

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-47/2022-DS-II

Dated: 21-10-2022

To,

All Internet Service Licensee's

Subject: CS (Comm.) No. 726 of 2022 titled as Cape of Good Films LLP V/s hitmovies4u.live & Ors., Before Hon'ble Delhi High Court.

Kindly find the enclosed Hon'ble Delhi High Court order dated 18th October, 2022 in the subject matter court case CS (Comm.) No. 726 of 2022 along with Memo of parties for compliance, specifically as per para 24(d) with respect to websites of defendant no. 1 to 23. DoT is defendant No. 40 in this case.

2. Hon'ble Delhi High Court vide order dated 18th October, 2022 has, inter alia, state that:

24. Accordingly, the following directions are issued: -

*d) Defendants No. 31 to 39, their directors, partners, proprietors, officers, affiliates, servants, employees and all others in capacity of principal or anyone claiming through it, shall block access to the various websites identified by the Plaintiff and as aforementioned and Defendants No. 40 and 41, i.e. **Department of Telecommunications and Ministry of Electronics and Information Technology, respectively, shall issue necessary notifications calling upon various ISPs to block access to the websites of Defendants No. 1 to 23.***

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 18.10.2022, specifically as per para 24(d) with respect to websites of defendant no. 1 to 23.

**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 (Respondent no. 41) for kind information and necessary action.
- ii. DoT Website.

\$~27

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

+ CS(COMM) 726/2022

CAPE OF GOOD FILMS LLP Plaintiff

Through: Ms. Shyel Trehan, Mr. Hitesh Jain,
Mr. Pranav Sarthi, Mr. Pranav Nair, Ms. Monisha
Mani, Ms. Tanwangi Shukla and Mr. Rohan
Poddar, Advocates.

versus

HITMOVIES4U.LIVE & ORS. Defendants

Through: None.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
18.10.2022

%

I.A. 17031/2022 (Exemption)

1. Subject to the Plaintiff filing certified, clearer, proper and translated copies of the documents with proper margins, which it may seek to place reliance on, within four weeks from today, exemption is granted.
2. Application is allowed and disposed of.

I.A. 17030/2022 (Exemption from advance service to Defendants No.40 and 41)

3. Since there is an urgency in the matter and the same is being heard today, Plaintiff is exempted from serving advance notice on Defendants No. 40 and 41.
4. For the reasons stated in the application, the same is allowed and disposed of.

CS(COMM) 726/2022

5. Let plaint be registered as a suit.
6. Upon filing of process fee, issue summons to the Defendants, through all permissible modes, returnable on 20.12.2022 before the learned Joint Registrar.
7. Summons shall state that the written statement shall be filed by the Defendants within 30 days from the receipt of summons. Along with the written statement, Defendants shall also file an affidavit of admission/denial of the documents filed by Plaintiff.
8. Replication be filed by the Plaintiff within 15 days of the receipt of the written statement. Along with the replication, an affidavit of admission/denial of documents filed by the Defendants, shall be filed by the Plaintiff.
9. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

I.A. 17029/2022 (under Order 39 Rules 1 and 2 CPC, by Plaintiff)

10. Present application has been preferred by the Plaintiff under Order 39 Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, 1908 for grant of an *ex-parte* ad-interim injunction.
11. Issue notice to the Defendants through all prescribed modes, returnable on 20.02.2023, before Court.
12. Present suit has been filed seeking permanent injunction and damages, for infringement of copyrights of the Plaintiff in the film 'Ram Setu' (hereinafter referred to as 'film'). Plaintiff is stated to be a leading film production and distribution entity in India, with a history of producing blockbuster films and the repertoire of films of the Plaintiff include National

Award winning films such as Rustom, Padman, Singh is King etc. It is stated that Plaintiff is the producer of the film and also has exclusive distribution rights to publicly exhibit and communicate the film through all modes including but not limited to theatrical exhibition.

