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-49/2022-DS-II

Dated: 22.08.2023

To,

All Internet Service Licensee's

Subject: CS (Comm) No. 759 of 2022; Star India Pvt. Ltd. and Anr. v. PikaShow and Ors before Hon'ble Delhi High Court

Kindly find the enclosed Hon'ble Delhi High Court order dated **04.11.2022**, and 18th & 19th additional Affidavits dated **07.08.2023**, **18.08.2023** respectively on the subject matter.

- 2. Please refer to para 25(vii) of said court order in respect of blocking of two (02) websites (1+1) each enumerated in annexure A of 18th and 19th additional affidavits respectively.
- 3. Accordingly, in view of the above, all the Internet Service licensees are hereby instructed to take immediate necessary blocking action for compliance of the request in the affidavits as above in view of the said court order.

Director (DS-III) Tel: 011-2303 6860

Email: dirds2-dot@nic.in

Encl: A/A

Copy to:

- (i) Sh. V.Chinnasamy, Scientist E (chinnasamy.v@meity.gov.in), Electronics Niketan, Ministry of Electronics and Information Technology (MeitY) New Delhi (Respondent no. 18) for kind information and necessary action.
- (ii) Sh. Anurag Ahluwalia (anuragcgsc@gmail.com), Central Government Standing Counsel for kind information.
- (iii) Ms. Ambika (ambika@saikrishnaassociates.com), Associate, Saikrishna & Associates, counsel for the Plaintiff for kind information.
- (iv) IT wing, DoT for uploading on DoT Website please.

IN THE HIGH COURT OF DELHI AT NEW DELHI ORDINARY ORIGINAL CIVIL JURISDICTION

No. 7779-I Orgl./DHC/DA3 Dated 31122

From:

The Registrar General, Delhi High Court, New Delhi

To

Mr. Yatinder Garg, Advocate, Saikrishna & Associates 57, Jor Bagh, New Delhi-110003 M: 9910739913

Mr. Alipak Banerjee, Advocate, Counsel for Def.6 M: 9911983636

Mr. Anurag Ahluwalia, CGSC, Counsel for Def. No. 17, 18 M: 9811418995

Ms. Hetu Arora Sethi, ASC (GNCTD), M: 9810368590.

Sub: CS(COMM) No. 759/2022.

Star India Pvt. Ltd. and Anr.

...Plaintiffs

Vs

Pikashow Application and Ors.

....Defendants

Sir/Madam,

I am directed to forward herewith for information and necessary compliance, a copy of order dated 04.11.2022 passed by Hon'ble Ms. Justice Prathiba M. Singh of this Court. A copy of Memo of parties is also enclosed herewith.

Yours faithfully,

Administrative Officer (Judl.)(O) for REGISTRAR GENERAL

RK

Encl: As above.



IN THE HIGH COURT OF DELHI AT NEW DELHI (ORDINARY ORIGINAL COMMERCIAL JURISDICTION) CS (COMM) NO. OF 2022

IN THE MATTER OF:

Star India Pvt. Ltd. & Anr.

...Plaintiffs

Versus

PikaShow Application & Ors.

...Defendants

MEMO OF PARTIES

1. Star India Pvt. Ltd.
Star House, Urmi Estate,
95, Ganpatrao Kadam Marg,
Lower Parel (W),
Mumbai- 400013
Also, at:
Vatika Business Centre, Thapar House,
Gate No. 1, Eastern & Central Wing
3rd Floor, 124 Janpath
New Delhi -110001
Email: diksha.snehal@disney.com
Mobile Number: +91 9999494009

Novi Digital Entertainment Pvt. Ltd.
 Star House, Urmi Estate,
 Ganpatrao Kadam Marg, Lower Parel (W),

Email: diksha.snehal@disney.com
Mobile Number: +91 9999494009

...Plaintiffs

Versus

PikaShow Application
 Related domains - pikashows.com and Source Code- strms.in; strms.one; jonahz-viccen-i-202.site;

Dikole In

7

i-cdn-0.jonahz-viccen-i-202.site; cdn4506.jonahz-viccen-i-202.site

Email: pw-

22dc1250b50aa5dc9a5ae7b2f9498c01@privacyguardian.org;

compliance@tucows.com; abuse@godaddy.com

2. 1Xbet App and related domain in.1x001.com

Email: info-en@1xbet-team.com

Ph. No.: 000-800-919-02-66

3. Github India Private Limited

807, New Delhi House, Barakhamba Road,

Central Delhi - 110001, India

Email: msupernaut@microsoft.com

4. NameSilo, LLC.

8825 N, 23rd Ave Suite 100

Phoenix, AZ

USA - 85021

Email: support@namesilo.com

Tucows Inc.

96 Mowat Avenue

Toronto, ON M6K 3M1Canada

Email: info@tucows.com; compliance@tucows.com

6. GoDaddy India Web Services Private Limited

003, Tower 4A, DLF Corporate Park,

MG Road Gurgaon - 122002

Email: legal@godaddy.com; grievanceofficer@godaddy.com

7. National Internet Exchange of India (NIXI)

9th Floor, B-Wing, Statesman House,

dr

148, Barakhamba Road, New Delhi – 110001 Email: <u>info@nixi.in</u>; <u>legal@nixi.in</u>

