

BY EMAIL/DOT WEBSITE

**Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001
(Data Services Cell)**

No. 813-07/LM-29/2021-DS-II

19
Dated: ~~17-12-2022~~

To,

All Internet Service Licensee's

Subject: CS (Comm) No. 401 of 2021; Universal City Studios LLC and Ors. vs myflixer.to and Ors., before Hon'ble Delhi High Court.

In continuation to Department of Telecommunications even no. letters dated 15.09.2021, 03.02.2022 & 25.03.2022; kindly find the enclosed Hon'ble Delhi High Court order dated 09st December 2022, 11th November 2022 & 31st August, 2021 in the subject matter court case C.S.(Comm) No. 401 of 2021 along with amended memo of parties having list of websites of **defendant no. 93 to 105**, as provided by advocate for the plaintiff for compliance. DoT is defendants No. 47 in the case.

2. Hon'ble Court in order dated 31st August, 2021 has, inter alia, directed that:

1. *This is an application under Order 39 Rules 1 and 2 CPC seeking the following reliefs:*

iii. Pass an order directing the Defendant Nos.47 and 48, to issue a notification calling upon the various internet and telecom service providers registered under it to block access to the Defendant Nos.1-37 websites identified by the Plaintiffs in the instant suit (and such other mirror/redirect/alphanumeric websites discovered to provide additional means of accessing the Defendant Websites, and other domains/domain owners/web site operators/entities which are discovered to have been engaging in infringing the Plaintiffs' exclusive rights)."

*6. Clearly, the plaintiffs have made out a prima facie case. An interim injunction is passed in favour of the plaintiffs and against defendants No.1 to 37 in terms of the prayer para 5(i) of the present application; an interim injunction is passed in favour of the plaintiffs and against defendants No.38 to 46 in terms of the prayer para 5(ii) of the present application; and **an interim injunction is also passed in favour of the plaintiffs and against defendants No.47 and 48 in terms of the prayer para 5(iii) of the present application till further orders.***

3. Subsequently, Hon'ble Court vide order dated 11th November, 2022 has, inter alia, stated that:

4. In the meantime, considering that the injunction order in the suit has been operating since 31st August, 2021, the interim injunction granted vide the said order is confirmed during the pendency of the suit.

4. Now, Hon'ble Court vide order dated 09th December, 2022 has, stated that:

I.A.No. 20580/22 (application under section 1 Rule 10 CPC filed by the plaintiff for impleadment of the additional mirrors)

Keeping in view the overall circumstances, the application is allowed and the additional mirrors/links/URLs/redirects as mentioned in Para no 2 are impleaded as defendants no. 93 to 105.

*These newly impleaded defendants shall obviously be subject to the interim directions dated **11.11.2022**.*

5. Accordingly, in view of the above, all the Internet Service licensees are hereby notified to take immediate necessary blocking action for compliance of the court order dated 09th December, 2022 read with orders dated 11th November 2022 & 31st August, 2021 in respect of websites of defendant no. **93 to 105** mentioned in para 2 of the Impleadment Application dated 05.12.2022 enclosed .

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. 48) for kind information and necessary action.
- ii. Lawyer/Advocate for the Plaintiffs for kind information.
- iii. DoT Website.

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

+ CS(COMM) 401/2021

UNIVERSAL CITY STUDIOS LLC AND ORS.

..... Plaintiff

Through: Ms. Suhasini Raina,
Ms. Anjali and Ms. Sanidhya Rao, Advs

versus

MYFLIXER.TO AND ORS.

..... Defendant

Through: None

**CORAM:
SIDHARTH MATHUR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

09.12.2022

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List the matter before the Hon'ble Court on the date already fixed i.e. **03.02.2023** for further directions.

I.A.No.20581/22 (application under section 151 CPC filed by the plaintiffs for exemption from filing the original/certified/legible copies of the documents)

Heard. Perused.

Keeping in the view the formal nature of the application, the same is allowed.

I.A.No. 20580/22 (application under section 1 Rule 10 CPC filed by the plaintiff for impleadment of the additional mirrors)

The plaintiff is seeking to implead additional mirrors/links/URLs/redirects as mentioned in Para no 2 whereby the copyrighted content of the plaintiff is being illegally distributed. The record suggests that similar orders were passed on 22.12.2021 and 21.03.2022 whereby such

like mirrors were additionally impleaded.

The plaintiffs have bolstered their claims made in the present application with the support of the investigators affidavit.

Keeping in view the overall circumstances, the application is allowed and the additional mirrors/links/URLs/redirects as mentioned in Para no 2 are impleaded as defendants no. 93 to 105.

These newly impleaded defendants shall obviously be subject to the interim directions dated 11.11.2022.

The plaintiffs have already filed the amended memorandum of parties.

