the plaint as also in the above table, clearly establish likelihood of deceptive and confusing similarity of the defendant label with that of the plaintiff and same can have the effect of causing confusion in the minds of innocent public. Certainly, the reputation and goodwill of the plaintiff will be adversely affected. The Hon'ble High Court, as noted in preceding para of this order, has already given protection to the Mark of the plaintiff.

13. Thus, the plaintiff has made out a good *prima facie* case for grant of *ex-parte* ad-interim relief. The balance of convenience also tilts in favour of the plaintiff and against the defendant. Further, it is apparent that the plaintiff would suffer irreparable loss and injury in case the defendant is not restrained from using the trademarks/labels belonging to the plaintiff.

14. The Trademark Certificates of the Marks in question have been placed on record.

15. Since the website of defendant no. 1 i.e. newsani.in can be accessed by any person within the jurisdiction of this Court, this Court has territorial jurisdiction. On a demurrer, this Court feels that the territorial jurisdiction vests in this Court.

16. Consequently, till the next date of hearing, an *ad-interim ex-parte* injunction is granted in favour of the plaintiff and against the

defendant no. 1. Defendant no. 1, its partners or proprietors, officers, servants, employees, agents and all persons acting by, through or under them are restrained from using directly or indirectly the Impugned Mark  or in any manner using any other mark identical/deceptively similar to the Plaintiff's 'ANI' brand name and registered ANI Marks  and  amounting to trademark infringement of the Plaintiff's registered ANI Marks, its passing off in any manner whatsoever, and from directly or indirectly using, the domain name newsani.in till the next date of hearing.

17. Defendant No. 2 namely Endurance Digital Domain Technology LLP is directed to block / suspend access to the Domain Name newsani.in and disclose the contact details and other ownership details of the owner of this Domain Name owned by defendant no. 1.

18. Defendant no. 3 i.e. Meta Platforms Inc. is directed to block and disable access to the Facebook Page <https://www.facebook.com/people/News-Ani/100076398454030/> of defendant no. 1.

19. Defendant no. 4 Google LLC is directed to de-index, take down, block and disable access to the Website newsani.in run by defendant no. 1.

20. Defendant nos. 5 to 13 i.e. Vodafone India Ltd. (defendant no. 5), Bharti Airtel Ltd. (defendant no. 6), Atria Convergence Technologies Pvt. Ltd. (defendant no. 7), Bharat Sanchar Ltd. (defendant no. 8), Hathway Cable and Datacom Pvt. Ltd (defendant no. 9), Mahanagar Telephone Nigam Limited (defendant no. 10), Reliance Jio Infocom Ltd. (defendant no. 11), Shyam Spectra Pvt. Ltd (defendant no. 12), TATA Teleservices Ltd. (defendant no. 13) are directed to block access to the Website newsani.in.

21. Defendant nos. 14 (Department of Telecommunication) and 15 (Ministry of Electronics and Information Technology) are directed to take necessary steps by issuing a notification calling upon various Internet and Telecom Service Providers registered under it to block access to the Website newsani.in.

22. The defendants shall be at liberty to apply for modifications / variations of this ad-interim ex-parte injunction in accordance with law.

23. Compliance of Order 39 Rule 3 CPC be done by the plaintiff within 10 days.

24. **Main Suit**

Issue summons for settlement of issues and notice of the application, if any, to all the defendants through e-mail, Whats App as well as by ordinary process, registered AD-speed post and approved

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courier returnable on **07.06.2023**, subject to filing of PF, RC/AD deposit of necessary charges within 07 working days directing the defendants to file their respective written statements / replies within statutory period with an advance copy to the opposite party.

**Announced in open Court
on 29.03.2023**

(RAJEEV BANSAL)
District Judge
(Commercial Court Digital-04)
South/Saket/ND/29.03.2023

IN THE COURT OF DISTRICT JUDGE (COMMERCIAL COURT)
SOUTH DISTRICT, SAKET COURT, NEW DELHI
C.S. (COMM.) NO. 194 OF 2023

IN THE MATTER OF:-

ANI MEDIA PVT. LTD.

...PLAINTIFF

VERSUS

RAVI RANJAN & ORS.

...DEFENDANTS

MEMO OF PARTIES

ANI MEDIA PVT. LTD.

6-G, Vandana Building,

Tolstoy Marg,

New Delhi 110001

Email: accounts@aniin.com

Mobile: 9810822511

... PLAINTIFF

VERSUS

1. MR. RAVI RANJAN

Having office at: Nai Sarai,

Baradari, Bihar Sharif,

Bihar-803101

Email: newsani44@gmail.com

Phone No.: +91-9431061168 and

+91-9334404612

Also at:

Pink Motion Pictures,

Nandan Van Complex,

Panvel, Mumbai,

Maharashtra

Email: newsani44@gmail.com

Phone No.: +91-9835252025

...DEFENDANT NO. 1



2. ENDURANCE DIGITAL DOMAIN TECHNOLOGY LLP

Through its Directors

Having Registered Office at Unit No. 501,
5th Floor, IT Building 3, Nesco IT Park,
Nesco Complex, Western Express Highway,
Goregaon (E), Mumbai,
Maharashtra-400063