- 8. 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 560001 Karnataka E-mail: nodal.term@actcorp.in; Jitesh.chathambil@actcorp.in
- 9. Bharat Sanchar Nigam Ltd.
 Bharat Sanchar Bhawan, Regulation Cell
 5th floor, Harish Chandra Mathur Lane
 Janpath, New Delhi -110001
 E-mail: ddg_reg@bsnl.co.in; sbkhare@bsnl.co.in,
 averma@bsnl.co.in
- 10. Bharti Airtel Ltd.
 Airtel Centre, Tower-A, 6th floor
 'A' Wing, Plot No.16, Udyog Vihar
 Ph IV, Gurgaon 122016
 E-mail: amit.bhatia@airtel.com
- 11. Hathway Cable & Datacom Pvt. Ltd.
 Rahejas,4 floor, Main Avenue
 Santacruz (W), Mumbai-400054
 E-mail: ajay.singh@hathway.net; dulal@hathway.net; sudhir.shetye@hathway.net
- 12. Mahanagar Telephone Nigam Ltd.
 5th Floor, Mahanagar Doorsanchar Sadan
 9, CGO Complex, Lodhi Road
 New Delhi 110003
 E-mail: raco.mtnl@gmail.com; mtnlcsco@gmail.com
 gmracomtnl@gmail.com

13. Reliance Jio Infocomm Limited
RCP 14 (TC 23), Phase 4,
B-Block, 3rd Floor,
C 4 130 Twane- belapur Road,
Gansoli, Navi Mumbai- 400701
E-mail: care@jio.com; Hitesh.marthak@relianceada.com;
Kapoor.guliani@ril.com; sunil.kr.gupta@ril.com;
shilpi.kant@ril.com; jyoti.jain@ril.com

14. Shyam Spectra Pvt. Ltd.
Plot No. 258, Okhla Industrial Estate, Phase III,
New Delhi – 110020
Also, at:
Plot No. 21-22, 3rd Floor, Udyog Vihar, Phase IV, Gurugram -122015
E-mail: info@spectra.co; compliance@spectra.co

15. Tata Teleservices Ltd.

A, E & F Blocks Voltas Premises - T. B. Kadam Marg
Chinchpokli, Mumbai - 400033
E-mail: pravin.jogani@tatatel.co.in;
anand.dalal@tatatel.co.in; satya.yadav@tatatel.co.in

Vodafone Idea Limited
Vodafone House,
Peninsula Corporate Park,
Ganpatrao Kadam Marg,
Lower Parel, Mumbai - 400 013 India
Also, At:
Birla Centurion,
10th Floor, Plot no.794,
B Wing, Pandurang Budhkar Marg,
Worli, Mumbai - 400 030 India
E-mail: radhika.gokhale@vodafoneidea.com;
Smitha.Menon@vodafoneidea.com;
pankaj.kapdeo@vodafoneidea.com;
arun.madhav@vodafoneidea.com,

BIAL L

raaj.goyal@vodafoneidea.com, Florencia.depores@vodafoneidea.com

- 17. 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;
- 18. Ministry of Electronics and Information Technology
 Through the Director General (DIT) Cyber Laws & esecurity),
 Electronics Niketan, 6, CGO Complex,
 Lodi Road, New Delhi 110003
 E-mail: cyberlaw@meity.gov.in,
 gccyberlaw@meity.gov.in,
 gccyberlaws@meity.gov.in,
 gccyberlaws@meity.gov.in,
 gccyberlaws@meity.gov.in,
 gccyberlaws@meity.gov.in,
- Ashok Kumar(s)

...Defendants

Haubari.

YATINDER GARG | SNEHIMA JAUHARI | AMBIKA DILWALI D/1330/2015 | D/2733/2017 | D/5511/2021

Saikrishna & Associates Advocates for the Plaintiffs 57, Jor Bagh, Delhi – 110003 +91 9910739913 snehima@saikrishnaassociates.com

Place: New Delhi

Date: 01, November, 2022

Note: Defendant No. 1 is the main contesting Defendant.

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IN THE HIGH COURT OF DELHI AT NEW DELHI CS(COMM) 759/2022

STAR INDIA PVT LTD AND ANR

Through:

..... Plaintiffs

Mr. Sidharth Chopra, Mr. Yatinder Garg, Ms. Snehima Jaunari & Ms.

Ambika Dilwali, Advocates (M-8800166812)

versus

PIKASHOW APPLICATION AND ORS Through:

..... Defendants

Mr. Alipak Banerjee & Mr. Parva Khare, Advocates for D-6

9911983636)

Mr. Anurag Ahluwalia, CGSC with Mr. Danish Faraz Khan, Advocate for

R-17&18 (M-9811418995). Ms.

Hetu Arora + Sethi, (GNCTD) with Inspector Devender Dahiya, IFSO, Special Cell (M-

9810368590)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER 04.11.2022

This hearing has been done through hybrid mode.

CS(COMM) 759/2022

- 2. Let the plaint be registered as a suit.
- 3. Issue summons to the Defendants through all modes upon filing of Process Fee.
- Mr. Anurag Ahluwalia, ld. CGSC accepts summons on behalf of Respondent Nos. 17 and 18.

- 5. Mr. Alipak Banerjee, ld. Counsel, submits that the wrong entity of GoDaddy, being GoDaddy India Web Services Private Limited, has been impleaded. The correct entity is GoDaddy.com LLC, for which he accepts summons. Let GoDaddy, LLC be substituted instead of Defendant No.6 and the amended memo of parties be filed within a period of three days.
- 6. The summons to the Defendants shall indicate that a written statement to the plaint shall be positively filed within 30 days from date of receipt of summons. Along with the written statement, the Defendants shall also file an affidavit of admission/denial of the documents of the Plaintiffs, without which the written statement shall not be taken on record.
- 7. Liberty is given to the Plaintiffs to file a replication within 15 days of the receipt of the written statement(s). Along with the replication, if any, filed by the Plaintiffs, an affidavit of admission/denial of documents of the Defendants, be filed by the Plaintiffs, without which the replication 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.
- 8. List before the Joint Registrar for marking of exhibits on 16th December, 2022. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.
- 9. List before Court on 25th January, 2023.

I.A. 17913/2022 (u/O XXXIX Rule 1 and 2 CPC)

10. Pursuant to the previous order dated 3rd November, 2022, intimation had been issued in this matter to Mr. Anurag Ahluwalia, Id. CGSC, Ms. Sethi, Id. ASC for Delhi Police, and to Defendant No.3. Today, Mr. Ahluwalia and Ms. Sethi have appeared, however Defendant No.3 has not appeared.

