

**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-24/2023-DS-II

Dated: 08.06.2023

To,  
All Internet Service Licensee's

**Subject: 351 of 2023 Sporta Technologies Pvt. Ltd. & Anr. vs. John Doe & Ors. Before Hon'ble Delhi High Court.**

Kindly find the enclosed Hon'ble Delhi High Court order dated **26.05.2023** on the subject matter.

2. Please refer to the **para 18.3** 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) Vardaan, (Vardaan@fiduslawchambers.com) counsel for the plaintiff for kind information.
- (iii) Harish Vaidyanathan Shankar(hvscgscdhc@gmail.com), Central Govt. Standing Counsel [Delhi High Court], Senior Penal Counsel for kind information.
- (iv) 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) 351/2023**

**SPORTA TECHNOLOGIES PVT. LTD. AND ANR** ..... Plaintiffs

Through: Ms. Shwetasree Majumdar, Mr. Prithvi Singh, Mr. Rohan Krishna Seth and Mr. Vardan Anand, Advocates.

versus

**JOHN DOE AND OTHERS** ..... Defendants

Through: None.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**

% **26.05.2023**

**I.A. 10471/2023** (under Section 12A of the Commercial Courts Act, 2015 r/w Section 151 of the Code of Civil Procedure, 1908 ['CPC'])

1. Having regard to the facts of the present case and in light of the judgement of Division Bench of this Court in ***Chandra Kishore Chaurasia v. R.A. Perfumery Works Private Ltd.***,<sup>1</sup> exemption from attempting pre-institution mediation is allowed.

2. Disposed of.

**I.A. 10472/2023** (under Order XI Rule 1(4) as amended by the Commercial Courts Act, 2015 r/w Section 151 of CPC seeking leave to file additional documents)

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<sup>1</sup> DHC Neutral Citation: 2022/DHC/004454.

3. This is an application seeking leave to file additional documents under the Commercial Courts Act, 2015.
4. Plaintiffs, if they wish to file additional documents at a later stage, shall do so strictly as per the provisions of the said Act.
5. Disposed of.

**I.A. 10473/2023 (under Section 151 of CPC seeking exemption)**

6. Exemption is granted, subject to all just exceptions.
7. Plaintiffs shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
8. Disposed of.

**CS(COMM) 351/2023**

9. Let the plaint be registered as a suit.
10. Upon filing of process fee, issue summons to Defendants by all permissible modes. Summons shall state that the written statement(s) shall be filed by Defendants within 30 days from the date of receipt of summons. Along with the written statement(s), Defendants shall also file affidavit(s) of admission/denial of the documents of Plaintiffs, without which the written statement(s) shall not be taken on record.
11. Liberty is given to Plaintiffs to file replication(s) within 15 days of the receipt of the written statement(s). Along with the replication(s), if any, filed by Plaintiffs, affidavit(s) of admission/denial of documents of Defendants, be filed by Plaintiffs, without which the replication(s) shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

12. List before the Joint Registrar for marking of exhibits on 28<sup>th</sup> August, 2023. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

13. List before Court for framing of issues thereafter.


**I.A. 10470/2023** (under Order XXXIX Rules 1 and 2 r/w Section 151 of CPC)

14. The case set out in the plaint is as follows:

14.1. Plaintiff No. 1, is an Indian company engaged in operating an online fantasy sports platform known as DREAM11, since 2012. Plaintiff No. 1 is a wholly owned subsidiary of Plaintiff No. 2, a U.S. based company. Plaintiffs

have obtained registrations of trademark DREAM11, “”,

“”, “”, “”, “” and

“” [hereinafter collectively, “DREAM11 marks”] and domain name “dream11.com”.<sup>2</sup> Their fantasy sports platform, under the DREAM11

marks, is a highly popular online multi-player game which involves the drafting of virtual teams comprising of real players of a professional sport. Points are earned based on performance of the players in real life matches and for each match, multiple contests are held for fantasy players to join. Thereafter, players with top teams are rewarded monetarily.

14.2. Plaintiffs are the official fantasy sports partner of the International Cricket Council as also various sporting tournaments, including the Indian Premier League [ “IPL”], KFC Big Bash League, Pro Kabaddi League and

Indian Super League. They have signed a Central Sponsorship Contract with the Board of Control for Cricket in India [“*BCCP*”] for the IPL from 2019 for a duration of four years and also acquired official partner rights of BCCI for international and domestic markets in 2019.

14.3. Plaintiffs were the title sponsors of IPL 2020, during which event, DREAM11 marks were promoted on player jerseys and tournament venues which were captured in the live coverage of matches. Television advertisements of DREAM11 were also broadcasted throughout the IPL seasons of 2019, 2020 and 2021. Various well-known cricket personalities are DREAM11’s brand ambassadors. As on date, Plaintiffs’ mobile and online platforms have over 15 crore users playing fantasy cricket, football, hockey, kabaddi, baseball, etc. with more than 1000 contests being organised on a daily basis.


15. Ms. Shwetasree Majumdar, counsel for Plaintiffs, submits that in April, 2023, Plaintiffs came across a website operating under the domain name “www.dream111.net” [*hereinafter*, “*impugned website*”]. The identity of registrant of the said domain name is not known to Plaintiffs and thus, they have impleaded Defendant No. 1 as Ashok Kumar/ John Doe. The domain name registrar [“*DNR*”] of the impugned website is Defendant No. 2 – GoDaddy.com LLC. Plaintiffs have also searched the WHOIS database to find the owner(s) of the impugned website, however, their details are unavailable. Extracts of WHOIS records pertaining to the impugned website have been filed along with the plaint.