Phone No.: Not known

Email: compliance@edtpl.in ,
abuse@publicdomainregistry.com

...DEFENDANT NO. 2

3. META PLATFORMS INC

Formerly 'Facebook Inc'
1601 Willow Road Menlo Park,
California - 94025
United States

Phone No.: Not known

Email: support@fb.com

...DEFENDANT NO. 3

4. GOOGLE LLC

1600 Amphitheatre Parkway,
Mountain View, CA 94043,
United States

Phone No.: Not known

Email: support-in@google.com

... DEFENDANT NO. 4

5. VODAFONE IDEA LIMITED

Vodafone House,
Peninsula Corporate Park,
Ganpatrao Kadam Marg,
Lower Parel, Mumbai - 400 013

Also at:

Birla Centurion,
10th Floor, Plot No. 794,
B Wing, Pandurang Budhkar Marg,
Worli, Mumbai - 400 030



[Handwritten signature]

E-mail: smitha.menon@vodafoneidea.com;

pankaj.kapdeo@vodafoneidea.com;

radhika.gokhale@vodafoneidea.com

...DEFENDANT NO. 5

6. **BHARTI AIRTEL LIMITED**

Airtel Centre, Tower-A, 6th floor

'A' Wing, Plot No.16, Udyog Vihar

Ph - IV, Gurgaon – 122016

E-mail: amit.bhatia@airtel.com

...DEFENDANT NO. 6

7. **ATRIA CONVERGENCE**

TECHNOLOGIES PVT. LTD.

99A/113A, Manorayana Palya

R.T. Nagar Bangalore – 560032

Also at:

2nd and 3rd Floor No. 1,

Indian Express Building, Queen's Road,

Bangalore - 560 001, Karnataka

E-mail: nodal.term@actcorp.in;

jitesh.chathambil@actcorp.in

...DEFENDANT NO. 7

8. **BHARAT SANCHAR NIGAM LTD.**

Bharat Sanchar Bhawan, Regulation Cell

5th floor, Harish Chandra Mathur Lane

Janpath, New Delhi - 110 001

E-mail: ddg_reg@bsnl.co.in;

sbkhare@bsnl.co.in;

averma@bsnl.co.in

...DEFENDANT NO. 8

9. **HATHWAY CABLE & DATACOM PVT. LTD.**

'Rahejas', 4th floor, Main Avenue,

Santacruz (W), Mumbai - 400 054

Email: ajay.singh@hathway.net;

dulal@hathway.net;

sudhir.shetye@hathway.net

...DEFENDANT NO. 9

10. **MAHANAGAR TELEPHONE NIGAM LTD.**

5th Floor, Mahanagar Doorsanchar Sadan



9, CGO Complex, Lodhi Road
 New Delhi – 110 003
 E-mail: raco.mtnl@gmail.com;
mtnlcsco@gmail.com;
gmracomtnl@gmail.com

...DEFENDANT NO. 10

11. **RELIANCE JIO INFOCOMM LTD.**

RCP 14 (TC 23), Phase 4,
 B-Block, 3rd Floor,
 C 4 130 Twane-Belapur Road,
 Gansoli, Navi Mumbai - 400 701
 E-mail: care@jio.com; sunil.kr.gupta@ril.com;
vyoti.jain@ril.com;
neelakantan.an@ril.com

...DEFENDANT NO. 11

12. **SHYAM SPECTRA PVT. LTD.**

Plot No. 258, Okhla Industrial Estate,
 Phase III, New-Delhi – 110 020

Also at:

Plot No. 21-22, 3rd Floor
 Udyog Vihar, Phase IV, Gurugram - 122 015
 E-mail: info@spectra.co;
compliance@spectra.co

...DEFENDANT NO. 12

13. **TATA TELESERVICES LTD.**

A, E & F Blocks Voltas Premises - T. B.
 Kadam Marg,
 Chinchpokli, Mumbai – 400 033
 E-mail: pravin.jogani@tatatel.co.in;
anand.dalal@tatatel.co.in;
satya.yadav@tatatel.co.in

...DEFENDANT NO. 13

14. **DEPARTMENT OF TELECOMMUNICATIONS**

Through Secretary,
 Ministry of Communications and IT,
 20, Sanchar Bhawan, Ashoka Road,
 New Delhi – 110001



E-mail: secy-dot@nic.in;

dirds2-dot@nic.in

...DEFENDANT NO. 14

15. **MINISTRY OF ELECTRONICS AND
INFORMATION TECHNOLOGY**

Through the Director General (DIT) Cyber

Laws & e-security,

Electronics Niketan, 6, CGO Complex,

Lodi Road, New Delhi – 110 003

E-mail ID: cyberlaw@meity.gov.in;

gccyberlaws@meity.gov.in;

ns.balan@meity.gov.in;

sathya.s@meity.gov.in

...DEFENDANT NO. 15

THROUGH



BA
typal

**MANYAA CHANDOK, DISHA SHARMA,
MUSKAAN GOPAL, VIDHI UDAYSHANKAR
ADVOCATES FOR THE PLAINTIFF**

A-75, LOWER GROUND FLOOR,

DEFENCE COLONY,

NEW DELHI - 110 024

MOBILE: +91 98996 75905

E-MAIL: manyaa@sidhantkumar.net

PLACE: NEW DELHI

DATE: 25.03.2023