CS(COMM) 759/2022 Page 2 of 14

- Ld. Counsel for the Plaintiff also submits that they are still trying to 11. contact Defendant No.3. 12.
- Issue notice.
- Mr. Anurag Ahluwalia, ld. CGSC accepts notice on behalf of 13. Respondent Nos. 17 and 18. 14.
- Mr. Alipak Banerjee, ld. Counsel, accepts notice for GoDaddy.com, LLC. 15.
- Ms. Hetu Arora Sethi, ld. ASC, accepts notice on behalf of the Delhi Police. 16.
- The Plaintiffs Star India Pvt. Ltd. and Novi Digital Entertainment Pvt. Ltd. have filed the present suit seeking a permanent injunction as also reliefs for renditions of accounts, damages, etc. against the mobile application PikaShow (hereinafter 'PIKASHOW APP'), stated to be hosting infringing content over which the Plaintiffs have exclusive rights and 17.
- The case of the Plaintiffs is that they are a leading entertainment and media company in India and own copyright over a large volume of content including award-winning films, music, television series, sporting events, etc. The Plaintiffs, apart from broadcasting the 65 STAR television channels in over eight languages, also own their separate OTT platform 'Hotstar' and a mobile application 'Disney+ Hotstar'. The STAR channels' content includes various popular sporting events organized by BCCI, ICC, Wimbledon, Pro Kabaddi League, etc. The Plaintiffs' OTT platform Disney+Hotstar is stated to have been named the most popular streaming platform in India in 2019, accounting for 45.88% of the total market by number of installs. The claim of the Plaintiffs is that in the original copyrighted content owned by them,

they enjoy the exclusive rights to broadcast, re-broadcast, retransmit, stream, communicate or make available the said content in any manner whatsoever.

- 18. The Plaintiffs' grievance in the present suit is that their content is illegally being made available through the App PIKASHOW on the internet, which claims to be providing free content of all well-known OTT platforms, including that of the Plaintiffs. As per the plaint, the said App is a standalone mobile application which is brazenly engaged in piracy of exclusive content belonging to various copyright owners. In order to buttress this position, the following factors are highlighted in the plaint:
 - (i) The manner in which the App claims that the content of the App is divided into Hollywood, Bollywood, T.V. series and live T.V. itself shows that the USP of the said App is that it is providing copyrighted content free of cost.
 - (ii) The App is downloadable through third-party marketplaces and Telegram channels, but it is not available for downloading through any of the established app stores such as Google Play Store or Apple iTunes.
 - (iii) The extreme extent to which the App uses circumvention measures is clear from the fact that even the measures put in place by standard operating systems such as Android, etc. are being circumvented, to allow for apps to be downloaded from unknown sources.
 - (iv) Over 500 complaints have been made against the App by thirdparties, seeking removal of the PIKASHOW domains from online search results, which is evident from a search of the publicly available database known as 'Lumen Project'. It shows

CS(COMM) 759/2022 Page 4 of 14

- that there are more than 500 cease and desist letters issued in respect of this App and domain;
- this App, sent 500 legal notices to the App since August, 2020, and have also obtained injunction orders in a suit being CS(COMM) 214/2022 titled Star India Pvt. Ltd. & Anr. v. Ashar Nisar & Ors., where vide order dated 6th April, 2022, the URLs therein were found to be streaming illegal content of the Plaintiffs.
- 19. Mr. Chopra, ld. Counsel appearing for the Plaintiffs, also submits that the Investigators of the Plaintiffs studied the manner in which the App is being made available. Reliance is placed upon the affidavits of the Investigators who have demonstrated that:
 - (i) The App is downloaded using installation files on Android devices known as '.apk' files.
 - (ii) The App can be downloaded through the website www.pikashow.com.
 - (iii) The modus operandi of the App to obtain access to copyrighted content is two-fold:
 - It uses various circumvention measures so as to bypass the technological measures set up by OTT platforms, such as the Plaintiffs' Disney+Hotstar, to prevent streaming of its copyrighted content.
 - It accesses other domains where infringing content is hosted and the said domains act as a bridge between the App and the server where infringing content is stored.

- (iv) The media files on the App are located and posted on various source domains with different URLs, which are not accessible through a standard browser.
- (v) The source domains keep changing from time to time and are dynamic in nature, making it harder to identify the source of the infringing content. Some of the URLs and source domains which are set out in the plaint which are as under:
 - jonahz-viccen-i-202.site,
 - i-cdn-0-jonahz-viccen-i-202.site,
 - cdn4506.jonahz-viccen-i-202.site,
 - strms.in.
 - Stems.one
- (vi) The following source domains/IP addresses/URLs seem to be providing a bridge to infringing content:

#	Domain Name	IP Address
1	ama-aws-r12.pw	213.183.62.122
2	cdn4506.ama-aws-r12.pw	50.7.24.59
3	i-cdn-0.ama-aws-r12.pw	213.183.62.122
4	ama-aws-ind-666.site	213.183.62.122
5	pikatv.live	104.21.8.232
6	cdn4506.ama-aws-ind-666.site	50.7.24.59
7	i-cdn-0.ama-aws-ind-666.site	213.183.62.122
8	bob-azure-i-200.site	213.183.62.122
9	i-cdn-0.bob-azure-i-200.site	213.183.62.122