13. It is the case of the Plaintiff that being the producer of the film, Plaintiff is the Author of the film under Section 2(d) of the Copyright Act, 1957 (hereinafter referred to as the 'Act') and thus, owner in terms of the provisions of Section 17 of the said Act. The exclusive rights, as enumerated under Section 14(d) of the Act *qua* the film, vests in the Plaintiff. It is stated that the film being a work of visual recording including sound recordings qualifies as a 'cinematograph film' under Section 2(f) of the Act and by virtue of Section 13(1) and 13(2) read with Section 5 of the Act, since the film is going to be released in India, the film would be entitled to all rights and protections granted under the Act for cinematographic films. Section 14(d) provides an exclusive right to the Plaintiff to 'communicate' the film to public as defined in Section 2(ff) of the Act. Any third party who interferes with or exploits any of the exclusive rights, without permission of the Plaintiff, would be deemed to infringe Plaintiff's copyright in terms of Section 51 of the Act.

14. Plaintiff states that the film is an eagerly awaited Bollywood release and is scheduled for a theatrical release on 25.10.2022. Plaintiff has spent huge sums in production of the film and has been actively promoting the same with a great deal of work and exercise in marketing, exploitation, distribution and advertising. The official teaser of the film was released on 26.09.2022 and promotional videos have gained immense popularity which is evident from nearly 17.8 million views officially received on youtube.com

till 04.10.2022. The trailer of the film released on 11.10.2022 has garnered upwards of 4.5 million views on YouTube.

15. It is further averred that in view of the copyright of the film vested in the Plaintiff, any hosting, streaming, reproduction, distribution, making available to the public and/or communicating the film to the public or facilitating the same, without authorisation from the Plaintiff, by any means, on any platform, including internet and mobile would infringe Plaintiff's copyright.

16. It is averred that the present suit has been filed against Defendant websites, i.e. Defendants No. 1 to 23, which are primarily and substantially engaged in communicating to the public, hosting, streaming, etc. the copyright protected work and are vehicles of infringement, whose whole business model is designed to provide members of the public access to copyright contents, unauthorisedly.

17. It is the case of the Plaintiff that it is an industry practice to release the film for theatrical exhibition first and then make it available for viewing on different platforms. Theatrical release of a film is the most important stage as the commercial value of a film depends on the popularity and success it achieves in this period. However, the rogue websites in order to make illegal gains make infringing copies and make them available for viewing, downloading and communication to the public, almost simultaneously with the theatrical release of the film. In the past, infringing copies of several movies produced/distributed by the Plaintiff were communicated to the public and made available for viewing and downloading, on various websites, within hours of the theatrical release. In the present case, the film is scheduled to be released on 25.10.2022 and Plaintiff apprehends that the

rogue websites, Defendants No. 1 to 23 will communicate infringing copies of the film on various websites which would directly impact the Plaintiff's business and erode the value of the film besides infringing its copyright.

18. Learned counsel appearing on behalf of the Plaintiff submits that the identities of these rogue websites i.e. Defendants No. 1 to 23 are veiled and their owners are located at unverifiable locations and on account of their anonymity, they satisfy the test of being categorized as Rogue Websites laid down by this Court in *UTV Software Communication Ltd. and Others v. 1337X.To and Others, 2019 SCC OnLine Del 8002*. In the said judgment, relying on plethora of judicial precedents, the Court held that rogue websites can be made liable for copyright infringement and they are not entitled to exemption under Section 52(1)(c) of the Act, since they are not entities that transiently or incidentally store Plaintiff's work therein. It was held that an infringer of copyright on internet is to be treated at par with an infringer in the physical world.

19. It is further submitted that Defendants-websites provide directories, indexes and categories for hyperlinks to third party content located on a host or server. The hyperlink re-direct the end-user to the host site to stream/download the content. Defendants-websites provide a means of locating sources for content to be downloaded directly from a cloud storage site. Websites such as Defendants No. 22 and 23 facilitate the download and streaming of the copyrighted content by preparing directories with links where the illegal content is uploaded in utter disregard of copyrights.