16. Ms. Majumdar explains that the impugned website is a single-page


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<sup>2</sup> Details of trademark registrations in Plaintiffs’ favour are set-out in paragraph Nos. 9 and 10 of the plaint.



website which displays the “” logo and requires login details of its users, however, there is no option of registering/ creating an account on the said website. Thus, it is intended to obtain login credentials of unsuspecting users for their accounts with Plaintiffs’ Dream11 website/platform. She states that the present is a classic case of typo-squatting/ URL hijacking, wherein the owners of malicious websites trick unwary users into visiting the same by misspelling URLs of legitimate websites. This results in credential/ password harvesting as the users end up submitting their sensitive details, which is then used for committing data theft or fraud. Due to the impugned activities, Plaintiffs are suffering loss of reputation and image as prospective consumers would be dissuaded from using their platform.




17. Heard. The impugned marks “Dream111” and “” subsume the Plaintiff’s DREAM11 marks, with the only difference being addition of ‘1’ at the end. There is merit in Ms. Majumdar’s submission that members of the public would mistake the impugned website to be Plaintiffs’ and enter their login details in the designated boxes. *Prima facie*, the use of impugned marks and operation of impugned website amounts to infringement of Plaintiffs’ registered DREAM11 marks. Plaintiffs have made out a *prima facie* case in their favour and in case an *ex-parte* ad-interim injunction is not granted, they will suffer an irreparable loss; balance of convenience also lies in favour of Plaintiffs and against the Defendants.

18. Accordingly, till the next date of hearing, following directions are

issued:

18.1. Defendant No.1 and all others acting for and on their behalf are



restrained for using the marks “Dream11”, “” or any deceptively similar variant of Plaintiff’s “DREAM11” trademarks, in any manner, including, as a trademark, trade name, domain name or as part of their email addresses.

18.2. Defendant No. 2 is directed to suspend access to the impugned website “www.dream111.net” of Defendant No. 1 and disclose the contact details of the registrant of the said domain name. KYC details of the said registrants shall also be filed in a sealed cover. Further, Defendant No. 2 shall maintain *status quo* with respect to the ownership of impugned website, during the pendency of the present suit.

18.3. Defendants No. 3 and 4 are directed to issue appropriate notifications calling upon various internet service providers to block access to the impugned website of Defendant No. 1 “www.dream111.net”.

19. List before the Court on 30<sup>th</sup> October, 2023.

**SANJEEV NARULA, J**

**MAY 26, 2023**  
*d.negi*

IN THE HIGH COURT OF DELHI AT NEW DELHI  
(*Ordinary Commercial Jurisdiction*)  
CS(COMM) No. 351 of 2023

In the matter of:

Sporta Technologies Pvt. Ltd. & Anr. ...Plaintiffs

Versus

John Doe and Ors. ...Defendants

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Noida-201301  
Mob. No.: +91 9911167179

Place: New Delhi  
Date: 22<sup>nd</sup> June 2023

**NOTE:**

- (i) The amended memo of parties is being filed in compliance with the Hon'ble Court's order dated 26<sup>th</sup> May 2023.
- (ii) All Defendants have been served.



IN THE HIGH COURT OF DELHI AT NEW DELHI  
(*Ordinary Commercial Jurisdiction*)  
CS(COMM) No. 351 of 2023

**AMENDED MEMO OF PARTIES**

In the matter of:

Sporta Technologies Pvt. Ltd.,  
Unit No. 1201-1202,  
12th Floor, Wing A, One BKC, G Block,  
Plot No.66, Bandra  
Kurla Complex, Bandra-E  
Mumbai, Maharashtra 400051 ... PLAINTIFF NO. 1

Dream Sports Inc.  
*formerly known as Dream11 Inc.*  
960 Holmdel Road, Bldg. 2,  
Holmdel, NJ-0773  
USA ... PLAINTIFF NO. 2

V E R S U S

~~John Doe,  
Owner of  
[www.dream111.net](http://www.dream111.net)  
Email: [grievanceofficer@godaddy.com](mailto:grievanceofficer@godaddy.com) —~~  
... DEFENDANT NO. 1

*KK Bet,  
Owner of  
[www.dream111.net](http://www.dream111.net)  
Haridwar, Rishikesh,  
Madhya Pradesh – 249201  
Email: [kalkkra@gmail.com](mailto:kalkkra@gmail.com)  
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... DEFENDANT NO. 1

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Also at:

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Haryana – 122002  
Email: [grievanceofficer@godaddy.com](mailto:grievanceofficer@godaddy.com)

... DEFENDANT NO. 2

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Through its secretary,  
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[abhinesh.meena@gov.in](mailto:abhinesh.meena@gov.in),  
[uoidhc@gmail.com](mailto:uoidhc@gmail.com)

... DEFENDANT NO. 3

Ministry of Electronics and Information Technology  
Through the Director General (DIT) Cyber Laws & e-security).  
Electronics Niketan, 6, CGO Complex,  
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[uoidhc@gmail.com](mailto:uoidhc@gmail.com)

... DEFENDANT NO. 4

Filed by:



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New Delhi  
22<sup>nd</sup> June 2023