10	od=150=	
	cdn4507.bob-azure-i-200.site	50.7.00 **
PT-14		50.7.22.51

- 20. Therefore, ld. Counsel for the Plaintiff submits that apart from the nature of the content being hosted on the App, the numerous circumvention measures, *modus operandi* of the App and URLs, and the non-availability of the App on regular platforms, itself shows that enormous steps have been taken by the owners/operators of this App for ensuring that the illegal streaming and broadcast continues without obstruction or hindrance.
- Heard and perused the record. A perusal of the plaint, and the documents submitted by the Plaintiff shows large-scale dissemination of content on the PIKASHOW App. At the outset, this Court notices that directions have been given in Star India (supra), for rogue Apps and URLs with similar names to the present App, to be blocked for streaming infringing content. Despite such blocking orders, similar content is being made available through this App and new URLs are being created and made accessible using circumvention measures. This clearly demonstrates the Plaintiffs' case that if one URL is blocked, further URLs are created to make the App available and thus it has become difficult to ensure that the infringing content is restrained. These source domains are stated to be registered by various Domain Name Registrars (hereinafter "DNRs"), namely, NameSilo LLC., Tucows Inc., GoDaddy.com LLC., etc. All of these source domains are also privacy protected and there are no details whatsoever as to who the registrants of the said domain names are. Some such source domains and their relevant DNRs are set out in paragraph 80. The same are extracted herein below:

S.No.	Websites	Registrar
1,	pikashows.com	NameSilo LLC
2.	strms.in	TuCows Inc.
3.	strms.one	TuCows Inc.
4.	jonahz-viccen-i-202.site	GoDaddy.com, LLC
5.	i-cdn-0.jonahz-viccen-i-202.site	GoDaddy.com, LLC
6.	cdn4506.jonahz-viccen-i-202.site	GoDaddy.com, LLC

22. This Court also takes note of the features of the App as pointed out by the Plaintiff. Pertinently, the App is made available for download through its URL - www.pikashows.com - which advertises itself as under:

"www.pikashow.com" in terms of the following "Watch the latest web series on Netflix, Amazon Prime
Video, Zee5, ALTBalaji, Voot, and other subscription
video-on-demand and over-the-top streaming services
for free...The latest Bollywood and Hollywood movies
are available in HD for streaming or download
offline...Watch your favorite programs, live cricket, or
any sports with the ability to watch live TV Channels
like Sony TV, Star Sports, Zee TV, and many more..."

23. Moreover, the manner in which users are asked to disable the security features on their device before downloading the App indicates that the App is intended only to broadcast and stream illegal content. In fact, the instructions which are contained in the App leave no matter of doubt that the App is conscious of the fact that it is primarily streaming infringing content. The said instructions and FAQs read as under:

Installation Instrucions:

For Android Mobile/TV:

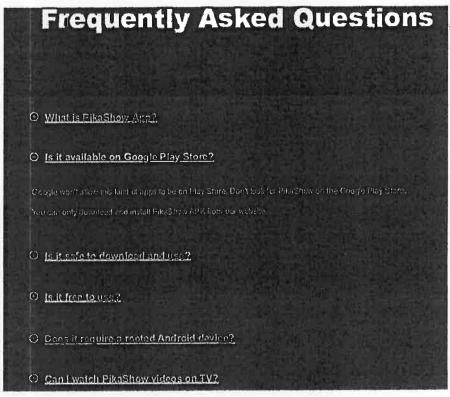
If you have an Android TV or Phone, follow these instructions to install the app.

- 1. Download PikeShow APIK lates, very on from our wabsite.
- 2. Navigate to Sellings on your device, and ensule legical from "Unknown Sources" under the Security.
- 3. Locally the downloaded Pille Bindw APIK in the Fig manager and open it to start the installation process. 4. Once the installation is done, onen the PikaShow and ergay.

How to Download Videos/Movies in PikaShow?

- to transplants to Fing State aim abrealand the early conventible Downloader" on your device.
- Code you need that 10M Decade, it is, or so PikaShow and solutions increasely already you work to increase a.
- Self-will prompt with the openies whether to Obean of Demiors. Select the download optics and attent

102 Copy (10 Pilathew A. R., N. Ribertold | \$1.000



24. All these facts as captured above reveal that the Defendants are unabashedly and brazenly making available a large amount of copyrighted content including that of the Plaintiffs. On a perusal of the pages of the App, it does not appear that any non-infringing content is available on a substantial portion of the App. Even the studies conducted by Lumen¹ as cited by the Plaintiffs, and the large volume of cease-and-desist letters and complaints made against the App, *prima facie* establish that the App is a rogue App and deserves to be blocked as a whole, as past experience has shown that blocking of URLs themselves may not be sufficient to stop the streaming of infringing content. The large volume of infringing content coupled with the manner in which the App is sought to be made accessible

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Lumen, Search Results for Pikashow, https://www.lumendatabase.org/notices/search?utf8=%E2%9C%93&term=pikashow&sort_by= (Last

and downloadable by users by using various deceptive methods, leaves no manner of doubt in the mind of the Court that the intention of the owners/operators of this App is to clearly subvert any technological measures that may be there on established platforms, to ensure that infringing content can continue to be streamed. It is also seen that the App permits advertising and thus there is a monetary benefit also being derived 25. Under the end of the court that the App is the content of the court that the App is the content of the court that the App is the content of the court that the App is the content of the court that the App is the content of the court that the App is the content of the court that the App is the content of the court that the court that the App is the content of the court that the court that the App is the content of the court that the App is the court that the court that the App is the court that the App is the court that the court that the App is the court that the App is the court that the court that the App is the court that the court that the App is the court that the App is the court that the court that

- 25. Under these circumstances, the Plaintiffs have made out a *prima facie* case for the grant of an *interim* injunction, and the balance of convenience is in their favour. Accordingly, the following directions are issued:
 - An order of interim injunction is granted restraining the 'PIKASHOW APP' and/or its owners/operators from making available the said App through any of the domain names/websites provided in the www.pikashows.com, strms.in, strms.one, jonahz-viccen-iplaint i-cdn-0.jonahz-viccen-i-202.site, cdn4506.jonahzviccen-i-202.site, ama-aws-r12.pw, cdn4506.ama-aws-r12.pw, i-cdn-0.ama-aws-r12.pw, ama-aws-ind-666.site, pikatv.live, cdn4506.ama-aws-ind-666.site, i-cdn-0.ama-aws-ind-666.site, bob-azure-i-200.site, i-cdn-0.bob-azure-i-200.site, cdn4507.bob-azure-i-200.site. (ii)
 - (ii) The PIKASHOW App shall stand restrained from being broadcasted or being accessed in any manner whatsoever including through source domains and websites mentioned above.