20. I have heard learned counsel for the Plaintiff and examined the contentions raised.

21. There is no gainsaying that piracy has to be curbed and needs to be dealt with a heavy hand and injunction against screening of copyrighted content by rogue websites ought to be granted. This position is acknowledged and re-affirmed in several decisions and in order to avoid prolixity, I may only allude to two judgments of this Court in *Department of Electronics and Information Technology v. Star India Private Limited, 2016 SCC OnLine Del 4160* and *UTV Software Communication Ltd. (supra)*. The legal position with regard to grant of dynamic injunctions is settled in *UTV Software Communication Ltd. (supra)* and learned counsel for the Plaintiff is right in his submission that several orders have been passed by this Court in the past, restraining the rogue websites.

22. Tested on the anvil of these decisions, in my view, Plaintiff has made out a *prima facie* case for grant of *ex parte* ad-interim relief. Balance of convenience lies in favour of the Plaintiff and it is likely to suffer irreparable harm in case the injunction, as prayed for, is not granted. For the sake of convenience, particulars of Defendants No. 1 to 23, i.e. the rogue websites along with their domain name Registrars are set out as under:-

Name of Defendant Website	Domain Name Registrar
Hitmovies4u.live (Defendant No. 1)	GoDaddy.com, LLC (Defendant No. 26)
7starhd.monster (Defendant No. 2)	Porkbun LLC (Defendant No. 24)
Yesmovies4u.biz (Defendant No. 3)	Name Cheap Inc. (Defendant No. 25)
Watchfilmy.cc (Defendant No. 4)	Name Cheap Inc. (Defendant No. 25)

Gomoviz.uno (Defendant No. 5)	Name Cheap Inc. (Defendant No. 25)
Hitmovies4u.com (Defendant No. 6)	Name Cheap Inc. (Defendant No. 25)
Movierulzhd.site (Defendant No. 7)	Name Cheap Inc. (Defendant No. 25)
Mpvmoviez.watch (Defendant No. 9)	Name Cheap Inc. (Defendant No. 25)
Hindimovieslive.com (Defendant No. 10)	GoDaddy.com, LLC (Defendant No. 26)
Filmyzilla2.one (Defendant No. 11)	Name Cheap Inc. (Defendant No. 25)
123movieshindi.me (Defendant No. 12)	Instra Corporation Limited (Defendant No. 28)
Tamilblasters.city (Defendant No. 13)	Name Cheap Inc. (Defendant No. 25)
1tamilmv.hair (Defendant No. 14)	Name Cheap Inc. (Defendant No. 25)
Cinevood.biz (Defendant No. 15)	Name Cheap Inc. (Defendant No. 25)
Vegamovies.team (Defendant No. 16)	Name Cheap Inc. (Defendant No. 25)
4movierulz1.me (Defendant No. 17)	Name Cheap Inc. (Defendant No. 25)
0gomovies.eu (Defendant No. 18)	P.D.R Solutions (U.S) LLC (Defendant No. 29)

Kuttymovies2022.fun (Defendant No. 19)	Name Cheap Inc. (Defendant No. 25)
Isamini.vip (Defendant No. 20)	Name Cheap Inc. (Defendant No. 25)
Moviesda.vin (Defendant No. 21)	Name Cheap Inc. (Defendant No. 25)
Infodible (Defendant No. 22)	GoDaddy.com, LLC (Defendant No. 26)
TheAryaNews.com (Defendant No. 23)	Google LLC (Defendant No. 30)

23. Looking at the investments made by the Plaintiff in the production and promotion of the film as also the exclusive right vested in it under the provisions of the Act, this Court *prima facie* agrees with the Plaintiff that if the rogue websites communicate the film in any manner, on any platform, simultaneously with the theatrical release of the film on 25.10.2022 or in its close proximity thereafter, it would severely impact the interest of the Plaintiff monetarily and will also erode the value of the film.

