

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-46/2022-DS-II**Dated: 03-02-2023⁰⁶****To,**

All Internet Service Licensee's

Subject: CS (Comm.) No. 700 of 2022 titled as Star India Pvt. Ltd. & Anr. V/s serialghar.me & Ors., Before Hon'ble Delhi High Court.

In continuation to Department of Telecommunications (DoT) even no. letters dated 13.10.2022, 05.11.2022, 26.12.2022, 03.01.2023, 11.01.2023 & 20.01.2023; kindly find the enclosed Hon'ble Delhi High Court order dated 11th October, 2022 along with **Sixth (34 websites/Urls)** list of additional websites, as provided by advocate for the plaintiffs in the case along with affidavit dated **27.01.2023** for compliance. DoT is defendant No. 44 in this case.

2. Hon'ble Delhi High Court vide order dated 11th October, 2022 has, inter alia, state that:

23. The defendant nos. 44 and 45, as also the ISPs, shall block the defendant nos. 1 to 27 websites. The said blocking orders shall be issued by the defendant no. 44 within 24 hours after service of this order. Pursuant to the said blocking order/s, all the ISP's, that is, the defendant nos. 35 to 43, shall block access to the URL's, as also the mobile applications within 24 hours and shall not permit the download of these applications or the streaming of the rogue websites.

24. If the plaintiffs discover other mirror websites or rogue websites which are broadcasting and/or telecasting the cinematograph films which are covered by the present suit, they may:

a) File an affidavit in this regard before the Court along with evidence thereof. The said websites shall stand blocked with immediate effect, upon notice being issued by the plaintiffs to the defendant no. 44 and ISPs that such an affidavit has already been filed before this Court.

b) Upon the defendant no. 44 receiving the notices and communications from the plaintiffs that the affidavits have been filed before the Court, the orders for blocking such further rogue websites shall be passed, immediately and in any case, within 24 hours, so that the websites do not continue to stream infringing content in any manner whatsoever.

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 court order dated 11.10.2022, specifically for para 23 & 24 with respect to **Sixth (34 websites)** list of additional websites/URLs as mentioned in **Annexure-A** of the affidavit dated 27.01.2023 (copy enclosed).

**Director (DS-II)
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. 45) for kind information and necessary action.
- ii. Sh. Piyush Beriwal, Sr. Panel Counsel for kind information.
- iii. Rimjhim Tiwari, Associate, Saikrishna & Associates, counsel for the plaintiff for kind information.
- iv. IT wing of DoT for uploading on DoT Website.

\$~27

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

+ CS(COMM) 700/2022

STAR INDIA PVT LTD & ANR. Plaintiffs

Through: Mr.Sidharta Chopra, Mr.Yatinder
Garg, Mr.Angad Singh Makkar,
Ms.Rimjhim Tiwari & Mr.Raunak
Das Sharma, Advs.

versus

SERIALGHAR.ME & ORS. Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **11.10.2022**

I.A. 16483/2022 (Exemption)

1. Allowed, subject to all just exceptions.

I.A. 16484/2022

2. This is an application filed on behalf of the plaintiffs seeking leave to file additional documents, which are not in the power, possession, control or custody of the plaintiff at the moment.

3. The plaintiffs may file the additional documents strictly in accordance with the provisions of the law.

4. The application stands disposed of.

I.A. 16485/2022

5. This is an application filed on behalf of the plaintiffs under Section 80 read with Section 151 of the Code of Civil Procedure, 1908 (in short, 'CPC') seeking exemption from issuing notice to the defendant nos. 36, 39, 44 and 45.

6. Having perused the contents of the application, the same is allowed.

CS(COMM) 700/2022

7. Let the plaint be registered as a suit.
8. Issue summons to the defendants to be served through all permitted modes, including electronically, returnable on 15th December, 2022 before the learned Joint Registrar (Judicial).
9. The summons to the defendant(s) shall indicate that the written statement(s) to the plaint shall be positively filed within a period of 30 days from the date of receipt of summons. Along with the written statement(s), the defendant(s) shall also file the affidavit(s) of admission/denial of the documents of the plaintiffs, without which the written statement(s) shall not be taken on record.
10. Liberty is given to the plaintiffs to file the replication(s) within a period of 15 days of the receipt of the written statement(s). Along with the replication(s), if any, filed by the plaintiffs, the affidavit(s) of admission/denial of documents of the defendant(s) be filed by the 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.