- (iii) The present injunction shall operate against any further domains which permit the said App to be downloaded or which host the said App. Details of such domains, if created in the future, shall be placed on record by way of an affidavit by the Plaintiffs, upon which, the injunction order restraining broadcast and telecast of any content belonging to the Plaintiffs shall operate against the said source domains and websites as well;
- (iv) Defendant No.2/1Xbet App and related domain in.1x001.com, which is an advertiser on the 'PIKASHOW APP' is directed to disclose the contact details of 'PIKASHOW APP' as may be available with it including details of any bank accounts, payments made, sale agreements entered into, etc. within one week, by filing an affidavit in this regard;
- (v) Defendant No.3/Github India Private Limited which seems to be providing infrastructure services for the App shall also disclose all details available with it in respect of the 'PIKASHOW APP' including name of individuals, entities associated with the App/representing the App in its transactions, e-mail addresses, phone numbers, agreements, payment details, credit card details, bank account details, etc. including IP logs, within one week, by filing an affidavit in this regard;
- (vi) Defendant Nos.4, 5, 6 and 7 i.e., NameSilo, LLC, Tucows Inc., GoDaddy.com.LLC and NIXI, who are the DNRs of the impugned domains, shall suspend and lock www.pikashow.com

CS(COMM) 759/2022

and the source domains including those mentioned below within a period of three working days on receiving a copy of this order. The said DNRs shall also disclose all the details of the registrants of the various source domains including the name of individuals, entities associated with the App/representing the App in its transactions, e-mail addresses, phone numbers, agreements, payment details, credit card details, bank account details, etc. The said domain names are as below:

- pikashows.com
- strms.in
- strms.one
- jonahz-viccen-i-202.site
- i-cdn-0.jonahz-viccen-i-202.site
- cdn4506.jonahz-viccen-i-202.site
- (vii) DoT and Meity shall issue blocking orders against the 'PIKASHOW APP', including against all the source domains listed above in the order and any further domain names/source domains which may be brought to their notice by the Plaintiffs, after filing an affidavit before this Court as directed above, so as to ensure that the said App remains blocked by all ISPs across the country.
- 26. It is made clear that if the App that stands injuncted today has any non-infringing content, the owners/operators of the App are permitted to move an application seeking modification of today's order.
- 27. In so far as the police complaint already filed by the Plaintiffs in

respect of the Defendants on 27th October, 2022 is concerned, Ms. Sethi, ld. ASC appearing for the Delhi Police, submits that the complaint has been received only on 31st October, 2022 and investigation is being carried Mr. Sunil Panchal, ACP, Delhi Police. Let a status report be filed by the next date, in terms of the police investigation, as to the details of the persons who are running the said App and details of entities hosting the App.

- 28. List before the Court on 25th January, 2023.
- 29. Reply to the application be filed within four weeks from the service of the present order along with the paper book. Compliance of order XXXIX Rule 3 CPC be made within a period of one week.

30. Order dasti.

PRATHIBA M. SINGH, J.

NOVEMBER 4, 2022 Rahul/MS

1c

IN THE HIGH COURT OF DELHI AT NEW DELHI (ORDINARY ORIGINAL COMMERCIAL JURISDICTION) CS (COMM) NO. 759 OF 2022

IN THE MATTER OF

Star India Pvt. Ltd. & Anr.

...Plaintiffs

Versus

PikaShow Application & Ors.

...Defendants

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3.	Evidence with respect to additional list of 1	11-24
	Source Domain / Website / URL that are	
	engaged in hosting and/or streaming and/or	
	providing access and/or making available for	
	viewing the Plaintiffs' Content	
4.	Copy of Board Resolutions and Letter of	25-30
	Authority	
5.	Proof of Service	

Yatinder Garg / Snehima Jauhari / Rimjhim Tiwari (D/1330/2015) / (D/2733/2017) / (D/4021/2022)

Place: New Delhi Saikrishna and Associates
Date: 08 August 2023 Advocates for the Plaintiffs

57 Jor Bagh,

New Delhi – 110003

IN THE HIGH COURT OF DELHI AT NEW DELHI (ORDINARY ORIGINAL COMMERCIAL JURISDICTION) CS (COMM) NO. 759 OF 2022

IN THE MATTER OF

Star India Pvt. Ltd. & Anr.

...Plaintiffs

Versus

PikaShow Application & Ors.

...Defendants

AFFIDAVIT OF MR. ABHISHEK PRAHARAJ, S/O MR. KISHORE PRAHARAJ, AGED ABOUT 29 YEARS, AUTHORIZED SIGNATORY OF PLAINTIFFS, HAVING ITS OFFICE AT STAR HOUSE, URMI ESTATE, 95 GANPATRAO KADAM MARG, LOWER PAREL (W), MUMBAI, 400013, PRESENTLY AT NEW DELHI

I, the above-named deponent, do hereby solemnly affirm and

declare as under:

What, I am the Authorized Representative of the Plaintiffs in the

present suit and as such I am conversant with the facts and

circumstances of the present suit and competent to depose in

respect thereof.