24. Accordingly, the following directions are issued:-

- a. Defendants No. 1 to 23 and all others acting for and/or on their behalf are restrained from in any manner hosting, streaming, retransmitting, exhibiting, making available for viewing and downloading, providing access to and/or communicating to the public, displaying, uploading, modifying, publishing, updating and/or sharing (including to its subscribers and users) on their websites through the internet or any other platform, the film 'Ram

- Setu' and contents related thereto, so as to infringe the Plaintiff's exclusive rights and copyrights therein, till the next date of hearing.
- b. Defendants No. 24 to 30, its directors, partners, proprietors, officers and all others acting for and on their behalf, who are the Domain Name Registrants shall suspend/block the domain names registrations of Defendants No. 1 to 23, as mentioned in the table at para 22 above, including the websites with modified domain names.
 - c. Defendants No. 24 to 30 shall provide complete details such as name, address, email address, IP address and phone numbers of Defendants No. 1 to 23.
 - d. Defendants No. 31 to 39, their directors, partners, proprietors, officers, affiliates, servants, employees and all others in capacity of principal or anyone claiming through it, shall block access to the various websites identified by the Plaintiff and as aforementioned and Defendants No. 40 and 41, i.e. Department of Telecommunications and Ministry of Electronics and Information Technology, respectively, shall issue necessary notifications calling upon various ISPs to block access to the websites of Defendants No. 1 to 23.
25. Plaintiff is given the liberty to file an appropriate application to array other rogue websites, as and when the same are discovered in future.
26. Plaintiff shall comply with the provisions of Order 39 Rule 3 CPC within a period of one week from today.

27. Copy of this order be given to learned counsel for the Plaintiff *dasti* under the signatures of the Court Master.

JYOTI SINGH, J

OCTOBER 18, 2022/shivam

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

CS (COMM) NO.

OF 2022

IN THE MATTER OF:

Cape of Good Films LLP

. . . Plaintiff

Versus

Hitmovies4u.live & Ors.

. . . Defendants

MEMO OF PARTIES

Cape of Good Films LLP

A limited liability partnership incorporated under the Limited Liability Partnership Act, 2008. Having its registered address at: 201, 2nd Floor, Prime Beach Gandhi Gram Road, Juhu, Mumbai Maharashtra 400049
 Email-pranav.sarthi@parinamlaw.com

. . . Plaintiff

Versus

1. Hitmovies4u.live

Email: abuse@godaddy.com

2. 7starhd.monster

Email: abuse@namecheap.com

3. Yesmovies4u.biz

Email: abuse@namecheap.com



4. Watchfilmy.cc

Email: abuse@namecheap.com

5. Gomoviz.uno

Email: gomoviz.com@gmail.com;
abuse@namecheap.com

6. Hitmovies4u.com

Email: abuse@namecheap.com

7. Movierulzhd.site

Email: admin@movierulzhd.com;
abuse@namecheap.com

8. Hdmovies300.mom

Email: abuse@dynadot.com

9. Mpvmoviez.watch

Email: abuse@namecheap.com

10. Hindimovieslive.com

Email: abuse@godaddy.com

11. Filmyzilla2.one

Email: abuse@namecheap.com

12. 123movieshindi.me

RE

Email: abuse@instra.com

13. Tamilblasters.city

Email: abuse@namecheap.com

14. 1tamilmv.hair

Email: abuse@namecheap.com

15. Cinevood.biz

Email: abuse@namecheap.com

16. Vegamovies.team

Email: vegamoviesorg@gmail.com;
abuse@namecheap.com

17. 4moverulz1.me

Email: abuse@namecheap.com

18. 0gomovies.eu

Email:

[apac-](mailto:apac-
domain.manager@endurance.com)