**SIDHARTH MATHUR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

DECEMBER 9, 2022/PU

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS (COMM) 401/2021**

UNIVERSAL CITY STUDIOS LLC AND ORS. Plaintiffs

Through: Ms. Sukasini Raina, Ms. Anjali
Aggarwal and Ms. Mehr, Advocates.
(M:9810621272)

versus

MYFLIXER.TO AND ORS. Defendants

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **11.11.2022**

1. This hearing has been done through hybrid mode.

I.A. 10898/2021 (Stay) & CS(COMM) 401/2021

2. None appears for the Defendants.

3. Ld. counsel for the Appellant seeks an adjournment to file an application seeking summary judgment in the suit.

4. In the meantime, considering that the injunction order in the suit has been operating since 31st August, 2021, the interim injunction granted vide the said order is confirmed during the pendency of the suit.

5. Accordingly, **I.A. 10898/2021** is disposed of.

6. List on 3rd February, 2023.

PRATHIBA M. SINGH, J.

NOVEMBER 11, 2022

MR/MS

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

+ CS(COMM) 401/2021

UNIVERSAL CITY STUDIOS LLC AND ORS. Plaintiffs

Through Mr.Saikrishna Rajagopal, Mr.Sidharth
Chopra, Ms.Suhasini Raina,
Ms.Snehima Jauhari and Mr.Sanidhya
Rao, Advs.

versus

MYFLIXER.TO AND ORS. Defendants

Through None.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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31.08.2021

This hearing is conducted through video conferencing.

IA No.10899/2021(*exemption*)

Allowed subject to all just exceptions.

IA No.10900/2021

This is an application seeking exemption from issuing notices to defendants No.47 and 48 under section 80 CPC. For the reasons stated in the application, the same is allowed. The application stands disposed of.

CS(COMM) 401/2021

Let the plaint be registered as a suit.

Issue summons to the defendants via e-mail, returnable for 15.11.2021.

IA No.10898/2021

1. This is an application under Order 39 Rules 1 and 2 CPC seeking the following reliefs:

“i. Pass an order of temporary injunction restraining the Defendant Nos. 1-37 (and such other mirror/redirect/alphanumeric websites discovered to provide additional means of accessing the Defendant Websites, and other domains/domain owners/web site operators/entities which are discovered to have been engaging in infringing the Plaintiffs' exclusive rights), its owners, partners, proprietors, officers, servants, employees, and all others in capacity of principal or agent acting for and on their behalf, or anyone claiming through, by or under it, from, in any manner hosting, streaming, reproducing, distributing, making available to the public and/or communicating to the public, or facilitating the same, on their websites, through the internet in any manner whatsoever, any cinematograph work/content/programme/ show in relation to which Plaintiffs have copyright;

ii. Pass an order directing the Defendant Nos.38-46, their directors, partners, proprietors, officers, affiliates, servants, employees, and all others III capacity of principal or agent acting for and on their behalf, or anyone claiming through, by or under it, to block access to the Defendant Nos. 1-37 websites identified by the Plaintiffs in the instant suit (and such other mirror/redirect/alphanumeric websites discovered to provide additional means of accessing the Defendant Website, and other domains/domain owners/web site operators/entities which are discovered to have been engaging in infringing the Plaintiffs' exclusive rights);

iii. Pass an order directing the Defendant Nos.47 and 48, to issue a notification calling upon the various internet and telecom service providers registered under it to block access to the Defendant Nos.1-37 websites identified by the Plaintiffs in the instant suit (and such other mirror/redirect/alphanumeric websites discovered to provide additional means of accessing the Defendant Websites, and other domains/domain owners/web site operators/entities which are discovered to have been engaging in infringing the Plaintiffs' exclusive rights).”

2. It is the case of the plaintiffs that plaintiffs No.1 to 6 are leading entertainment companies globally well-known for producing Films and TV Series etc. The plaintiffs have exclusive rights to communicate to the public their content. No other entity can without authorisation from the plaintiffs upload, stream or make available for download or communicate to the public the plaintiffs' content in any manner whatsoever.

3. It is pointed out that defendants No.1 to 37 are rogue websites and substantially indulge in online piracy by making available for download and otherwise providing access to infringing and illegal content. Defendants No.38 to 46 are Internet service providers who are being arrayed for the limited purpose of restricting or blocking access to the rogue websites. Defendants No.47 and 48 are Department of Telecommunications and Ministry of Electronics and Information Technology respective, which are Government Departments and are being arrayed for the purpose to issue notification calling upon the ISPs to block access to the rogue websites identified in the present suit and also such other websites which are subsequently discovered to be infringing the rights of the plaintiffs.

4. It is further stated that plaintiffs No.1, 3, 5 and 6 in collaboration with 6 studios had instituted 8 suits for copyright infringement against 30 infringing domains that were communicating to the public plaintiffs' copyright works which are unauthorised before this court being CS(COMM) 724/2017, title '*UTV Software Communication Ltd. & Anr. v. 1337x.to & Ors.*'. This court in the said judgment recognized the factors to be considered while determining rogue websites. Relying upon the said criteria, it is pleaded that the defendant websites have primary purpose or effect of infringing or facilitating or indulging in infringement and are also

liable for the acts of infringement by third parties by way of inducement.