I.A. 16482/2022

11. Issue Notice.
12. On the plaintiffs taking steps, let notice be served on the defendants through all permissible modes, including electronically, returnable on 15th December, 2022 before the learned Joint Registrar (Judicial).
13. The plaintiffs have filed the present suit seeking an injunction to restrain the illegal and unauthorised dissemination of the plaintiffs' original content/works in the '*general entertainment*' category, which fall within the

definition of '*cinematograph films*' under Section 2(f) of the Copyright Act, 1957 (in short, 'the Act'). It is the case of the plaintiffs that they are the producers of the cinematograph films and as such have exclusive rights enumerated under Section 14(d) of the Act, including *inter-alia* to publicly exhibit and communicate the said content/works through any media.

14. The plaintiff no. 1 herein is a leading entertainment and media company in India engaged, *inter-alia*, in the production of popular content broadcast on its STAR channels. The plaintiff no. 1, along with its affiliates, is the owner of an extensive portfolio of more than seventy channels in over eight languages. The STAR Channels and the content aired therein occupy a commanding position and have acquired tremendous goodwill and reputation in the entertainment industry and amongst the general public. By virtue of the necessary uplink and downlink permissions issued by the Ministry of Information and Broadcasting, Government of India (in short, 'MIB'), the plaintiff no. 1 has the sole and exclusive right to broadcast and distribute STAR Channels in India.

15. The plaintiff no. 2, owns and operates the online audio-visual streaming platform and website, www.hotstar.com and the mobile application, '**Disney+ Hotstar**'. '**Disney+ Hotstar**' offers over 8 Lakh hours of TV shows and movies across 8 languages, Disney+ originals, exclusive new content from the '**Hotstar Specials**' label, regional and national news, and coverage of every major global sporting event.

16. It is asserted that apart from owning and managing '**Disney+ Hotstar**', the plaintiff no. 2 is also the producer/exclusive assignee/licensee of web-series original content in various languages including in Hindi and English, which is made accessible only on '**Disney+ Hotstar**'.

17. The present suit has been filed by the plaintiffs, against the following defendants:

- a) The defendant nos. 1 to 27 are claimed to be '*rogue websites*';
- b) The defendant nos. 28 to 34 are the Domain Name Registrars (hereinafter referred to as 'DNRs') of the domain names used by the '*rogue websites*';
- c) The defendant nos. 35 to 43 are the Internet Service Providers (hereinafter referred to as the 'ISPs');
- d) The defendant nos. 44 and 45 are the Department of Telecommunication (in short, 'DoT') and the Ministry of Electronics and Information Technology (in short, 'MEITY'), respectively;
- e) The defendant no. 46 has been impleaded as '*John Doe*' in the name of '*Ashok Kumar*'.

18. The content on '**Disney+ Hotstar**' and the STAR Channels produced by the plaintiffs forms the subject matter of the instant suit. As described in paragraph nos. 6 and 7 of the plaint, the plaintiffs are the producers of various TV Shows, films and/or web-series which are communicated on STAR Channels and/or '**Disney+ Hotstar**' and have the exclusive distribution rights to publicly exhibit and communicate the said content through any medium or mode including on the STAR Channels or '**Disney+ Hotstar**'. They are protected as '*cinematograph films*' under Section 2(f) read with Section 13 of the Act.

19. It is asserted that the defendant nos. 1 to 27 are liable for infringement of copyright under various provisions of Section 51 of the Act. The various 'exclusive rights' that, *inter alia*, would be deemed to have been infringed/ violated by the defendant nos. 1 to 27 are:

- a) The right of making a copy of the plaintiffs' cinematograph films including the storing of it in any medium by electronic or other means;
- b) The right of communicating the plaintiffs' cinematograph films to the public.