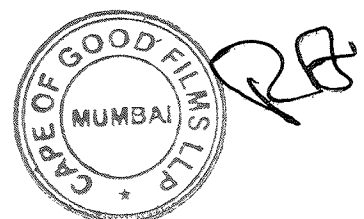
domain.manager@endurance.com

19. Kuttymovies2022.fun

Email: abuse@namecheap.com

20. Isamini.vip

Email: abuse@namecheap.com



21. Moviesda.vin

Email: abuse@namecheap.com

22. Infodible

Email: Theinfodible@gmail.com

23. TheAryaNews.com

Email: thearyanews@gmail.com

24. Porkbun LLC

21370 SW Langer Farms Parkway,

Suite 142-429, Sherwood,

OR 97140, US

Email: support@porkbun.com

25. Name Cheap Inc.

4600 East Washington Street Suite

305 Phoenix, AZ 85034 USA

Email: support@namecheap.com

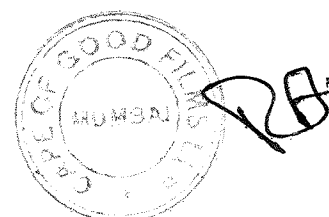
26. GoDaddy.com, LLC

1445 North Hayden Road, Suite 219,

Scottsdale, AZ 85260, United States

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

27. Dynadot LLC

210 S Ellsworth Ave #345 San Mateo,
CA 94401 US
Email: info@dynadot.com

28. Instra Corporation Limited

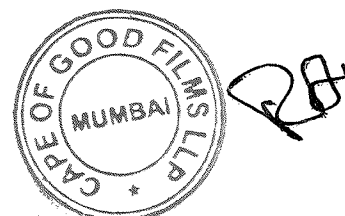
Level 2, 222 Beach Road
Mordialloc, Victoria, Australia, 3195
Email: legal@instra.com

29. P.D.R Solutions (U.S) LLC

10 Corporate Drive Burlington MA
01803
E-mail:
abuse@publicdomainregistry.com

30. Google LLC

1600 Amphitheatre Pkwy
Mountain View
CA 94043
United States of America
E-mail : support-in@google.com



31. Atria Convergence Technologies**Pvt. Ltd.**

99A/113A, ManorayanaPalya

R.T. Nagar, Bangalore – 560032

Also, At:

2nd and 3rd Floor, No. 1,

Indian Express Building, Queen's

Road, Bangalore 560001 Karnataka

Email: nodal.term@actcorp.in;Jitesh.chathambil@actcorp.in**32. Bharat Sanchar Nigam Ltd.**

Bharat Sanchar Bhawan, Regulation

Cell, 5th floor, Harish Chandra Mathur

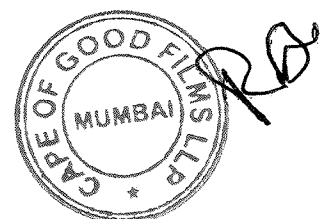
Lane Janpath, New Delhi -110001

E-mail: ddg_reg@bsnl.co.in;sbkhare@bsnl.co.in;averma@bsnl.co.in**33. 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;compliance.officer@bharti.in

34. 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

35. Mahanagar Telephone Nigam Ltd.

6th Floor, Mahanagar Doorsanchar
Sadon 9, CGO Complex, Lodhi Road
New Delhi — 110003

E-mail: raco.mtnl@gmail.com;

mtnlcsco@gmail.com;

gmracomtnl@gmail.com

36. 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:

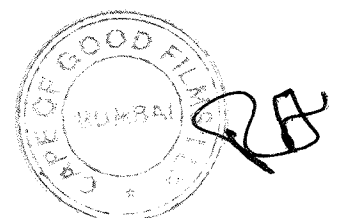
care@jio.com;

Hitesh.marthak@relianceada.com;