2. I state that I am aware of the present suit and the order dated 04.11.2022 whereby the Hon'ble Court was pleased to pass an *ex-parte ad-interim* order in terms of the following:

- "25. Under these circumstances, the Plaintiffs have made out a prima facie case for the grant of an interim injunction, and the balance of convenience is in their favour. Accordingly, the following directions are issued:
- An order of interim injunction (i) is granted the 'PIKASHOW APP' and/or its restraining owners/operators from making available the said App through any of the domain names/websites provided in the plaint including, www. pikashows.com, strms.in, jonahz-viccen-i-202.site, i-cdn-0.jonahzstrms.one, viccen-i-202.site. cdn4506.jonahz-viccen-i-202.site, cdn4506.ama-aws-r12.pw, ama-aws-rl2.pw. 0.ama-aws-rl2.pw, ama-aws-ind-666.site, pikatv.live, cdn4506.ama-aws-ind-666.site. i-cdn 0.amaaws-ind-666.site, bob-azure.i-200.site, i-cdn-0.bobazure-i-200 site, cdn4507.bob-azure-i-200.site.

ti) The PIKASHOW App shall stand restrained from being broadcasted or being accessed in any manner whatsoever including through source domains and websites mentioned above.

Debajyoti Behuria

24/02/2025

(iii) The present injunction shall operate ag ainst any further domains which permit the said App to be downloaded or which host the said App. Details of such domains, if created in the future, shall be placed on record by way of an affidavit by the Plaintiffs, upon

which, the injunction order restraining broadcast and telecast of any content belonging to the Plaintiffs shall operate against the said source domains and websites as well;

(iv) Defendant No.2/1Xbet App and related domain in.1x100.com, which is an advertiser on the 'PIKASHOW APP' is directed to disclose the contact details of 'PIKASHOW APP' as may be available with it including details of any bank accounts, payments made, sale agreements entered into, etc. within one week, by filing an affidavit in this regard;

(v) Defendant No.3/Github India Private Limited which seems to be providing infrastructure services for the App shall also disclose all details available with it in respect of the 'PIKASHOW APP' including name of individuals, entities associated with the App/representing the App in its transactions, e-mail addresses, phone numbers, agreements, payment details, credit card details, bank account details, etc. including IP logs, within one week, by filing an affidavit in this regard;

(vi) Defendant Nos.4, 5, 6 and 7 i.e., NameSilo, LLC, Tucows Inc., GoDaddy.com.LLC and NIXI, who are the DNRs of the impugned domains, shall suspend and lock www.pikashow.com and the source domains including those mentioned below within a period of three working days on receiving a copy of this order.

Central Delhi

The said DNRs shall also disclose all the details of the registrants of the various source domains including the name of individuals, entities associated with the App/representing the App in its transactions, e-mail addresses, phone numbers, agreements, payment details, credit card details, bank account details, etc. The said domain names are as below:

- · pikashows.com
- strms.in
- · strms.one
- jonahz-viccen-i-202.site
- i-cdn-0.jonahz-viccen-i-202.site
- cdn4506.jonahz-viccen-i-202.site
- (vii) DoT and Meity shall issue blocking orders against the 'PIKASHOW APP', including against all the source domains listed above in the order and any further domain names/source domains which may be brought to their notice by the Plaintiffs, after filing an affidavit before this Court as directed above, so as to ensure that the said App remains blocked by all ISPs across the country."
- 3. I state that in order to protect and enforce its exclusive rights in the Plaintiffs' Content, including but not limited to the content made available through the Plaintiffs' STAR Channels and Disney+Hotstar, the Plaintiffs engaged the services of an investigation agency, Copyright Integrity International, to

Debajyoti Behuria

Advocate
Regn. No.: 19716
Period 24/02/2020
to 24/02/2025
Central Delhi
OF

identify and monitor additional rogue Android-based mobile Apps (in terms of para 25 (iii) and (vii) of the aforementioned order dated 04.11.2022) and additional Rogue Websites collaborating with the said App and/or the Rogue App identified in the instant suit (i.e., Defendant No. 1) and gather evidence of their infringing activity. I state that the following Source Domain / Website / URL have been identified by the investigation agency engaged in illegally communicating the Plaintiffs' Content, including but not limited to the content made available through the Plaintiffs' STAR Channels and Disney+Hotstar, through the Rogue Apps:

S. No.	Source Domain / Website / URL	Rogue App
Salti		PikaShow App
1.	role-phone-i-246.site	(Defendant No. 1)

Affidavit, it is evident that the above-mentioned 1 Source

Domain / Website / URL is hosting and/or streaming and/or

providing access and/or making available for viewing the

broadcast of Plaintiffs' Content, including but not limited to the

content made available through the Plaintiffs' STAR Channels

and Disney+Hotstar. I state that the Plaintiffs are the exclusive

ON Debinor

right holders for Plaintiffs' Content, including but not limited to the content made available through the Plaintiffs' STAR Channels and Disney+Hotstar, for the worldwide territory and the Plaintiffs have not authorised the above-mentioned websites to communicate and or make available for viewing the Plaintiffs' Content, including but not limited to the content made available through the Plaintiffs' STAR Channels and Disney+Hotstar.

- 5. I state that the Plaintiffs are not aware of the owner(s) of this 1 rogue Source Domain / Website / URL as either they are anonymous or have incorrect or incomplete addresses.
- 6. I state that in terms of the following directions passed by this Hon'ble Court, vide order dated 04.11.2022 (reproduced herein above) is also applicable on the above mentioned 1 Source

The present injunction shall oper

against any further domains which permit the

Domain / Website / URL.

(iii)

App to be downloaded or which host the said App. Details of such domains, if created in the future, shall be placed on record by way of an affidavit by the Plaintiffs, upon which, the injunction order restraining broadcast and telecast of any content belonging to the Plaintiffs shall operate against the said source domains and websites as well: (vii) DoT and Meity shall issue blocking orders against the 'PIKASHOW APP', including against all the source domains listed above in the order and any further domain names/source domains which may be brought to their notice by the Plaintiffs, after filing an affidavit before this Court as directed above, so as to ensure that the said App remains blocked by all ISPs across the country."