20. Having considered the contents of the plaint and documents filed therewith, and having heard the learned counsel for the Plaintiffs, the Court is of the opinion that the plaintiffs have made out a *prima facie* case for grant of an *ex-parte ad-interim* injunction, which is also a dynamic injunction. The balance of convenience lies in favour of the plaintiffs and irreparable injury would be caused if the interim injunction is not granted. Disclosure orders are also liable to be passed against the DNRs, and further, the defendant nos. 44 and 45 ought to also issue blocking orders to all the ISPs, to block the said rogue websites. Considering the investment which the plaintiffs have made in producing these works, any illegal broadcasting would severely affect the monetary interest of the plaintiffs, and also diminish the value of the rights of works.

21. Accordingly, till further orders, an *ad-interim ex-parte* order in terms of the prayer made in paragraph 11(i) of the present application is passed against the defendant nos. 1 to 27.

22. The DNRs shall also immediately block the said domain names and maintain *status quo* thereof. The said DNRs shall also disclose to the plaintiffs the following:

- a) Complete details (such as Name, Address, Email Address, Phone Number, IP Address etc.) of the defendant nos. 1 to 27 and such other websites which are discovered during the course of the proceedings

and notified on affidavit by the plaintiffs to have been infringing the plaintiffs' exclusive rights, copyrights and broadcast reproduction rights.

b) Mode of Payment along with payment details used for registration of domain name by the Registrant, that is the defendant nos. 1 to 27 and such other websites which are discovered during the course of the proceedings and notified on affidavit by the plaintiffs to have been infringing the plaintiffs' exclusive rights, copyrights and broadcast reproduction rights.

c) Details of other websites registered by the defendant nos. 1 to 27 and such other websites which are discovered during the course of the proceedings and notified on affidavit by the plaintiffs to have been infringing the plaintiffs' exclusive rights, copyrights and broadcast reproduction rights using similar details, same credit card, payment gateway etc. (disclosed as per Clause b above) with the defendant nos. 28 to 34.

d) Details of Complaints received by the defendant nos. 28 to 34 in past against the defendant nos. 1 to 27 and such other websites which are discovered during the course of the proceedings and notified on affidavit by the plaintiffs to have been infringing the plaintiffs' exclusive rights, copyrights and broadcast reproduction rights.

23. The defendant nos. 44 and 45, as also the ISPs, shall block the defendant nos. 1 to 27 websites. The said blocking orders shall be issued by the defendant no. 44 within 24 hours after service of this order. Pursuant to the said blocking order/s, all the ISP's, that is, the defendant nos. 35 to 43, shall block access to the URL's, as also the mobile applications within 24

hours and shall not permit the download of these applications or the streaming of the rogue websites.

24. If the plaintiffs discover other mirror websites or rogue websites which are broadcasting and/or telecasting the cinematograph films which are covered by the present suit, they may:

a) File an affidavit in this regard before the Court along with evidence thereof. The said websites shall stand blocked with immediate effect, upon notice being issued by the plaintiffs to the defendant no. 44 and ISPs that such an affidavit has already been filed before this Court.

b) Upon the defendant no. 44 receiving the notices and communications from the plaintiffs that the affidavits have been filed before the Court, the orders for blocking such further rogue websites shall be passed, immediately and in any case, within 24 hours, so that the websites do not continue to stream infringing content in any manner whatsoever.

25. Compliance with Order XXXIX Rule 3 of the CPC be made by within a period of two days.

26. *Dasti.*

NAVIN CHAWLA, J

OCTOBER 11, 2022/rv/AB

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)
CS (COMM) NO. 700 OF 2022

IN THE MATTER OF

Star India Pvt. Ltd. & Anr.

...Plaintiffs

Versus

Serialghar.me & Ors.