Kapoor.guliani@ril.com;

sunil.kr.gupta@ril.com;

shilpi.kant@ril.com;



jiyoti.jain@ril.com

37. 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

38. Vodafone Idea Limited

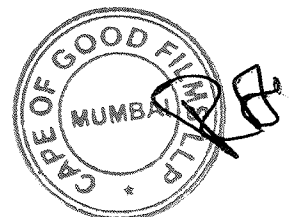
Vodafone House, Peninsula Corporate
Park, Ganpatrao Kadam Marg, Lower
Parel Mumbai - 400 013 India

Also, At:

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

E-mail:

Smitha.Menon@vodafoneidea.com;
pankaj.kapdeo@vodafoneidea.com;
Radhika.gokhale@vodafoneidea.com



39. Tata Teleservices Ltd.

A,E & F Blocks Voltas Premises TB
Kadam Marg, Chinchpokli Mumbai,
400033 India

Email: pravin.jogani@tatatel.co.in;
anand.dalal@tatatel.co.in;
satya.yadav@tatatel.co.in

40. Department of Telecommunications

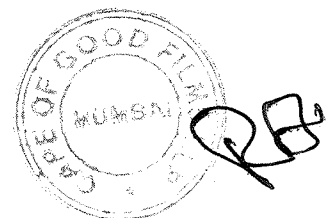
Through Secretary, Ministry of
Communications and IT, 20, Sanchar
Bhawan, Ashoka Road, New Delhi —
110001

E-mail: secy-dot@nic.in;
dirds2-dot@nic.in

**41. Ministry of Electronics and
Information Technology**

Through the Director General (DIT)
Cyber Laws & e-security), Electronics
Niketan, 6, CGO Complex, Lodi
Road, New Delhi — 110003

E-mail: cyberlaw-legal@meity.gov.in;
schandra@meity.gov.in;
chinnsamy.v@meity.gov.in;
dpgkoel@nic.in;
gccyberlaw@meity.gov.in



**42. Abundantia Entertainment Private
Limited**


Premises No. 1 & 2, 5th Floor,
Grandeur Off. Veera Desai Road,
Oshiwara, Andheri West, Mumbai –
400053

43. Lyca Productions Private Limited

55, Vijayaraghava Road, T. Nagar
Chennai - 600017

44. Ashok Kumar(s)/ John Doe(s)

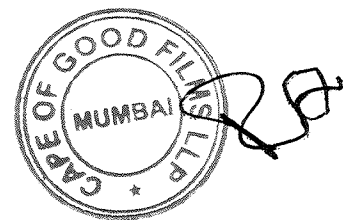
...Defendants


Tanwangi Shukla, Pranav Sarthi, Nikhil Ranjan Ahuja
(D-8046/2021, D-3946/2012, D-1187/2014)
For Parinam Law Associates
Advocates for the Plaintiff

Address: Flat - 14(II), 2nd Floor, Sagar Apartments,
6, Tilak Marg, New Delhi – 110001

E: pranav.sarthi@parinamlaw.com

M: _+91-8826457307



IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

CS (COMM) NO. OF 2022

CODE: 36017.01

IN THE MATTER OF:

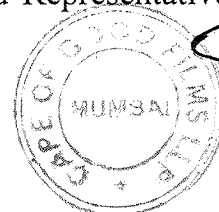
Cape of Good Films LLP . . . Plaintiff
Versus
Hitmovies4u.live & Ors. . . Defendants

**SUIT FOR PERMANENT INJUNCTION RESTRAINING THE
DEFENDANTS (ROGUE WEBSITES) THAT ARE ENGAGED IN
INFRINGEMENT OF THE PLAINTIFF'S EXCLUSIVE RIGHTS AND
COPYRIGHTS, RENDITION OF ACCOUNTS, DAMAGES ETC.**

MOST RESPECTFULLY SHEWETH:

PARTIES:

1. Cape of Good Films LLP, the Plaintiff herein, is a limited liability partnership incorporated under the Limited Liability Partnership Act, 2008 having its registered office and principal place of business at the address mentioned in the cause title hereinabove. The Plaintiff is a leading film production and distribution entity in India, which is currently gearing up for the release of its new hindi language cinematographic film titled 'Ram Setu' ("**the Film**"). The present suit is being filed by Mr. Rakesh Rana Bali on behalf of Plaintiff, the Authorised Representative of the



Plaintiff by virtue of Board Resolution dated 09.03.2019. The Authorised Representative is well conversant with the facts and circumstances of the present case and as such competent to sign, verify and institute the present suit on behalf of the Plaintiff.

2. That the Defendant Nos. 1 to 23 are free to access anonymous websites (“**Defendant Websites**”). Details of their owners are hidden or are forged / inaccurate. These websites are vehicles of infringement and engage in flagrant violation of the Intellectual Property Rights and/or in a veiled manner facilitate the infringement of copyrighted films, shows etc. Due to the nature of the Internet, which offers anonymity, these websites systematically and predominantly engage in the violation of Intellectual Property Rights of the third parties. A list of the Defendant Websites, i.e., Defendant Nos. 1 to 23, which includes streaming websites and downloading websites is listed at S. No. 1 of the list of documents to this plaint.
3. That Defendant Nos. 24 to 30 are internet domain name registrars (“**Domain Registrars**”) who have been impleaded for blocking access to the rogue defendant websites identified at S. No. 1 of the list of documents to this plaint and for disclosing information (Name, Address, E-mail Address, Mobile Number, Payment Details) related to the registration of the said websites.
4. That Defendant No. 31 to 39 are Internet Service Providers which are being arrayed for the limited purpose of blocking / restricting access to the rogue defendant websites identified in the present suit or any other website(s) identified by the Plaintiffs.
5. That Defendant Nos. 40 and 41 are the Department of Telecommunications and the Ministry of Electronics and Information Technology respectively, which are Government departments and are

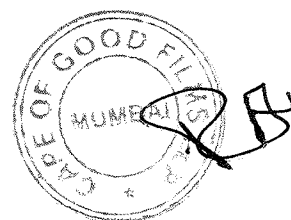


being arrayed for the limited purpose of issuing notification calling upon the Internet and telecom service providers to block access to the rogue defendant websites identified in the present suit, as also such other websites which are subsequently discovered to be infringing the rights of the Plaintiff.

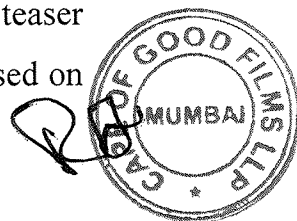
6. That Defendant No. 42, i.e., Abundantia Entertainment Pvt. Limited has been impleaded as a proforma defendant, which is the line producer of the Film engaged by the Plaintiff for carrying out the production of the Film and has undertaken to protect the Plaintiff's intellectual property rights and all other rights, title and interest in the Film including promptly notifying the Plaintiff of any infringement of any right subsisting in relation to the Film by virtue of a line production agreement dated 5th January 2021. The Plaintiff crave leave of this Hon'ble Court to refer to and rely upon the line production agreement dated 5th January 2021.
7. That Defendant No. 43, i.e., Lyca Productions Private Limited is a co-producer/ investor for the Film and has been impleaded as a proforma party to the instant suit. It is submitted that only the Plaintiff has a copyright in the Film as is sanctified in the film investment agreement, entered into between the Defendant No. 42 and the Defendant No. 43. The Plaintiffs crave leave to refer to and rely upon the same if so required.
8. That Defendant No. 44 is John Doe/Ashok Kumar whose co-ordinates and addresses are unknown to the Plaintiff at the time of filing. Defendant No.44 John Deo/Ashok Kumar is likely to infringe the rights of the Plaintiff.