7. In light of the abovementioned, the Department of Telecommunications (Defendant No. 17) and the Ministry of Electronics and Information Technology (Defendant No. 18) are urged to issue a notification to the Internet Service Providers (Defendant Nos. 8 – 16) to block the additional rogue Source Domain / Website / URL identified in Annexure A

I state that the evidence filed along with the present affidavit was shared by the investigating agency in google drive link. I downloaded the same onto the computer (Intel (R) Core (TM) i5-2520M CPU @ G2010 @ 2.50 GHz 2.50 GHz) which is regularly used by me in the ordinary course of business and thereafter, shared the same with the Plaintiffs' Counsel.

9. I am advised to state that the conditions of Sections 65B of the Indian Evidence Act, 1872 and Order XI Rule 6(3) of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 are complied with in respect of these documents.

10.In particular, I confirm:-

a) That the said computer system is regularly used to produce computer outputs like emails and information from the World Wide Web (Internet) and store other electronic records. The relevant information from the websites and electronic records as mentioned above was downloaded by me in the course of activity of the Plaintiffs. I have a lawful control over the use of the said computer system by virtue of my capacity in the organization.

b) That the electronic records mentioned above are downloaded from the computer system as part of the ordinary course of activities of the Plaintiffs.

That the computer system as used by me has been operating properly and the electronic records and their accuracy and contents have not been altered and tampered with in any manner whatsoever.

d) That the information contained on the computer outputs is an exact replica and has been produced from the original electronic record and therefore, reproduces the information contained on the electronic records therein.

DEPONENT

I Identified the deponent who has signed in my presence VERIFICATION

0 7 AUG 2023

Verified at New Delhi on this the day of August 2023 that the contents of the above said Affidavit are true to the best of knowledge, information and belief and nothing material has been concealed therefrom.

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0 7 AUG 2023

Annexure A: Additional list of 1 Source Domain / Website / URL

S. No.	Source Domain / Website / URL	
1.	role-phone-i-246.site	

IN THE HIGH COURT OF DELHI AT NEW DELHI (ORDINARY ORIGINAL COMMERCIAL JURISDICTION) CS (COMM) NO. 759 OF 2022

IN THE MATTER OF

Star India Pvt. Ltd. & Anr.

...Plaintiffs

Versus

PikaShow Application & Ors.

...Defendants

INDEX

S. NO.	PARTICULARS	PAGE NO
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5.	Proof of Service	

Yatinder Garg / Snehima Jauhari / Rimjhim Tiwari (D/1330/2015) / (D/2733/2017) / (D/4021/2022)

Place: New Delhi

Saikrishna and Associates

Date: 18 August 2023

Advocates for the Plaintiffs

57 Jor Bagh,

New Delhi - 110003

IN THE HIGH COURT OF DELHI AT NEW DELHI (ORDINARY ORIGINAL COMMERCIAL JURISDICTION) CS (COMM) NO. 759 OF 2022

IN THE MATTER OF

Star India Pvt. Ltd. & Anr.

...Plaintiffs

Versus

PikaShow Application & Ors.

...Defendants

AFFIDAVIT OF MR. ABHISHEK PRAHARAJ, S/O MR. KISHORE PRAHARAJ, AGED ABOUT 29 YEARS, AUTHORIZED SIGNATORY OF PLAINTIFFS, HAVING ITS OFFICE AT STAR HOUSE, URMI ESTATE, 95 GANPATRAO KADAM MARG, LOWER PAREL (W), MUMBAI, 400013, PRESENTLY AT NEW DELHI

I, the above-named deponent, do hereby solemnly affirm and declare as under:

 That, I am the Authorized Representative of the Plaintiffs in the present suit and as such I am conversant with the facts and circumstances of the present suit and competent to depose in

respect thereof.

- 2. I state that I am aware of the present suit and the order dated 04.11.2022 whereby the Hon'ble Court was pleased to pass an *ex-parte ad-interim* order in terms of the following:
 - "25. Under these circumstances, the Plaintiffs have made out a prima facie case for the grant of an interim injunction, and the balance of convenience is in their favour. Accordingly, the following directions are issued:
 - An order of interim injunction (i) is granted the 'PIKASHOW APP' and/or its restraining owners/operators from making available the said App through any of the domain names/websites provided in the plaint including, www. pikashows.com, strms.in, strms.one, jonahz-viccen-i-202.site, i-cdn-0.jonahzviccen-i-202.site. cdn4506.jonahz-viccen-i-202.site, cdn4506.ama-aws-r12.pw, ama-aws-rl2.pw, 0.ama-aws-rl2.pw, ama-aws-ind-666.site, pikatv.live, cdn4506.ama-aws-ind-666.site, aws-ind-666.site, bob-azure.i-200.site, i-cdn-0.bobazure-i-200 site, cdn4507.bob-azure-i-200.site.
 - (ii) The PIKASHOW App shall stand restrained from being broadcasted or being accessed in any manner whatsoever including through source domains and websites mentioned above.



- (iii) The present injunction shall operate ag ainst any further domains which permit the said App to be downloaded or which host the said App. Details of such domains, if created in the future, shall be placed on record by way of an affidavit by the Plaintiffs, upon which, the injunction order restraining broadcast and telecast of any content belonging to the Plaintiffs shall operate against the said source domains and websites as well;
- (iv) Defendant No.2/1Xbet App and related domain in.1x100.com, which is an advertiser on the 'PIKASHOW APP' is directed to disclose the contact details of 'PIKASHOW APP' as may be available with it including details of any bank acc ounts, payments made, sale agreements entered into, etc. within one week, by filing an affidavit in this regard;
- (v) Defendant No.3/Github India Private Limited which seems to be providing infrastructure services for the App shall also disclose all details available with it in respect of the 'PIKASHOW APP' including name of individuals, entities associated with the App/representing the App in its transactions, e-mail addresses, phone numbers, agreements, payment details, credit card details, bank account details, etc. including IP logs, within one week, by filing an affidavit in this regard;