...Defendants

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Yatinder

Yatinder Garg | Angad Singh Makkar | Rimjhim Tiwari
(D/1330/2015) | (D/3579/2021) | (D/4021/2022)

Saikrishna and Associates

Advocates for the Plaintiffs

+91 9999064036

yatinder@saikrishnaassociates.com

Place: New Delhi

Date: 29.01.2023

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)
CS (COMM) NO. 700 OF 2022

IN THE MATTER OF
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Yatinder

Yatinder Garg | Angad Singh Makkar | Rimjhim Tiwari
(D/1330/2015) | (D/3579/2021) | (D/4021/2022)

Saikrishna and Associates
Advocates for the Plaintiffs
+91 9999064036
yatinder@saikrishnaassociates.com

Place: New Delhi

Date: 29.01.2023

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)
CS (COMM) NO. 700 OF 2022

IN THE MATTER OF

Star India Pvt. Ltd. & Anr. ...Plaintiffs

Versus

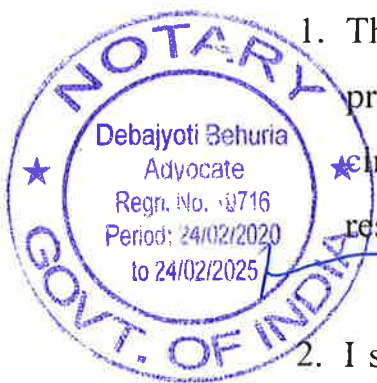
Serialghar.me & Ors. ...Defendants

AFFIDAVIT OF MS. DIKSHA SNEHAL, D/O MR. AMIT RANJAN AGED ABOUT 28 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:

1. 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 11.10.2022 whereby the Hon'ble Court was pleased to pass an *ex-parte ad-interim* order in terms of the following:

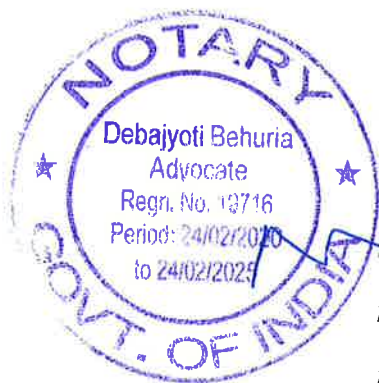


“20. Having considered the contents of the plaint and documents filed therewith, and having heard the learned counsel for the Plaintiffs, the Court is of the opinion that the plaintiffs have made out a prima facie case for grant of an ex-parte ad-interim injunction, which is also a dynamic injunction. The balance of convenience lies in favour of the plaintiffs and irreparable injury would be caused if the interim injunction is not granted. Disclosure orders are also liable to be passed against the DNRs, and further, the defendant nos. 44 and 45 ought to also issue blocking orders to all the ISPs, to block the said rogue websites. Considering the investment which the plaintiffs have made in producing these works, any illegal broadcasting would severely affect the monetary interest of the plaintiffs, and also diminish the value of the rights of works.

21. Accordingly, till further orders, an ad-interim ex-parte order in terms of the prayer made in paragraph 11(i) of the present application is passed against the defendant nos. 1 to 27.

xxx

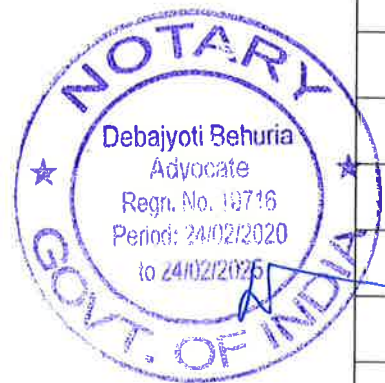
23. The defendant nos. 44 and 45, as also the ISPs, shall block the defendant nos. 1 to 27 websites. The said blocking orders shall be issued by the defendant no. 44 within 24 hours after service of this order. Pursuant to the said blocking order/s, all the ISP's, that is, the defendant nos. 35 to 43, shall block access to the URLs, as also the mobile applications within 24 hours and shall not permit the



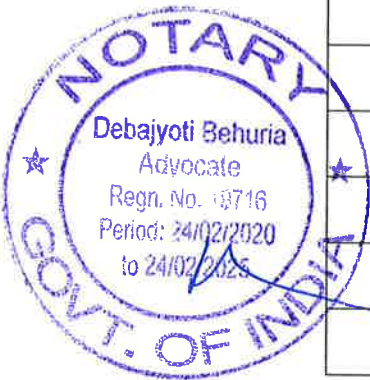
download of these applications or the streaming of the rogue websites.”