BRIEF FACTS LEADING UP TO THE PRESENT SUIT:

THE PLAINTIFF & ITS BUSINESS



9. The Plaintiff is a leading film production and distribution entity in India. It has a history of producing blockbuster films which are viewed by millions. The repertoire of films produced by the Plaintiff include National Award-winning films such as Rustom (2016) and Pad Man (2018) as well as some critically acclaimed and commercially successful films such as Singh is King (2008), Holiday (2014), Baby (2015), Airlift (2016), Toilet: Ek Prem Katha (2017), Chumbak (2018), Mission Mangal (2019), Kesari (2019), Good Newwz (2019) and 2021's biggest hit Sooryavanshi.
10. The cinematographic film titled 'Ram Setu' (*i.e.*, "**the Film**") which forms the subject matter of the instant suit and is an eagerly awaited Bollywood release for the year 2022. The Film is a fictional account of an archaeologist, who has set out to find out about the existence and verification of Ram Setu Bridge is a myth or a reality. The Film has a star cast featuring Akshay Kumar, Jacqueline Fernandez, Nushratt Bharucha, Satyadev Kancharana, Pravessh Rana and many more. The Film is directed by Mr. Abhishek Sharma. The Film is scheduled for a theatrical release on 25th October 2022. The newspaper articles, posters and publications regarding the Film have been filed herewith at S. No. 2 of the list of documents to the plaint.
11. It is well-known that the Plaintiff has spent large sums in the production of the Film. The Plaintiff have also been actively promoting the Film before its release and has undertaken a great deal of work and exercise in the marketing, exploitation, distribution, communication, and the advertising of the Film in India. The official teaser of the Film was released on 26th September 2022. The promotional videos of the Film have already gained immense popularity amongst the public as is evident from the approximately 17.8 million views received officially by its teaser on youtube.com till 4th October 2022. The trailer of the Film released on



11th October 2022 has already garnered upwards of 4.5 million views on youtube.com within its first very first day of being uploaded.

PLAINTIFF'S EXCLUSIVE RIGHTS IN THE FILM:

12. The Plaintiff is the producer of the Film and is the sole and exclusive right holder of the upcoming Film which is slated to be released on 25th October 2022. The Plaintiff has the exclusive distribution rights to publicly exhibit and communicate the Film and contents associated with it, through all modes including but not limited to theatrical exhibition.
13. Consequently, the Plaintiff also has the exclusive rights enumerated under Section 14(d) of the Copyright Act, 1957 ("**the Act**"). One of the exclusive rights of the Plaintiff is to communicate the film to the public. "Communication to the public" has been defined under Section 2(ff) of the Act as follows:

“(ff) "communication to the public" means making any work or performance available for being seen or heard or otherwise enjoyed by the public directly or by any means of display or diffusion other than by issuing physical copies of it, whether simultaneously or at places and times chosen individually, regardless of whether any member of the public actually sees, hears or otherwise enjoys the work or performance so made available

Explanation. — For the purposes of this clause, communication through satellite or cable or any other means of simultaneous communication to more than one household or place of residence including residential rooms of any hotel or hostel shall be deemed to be communication to the public;”





SCHEDULE 1
LIST OF WEBSITES

S. No.	Websites
1.	7starhd.monster
2.	hitmovies4u.live
3.	yesmovies4u.biz
4.	watchfilmy.cc
5.	gomoviz.uno
6.	hitmovies4u.com
7.	movierulzhd.site
8.	hdmovies400.mom
9.	mp4moviez.watch
10.	hindimovieslive.com
11.	filmyzilla2.one
12.	123movieshindi.me
13.	tamilblasters.city
14.	1.tamilmv.hair
15.	cinevood.biz
16.	vegamovies.team
17.	ww15.4movierulz1.m
18.	0gomovies.eu
19.	kuttymovies2022.fun
20.	isamini.vip
21.	moviesda.vin
22.	infodible.in
23.	theoryanews.com