

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-29/2023-DS-II

Dated: 25.08.2023

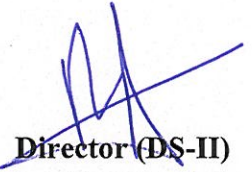
To,

All Internet Service Licensee's

**Subject: CS (COMM) No. 206 of 2023 tata digital private limited & Jaswant Nv and ors.
Before Hon'ble Delhi High Court.**

Kindly find the enclosed Hon'ble Delhi High Court order dated **17.08.2023** on the subject matter.

2. Please refer to the **para 4** 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) Mukul Singh, (mukulsinghcgsc@gmail.com) counsel for the plaintiff for kind information.
- (iii) IT wing of DoT for uploading on DoT websites please.

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 206/2023, I.A. 6652/2023, I.A. 12669/2023 & I.A. 15397/2023

TATA DIGITAL PRIVATE LIMITED AND ANR.

..... Plaintiffs

Through: Mr. Prithvi Singh and Ms. Archita Nigam, Advs.

versus

JASWANTH NV AND ORS

..... Defendants

Through: Mr. Mrinal Ojha, Mr. Debarshi Dutta, Mr. Anand Raja and Mr. Aayush Kevlani, Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

17.08.2023

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I.A. 15397/2023 (under Order I Rule 10 of the CPC)

1. The plaintiff seeks, by this application, to implead the domain <https://tataneu.shop>, which also infringes the plaintiff's registered trademark TATA NEU and/or NEU and seeks extension of the order of injunction already passed to the said new domain.

2. Mr. Prithvi Singh, learned Counsel for the plaintiff submits that Defendant 1 is the registrant of the <https://tataneu.shop> as well, though the Domain Name Registrar is the proposed Defendant 11, HOSTINGER Operations, UAB.

3. As such, HOSTINGER Operations, UAB is permitted to be impleaded as Defendant 11, presently with the email ids support@hostinger.com and abuse@hostinger.com as Defendant 11.

Defendant 11 is directed forthwith to block access to the domain <https://tataneu.shop> and to maintain *status quo* with respect to the said domain during pendency of the present proceedings. Defendant 11 is also directed to disclose the details of the registrant of the said domain name in the affidavit to be filed by way of response to this application.

4. Defendant 9 is directed to issue a notification calling upon various internet telecom service providers registered under it to block access to the domain name <https://tataneu.shop>.

5. This application stands allowed accordingly.

6. The amended memo of parties filed with the application is taken on record.

7. This matter was also to be taken up today for consideration of the prayer of Defendant 8 for a direction to the plaintiff to bear the costs of successive renewals of continued registration of the infringing domains registered with Defendant 8, as enlisted in paras 20 to 22 of the plaint. Mr. Kevlani submits that, if the renewal costs are not paid, the domain names would, on the expiry of the term of the license, be available in the public domain for anyone else to purchase. In that event, Defendant 8 could not continue to hold on to the lock presently placed on the said domain name unless the cost of renewal is born by Defendant 8 itself.

8. Mr. Prithvi Singh suggests a *via media*. He submits that, if the allegedly infringing domain names are transferred to the plaintiff, the plaintiff is willing to bear the costs of their successive renewals. Mr. Kevlani also submits that this can function as an interim arrangement,

which would solve the present imbroglio. In view thereof, Defendant 8 is directed to transfer the <https://tataneu.shop> domain name to the plaintiff. The plaintiff would, subject to the outcome of the present proceedings, bear the costs of successive renewals of the said domain names. Para 3 of the order dated 31 July 2023, as already modified *vide* order dated 2 August 2023, shall further stand modified to the aforesaid extent.

9. List the suit as well as pending applications before the learned Joint Registrar (Judicial) for completion of pleadings, admission/denial of the documents and marking of exhibits on 11 December 2023, whereafter the matter would be placed before the Court for case management hearing and further proceedings.

C.HARI SHANKAR, J

AUGUST 17, 2023

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IN THE HIGH COURT OF DELHI AT NEW DELHI
(*Ordinary Commercial Jurisdiction*)
CS (COMM) No. 206 of 2023
Code No. 36017

AMENDED MEMO OF PARTIES

IN THE MATTER OF:

Tata Digital Private Limited
Army & Navy Building,
148 MG Road,
Opposite Kala Ghoda Fort,
Mumbai, Maharashtra 400001, India
Email: Litigation@fiduslawchambers.com ...Plaintiff No. 1

Tata Sons Private Limited
Bombay House,
24 Homi Mody Stadium,
Mumbai, Maharashtra, 400001
Email: Litigation@fiduslawchambers.comPlaintiff No. 2

VERSUS

Jaswanth NV,
Door no 15-116-6, Kammagada Street,
Madanapalle, Andhra Pradesh, India-
517325
Owner of:
www.tataneu.space
www.neutata.com

| | |
|---|--------------------|
| www.tataneu.biz | |
| www.tataneu.cloud | |
| www.tataneu.co | |
| www.tataneu.digital | |
| www.tataneu.fun | |
| www.tataneu.info | |
| www.tataneu.life | |
| www.tataneu.live | |
| www.tataneu.me | |
| www.tataneu.store | |
| www.tataneu.world | |
| www.tataniu.com | |
| www.tataneu.shop | |
| Email: jaswanthnv@gmail.com | ...Defendant No. 1 |
| www.tataneu.work | ...Defendant No. 2 |
| www.tataneu.site | ...Defendant No. 3 |
| www.tataneu.pro | ...Defendant No. 4 |
| www.tataneu.online | ...Defendant No. 5 |
| www.tataneu.mobi | ...Defendant No. 6 |
| www.tataneu.asia | ...Defendant No. 7 |

GoDaddy.com, LLC
14455 North Hayden Road
Suite 219
Scottsdale, Arizona 85260
United States of America
Email: HQ@godaddy.com

Also at:

GoDaddy India Web Services Private
Limited

003, Tower 4A, DLF Corporate Park
MG Road Gurgaon- 122002
Email: legal@godaddy.com

...Defendant No. 8

Department of Telecommunications
Through Secretary

Ministry of Communications and IT
20, Sanchar Bhawan, Ashoka Road
New Delhi- 110001

Email: hvscgscdhc@gmail.com

abhinesh.meena@gov.in

secy-dot@nic.in

uoidhc@gmail.com

...Defendant No. 9

John Does

...Defendant No. 10

HOSTINGER Operations, UAB

Email: support@hostinger.com

abuse@hostinger.com

...Defendant No. 11

Filed by:

Place: New Delhi
Date: 11th August 2023

Prithvi Singh | Archita Nigam |
Enrl. No.: [D/2066/2011], [D/3027/2021]
Fidus Law Chambers
Advocates for the Plaintiffs

F-12, Ground Floor, Sector – 8
Noida – 201301
Mob. No.: +91 – 9911167179
litigation@fiduslawchambers.com