3. I state that the Plaintiffs had acquired relevant rights for the various web-series / TV shows “Big Boss Telugu Season 6”, “Guddi”, “Bikram Betal”, “Anupama”, “Koffee With Karan Season 6 & 7”, “Criminal Justice”, etc. (“**Plaintiffs’ Works**”) on the digital platform operated by Plaintiff No. 2, i.e., Disney+ Hotstar. In order to protect and enforce its exclusive rights in the Plaintiffs’ Works, the Plaintiffs engaged the services of an investigation agency to monitor rogue websites which are hosting, streaming, communicating in any manner and/or making available for viewing and downloading, without authorisation, the Plaintiffs’ Works. I state that the following 34 websites have been identified by the investigation agency engaged in illegally communicating the Plaintiffs’ Works:

S. No.	Websites
1.	9xmovie.men
2.	1377x.to
3.	anupamadesitv.net
4.	anupamaserial.tv
5.	bdstorys.com
6.	desi-cinemas.com
7.	desiserialhd.co
8.	desiserialz.net
9.	desitv.city
10.	desitvforum.bar
11.	desitvshd.com



12.	dramadekha.com
13.	faltuserial.net
14.	ghumhaiapnetv.com
15.	imliedesiseriails.com
16.	indiandramas.bar
17.	islamicplpfile.com
18.	isotv.online
19.	monim.xyz
20.	movierulzhd.store
21.	moviespapa.hair
22.	naaginseries.com
23.	parineetii.net
24.	serialbaba.co
25.	serialghar.skin
26.	tamildhoolserials.com
27.	waploaded.com
28.	ww1.aashiqana.com
29.	ww1.aashiqana.net
30.	ww1.channamereya.co
31.	ww1.faana.net
32.	ww1.sasuralsimarkanet.com
33.	ww1.sherdilshergill.org
34.	ww3.ashiqana.com



4. I state that from the evidence filed along with the present Affidavit, it is evident that the above-mentioned 34 websites are hosting and/or streaming and/or providing access and/or making available for viewing or downloading, without authorization, the Plaintiffs' Works. I state that the Plaintiffs are the exclusive right holders for the distribution of the

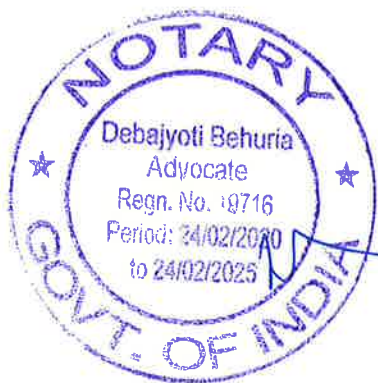
Plaintiffs' Works for the worldwide territory and the Plaintiffs have not authorised the above-mentioned 34 websites to communicate and or make available for viewing and/or downloading said Plaintiffs' Works.

5. I state that the Plaintiffs are not aware of the owners of these 34 rogue websites 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 11.10.2022, *ex parte ad-interim* order dated 11.10.2021 (reproduced herein above) is also applicable on the above-mentioned websites.

24. *If the plaintiffs discover other mirror websites or rogue websites which are broadcasting and/or telecasting the cinematograph films which are covered by the present suit, they may:*

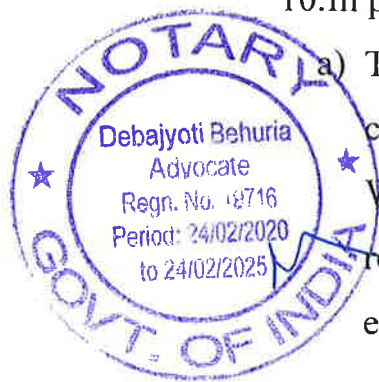
a) *File an affidavit in this regard before the Court along with evidence thereof. The said websites shall stand blocked with immediate effect, upon notice being issued by the plaintiffs to the defendant no. 44 and ISPs that such an affidavit has already been filed before this Court.*

b) *Upon the defendant no. 44 receiving the notices and communications from the plaintiffs that the affidavits have been filed before the Court, the orders for blocking such further rogue websites shall be passed, immediately and in any case,*



within 24 hours, so that the websites do not continue to stream infringing content in any manner whatsoever.”