(vi) Defendant Nos.4, 5, 6 and 7 i.e., NameSilo, LLC, Tucows Inc., GoDaddy.com.LLC and NIXI, who are the DNRs of the impugned domains, shall suspend and lock www.pikashow.com and the source domains including those mentioned below within a period of three working days on receiving a copy of this order. The said DNRs shall also disclose all the details of the registrants of the various source domains including the name of individuals, entities associated with the App/representing the App in its transactions, e-mail addresses, phone numbers, agreements, payment details, credit card details, bank account details, etc. The said domain names are as below:

- · pikashows.com
- · strms.in
- · strms.one
- jonahz-viccen-i-202.site
- i-cdn-0.jonahz-viccen-i-202.site
- cdn4506.jonahz-viccen-i-202.site

(vii) DoT and Meity shall issue blocking orders against the 'PIKASHOW APP', including against all the source domains listed above in the order and any further domain names/source domains which may be brought to their notice by the Plaintiffs, after filing an affidavit before this Court as directed above, so as to ensure that the said App remains blocked by all ISPs across the country."

Debajyoti He uria Advocata Regn. No. 19716 Period: 24/02/2020 to 24/02/2025 Central Delhi 3. I state that in order to protect and enforce its exclusive rights in the Plaintiffs' Content, including but not limited to the content made available through the Plaintiffs' STAR Channels and Disney+Hotstar, the Plaintiffs engaged the services of an investigation agency, Copyright Integrity International, to identify and monitor additional rogue Android-based mobile Apps (in terms of para 25 (iii) and (vii) of the aforementioned order dated 04.11.2022) and additional Rogue Websites collaborating with the said App and/or the Rogue App identified in the instant suit (i.e., Defendant No. 1) and gather evidence of their infringing activity. I state that the following Source Domain / Website / URL have been identified by the investigation agency engaged in illegally communicating the Plaintiffs' Content, including but not limited to the content made available through the Plaintiffs' STAR Channels and Disney+Hotstar, through the Rogue Apps:

	S. No.	Source Domain / Website / URL	Rogue App
12		and forther management is 248 miles	PikaShow App
1	15	safety-revenue-i-248.site	(Defendant No. 1)

Affidavit, it is evident that the above-mentioned 1 Source

Debajyoti Behda Advecate Advecate Regn. No. 19716 Period: 24/02/2020 to 24/02/2025 Domain / Website / URL is hosting and/or streaming and/or providing access and/or making available for viewing the broadcast of Plaintiffs' Content, including but not limited to the content made available through the Plaintiffs' STAR Channels and Disney+Hotstar. I state that the Plaintiffs are the exclusive right holders for Plaintiffs' Content, including but not limited to the content made available through the Plaintiffs' STAR Channels and Disney+Hotstar, for the worldwide territory and the Plaintiffs have not authorised the above-mentioned websites to communicate and or make available for viewing the Plaintiffs' Content, including but not limited to the content made available through the Plaintiffs' STAR Channels and Disney+Hotstar.

- 5. I state that the Plaintiffs are not aware of the owner(s) of this 1 rogue Source Domain / Website / URL as either they are anonymous or have incorrect or incomplete addresses.
- 6. I state that in terms of the following directions passed by this

Hon'ble Court, vide order dated 04.11.2022 (reproduced herein

above) is also applicable on the above mentioned 1 Source

Domain / Website / URL.

"25. (iii) The present injunction shall oper ate against any further domains which permit the

said App to be downloaded or which host the said App. Details of such domains, if created in the future, shall be placed on record by way of an affidavit by the Plaintiffs, upon which, the injunction order restraining broadcast and telecast of any content belonging to the Plaintiffs shall operate against the said source domains and websites as well;

......

(vii) DoT and Meity shall issue blocking orders against the 'PIKASHOW APP', including against all the source domains listed above in the order and any further domain names/source domains which may be brought to their notice by the Plaintiffs, after filing an affidavit before this Court as directed above, so as to ensure that the said App remains blocked by all ISPs across the country."

7. In light of the abovementioned, the Department of Telecommunications (Defendant No. 17) and the Ministry of Electronics and Information Technology (Defendant No. 18) are urged to issue a notification to the Internet Service Providers (Defendant Nos. 8 – 16) to block the additional rogue Source Domain / Website / URL identified in Annexure A hereto.

Debajyoti Behuria Advocato Regic No. 19718 Period: 24/02/2020 to 24/02/2025

8. I state that the evidence filed along with the present affidavit was shared by the investigating agency in google drive link. I

downloaded the same onto the computer (Intel (R) Core (TM) i5-2520M CPU @ G2010 @ 2.50 GHz 2.50 GHz) which is regularly used by me in the ordinary course of business and thereafter, shared the same with the Plaintiffs' Counsel.

9. I am advised to state that the conditions of Sections 65B of the Indian Evidence Act, 1872 and Order XI Rule 6(3) of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 are complied with in respect of these documents.

10.In particular, I confirm:-

a) That the said computer system is regularly used to produce computer outputs like emails and information from the World Wide Web (Internet) and store other electronic records. The relevant information from the websites and electronic records as mentioned above was downloaded by me in the course of activity of the Plaintiffs. I have a lawful control over the use of the said computer system by virtue of my capacity in the organization.

That the electronic records mentioned above are downloaded from the computer system as part of the ordinary course of activities of the Plaintiffs.

- c) That the computer system as used by me has been operating properly and the electronic records and their accuracy and contents have not been altered and tampered with in any manner whatsoever.
- d) That the information contained on the computer outputs is an exact replica and has been produced from the original electronic record and therefore, reproduces the information contained on the electronic records therein.

DEPONENT

VERIFICATION

18 AUG 2023

Verified at New Delhi on this the day of August 2023 that the contents of the above said Affidavit are true to the best of knowledge, information and belief and nothing material has been concealed therefrom.



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Annexure A: Additional list of 1 Source Domain / Website / URL

S. No.	Source Domain / Website / URL
1.	safety-revenue-i-248.site