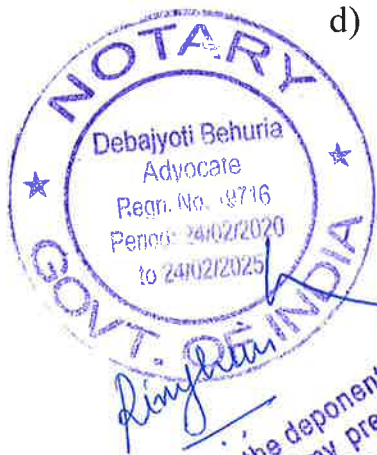
7. In light of the abovementioned, the Department of Telecommunications (Defendant No. 44) and the Ministry of Electronics and Information Technology (Defendant No. 45) are urged to issue a notification to the Internet Service Providers (Defendant Nos. 35- 43) to block the additional rogue websites identified in Annexure A hereto.
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.

- b) 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.



I identified the deponent who has signed in my presence.

VERIFICATION

27 JAN 2023

[Signature]

DEPONENT

Verified at New Delhi on this the 27th day of January 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.

[Signature]

DEPONENT

CERTIFIED THAT THE DEPONENT
 Shri/Smt./Km.....
 S/o, W/o R/o.....
 Identified by.....
 Has solemnly affirmed before me at
 Delhi on.....
 That the contents of the affidavit which
 have been read & explained to
 him are true & correct to his knowledge

[Signature]
[Signature]
[Signature]

27 JAN 2023

NOTARY

SCHEDULE A

LIST OF WEBSITES

S.NO	WEBISTES
1.	9xmovie.men
2.	1377x.to
3.	anupamadesitv.net
4.	anupamaserial.tv
5.	bdstorys.com
6.	desi-cinemas.com
7.	desiserialhd.co
8.	desiserialz.net
9.	desitv.city
10.	desitvforum.bar
11.	desitvshd.com
12.	dramadekha.com
13.	faltuserial.net
14.	ghumhaiapnetv.com
15.	imliedeserials.com
16.	indiandramas.bar
17.	islamicplpfile.com
18.	isotv.online
19.	monim.xyz
20.	movierulzhd.store
21.	moviespapa.hair
22.	naaginseries.com
23.	parineetii.net
24.	serialbaba.co
25.	serialghar.skin
26.	tamildhoolserials.com
27.	waploaded.com
28.	ww1.aashiqana.com
29.	ww1.aashiqana.net
30.	ww1.channamereya.co
31.	ww1.faana.net
32.	ww1.sasuralsimarkanet.com
33.	ww1.sherdilshergill.org
34.	ww3.ashiqana.com

SCHEDULE A

LIST OF WEBSITES

S.NO	WEBISTES
1.	9xmovie.men
2.	1377x.to
3.	anupamadesitv.net
4.	anupamaserial.tv
5.	bdstorys.com
6.	desi-cinemas.com
7.	desiserialhd.co
8.	desiserialz.net
9.	desitv.city
10.	desitvforum.bar
11.	desitvshd.com
12.	dramadekha.com
13.	faltuserial.net
14.	ghumhaiapnetv.com
15.	imliedeserials.com
16.	indiandramas.bar
17.	islamicplpfile.com
18.	isotv.online
19.	monim.xyz
20.	movierulzhd.store
21.	moviespapa.hair
22.	naaginseries.com
23.	parineetii.net
24.	serialbaba.co
25.	serialghar.skin
26.	tamildhoolserials.com
27.	waploaded.com
28.	ww1.aashiqana.com
29.	ww1.aashiqana.net
30.	ww1.channamereya.co
31.	ww1.faana.net
32.	ww1.sasuralsimarkanet.com
33.	ww1.sherdilshergill.org
34.	ww3.ashiqana.com