5. It is further stated that the defendant websites are anonymous in nature and the information provided in the public domain regarding the owners of the websites is either incomplete, incorrect and/or protected behind a veil of secrecy.

6. Clearly, the plaintiffs have made out a *prima facie* case. An interim injunction is passed in favour of the plaintiffs and against defendants No.1 to 37 in terms of the prayer para 5(i) of the present application; an interim injunction is passed in favour of the plaintiffs and against defendants No.38 to 46 in terms of the prayer para 5(ii) of the present application; and an interim injunction is also passed in favour of the plaintiffs and against defendants No.47 and 48 in terms of the prayer para 5(iii) of the present application till further orders.

7. Issue notice to the defendants via e-mail, returnable for 15.11.2021.

8. The plaintiffs to comply with the provisions of Order 39 Rule 3 CPC within seven days via e-mail.

JAYANT NATH, J.

AUGUST 31, 2021/v

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

I.A. NO. _____ OF 2022

IN

CS(COMM) NO. 401 OF 2021

IN THE MATTER OF

Universal City Studios LLC and Ors. ...Plaintiffs

Versus

myflixer.to & Ors. ...Defendants

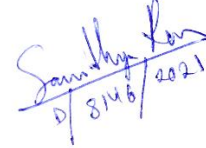
INDEX

#	PARTICULARS	PAGE NO.
1.	Notice of Motion	1
2.	Urgent Application	2-3
3.	Application on behalf of the Plaintiffs under Order I Rule 10 of The Code of Civil Procedure, 1908 seeking impleadment of additional website along with Supporting Affidavit.	4-20
4.	Amended Memo of Parties.	21-38
6.	Application under Section 151 of the CPC seeking exemption from filing clearer copies of documents along with supporting affidavit.	39-41

7.	Affidavit along with Service Report/Proof of Service.	42-68
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Place: New Delhi

Date: 05.12.2022



Anjali Agrawal | Sanidhya Rao
(D/2045/2020) | (D/8146/2021)

Saikrishna & Associates
Advocates for the Plaintiffs
57, Jor Bagh,
Delhi – 110003
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sanidhya@saikrishnaassociates.com

NOTE: The present application is being filed in a Website blocking suit. The Email ID of newly impleaded websites, i.e., Defendant No.93-105, are the only publicly available contact details and have been served with a copy of the present application on the said Email IDs. All defendants have been served a copy of the present application on their publicly available contact details, i.e. Email IDs, in advance and proof of service along with supporting affidavit of Plaintiff's counsel is filed herewith. Application under Section 151, CPC seeking exemption from filing documents with proper margins, translated, original, certified copies etc. has been filed herewith for consideration by the Hon'ble Court. The evidence filed herewith is integral to the application and is a part of the investigator's affidavit and is therefore filed along with the application.

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

I.A. NO. _____ OF 2022

IN

CS(COMM) NO. 401 OF 2021

IN THE MATTER OF

Universal City Studios LLC and Ors. ...Plaintiffs

Versus

myflixer.to & Ors. ...Defendants


NOTICE OF MOTION

Sir,

The enclosed Application in the aforesaid matter is being filed on behalf of the Plaintiffs and is likely to be listed on 05 December 2022 or any date thereafter. Please take note accordingly.

Place: New Delhi

Date: 30 November 2022



Anjali Agrawal | Sanidhya Rao
(D/2045/2020) | (D/8146/2021)

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Advocates for the Plaintiffs

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

To,
The Deputy Registrar,
High Court of Delhi,
New Delhi

I.A. NO. _____ OF 2022

IN

CS(COMM) NO. 401 OF 2021

IN THE MATTER OF

Universal City Studios LLC and Ors. ...Plaintiffs

Versus

myflixer.to & Ors. ...Defendants

Sir,

Will you kindly treat the accompanying application as an urgent one in accordance with the High Court Rules and Orders and list the present application before the Ld. Joint Registrar as per judgement dated 10.04.2019 passed by this Hon'ble Court in CS(COMM) 724/ 2017, UTV Software Communications Ltd. & Ors. v. 1337x.to & Ors. The relevant portion of the said judgement has been extracted herein below:

“101. Consequently, along with the Order I Rule 10 application for impleadment, the plaintiffs shall file an affidavit confirming that the newly impleaded website is a mirror/redirect/alphanumeric website with sufficient supporting evidence. On being satisfied that the impugned website is indeed a

mirror/redirect/alphanumeric website of injuncted Rogue Website(s) and merely provides new means of accessing the same primary infringing website, the Joint Registrar shall issue directions to ISPs to disable access in India to such mirror/redirect/alphanumeric websites in terms of the orders passed.”.

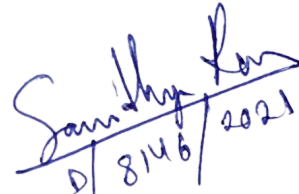
The grounds of urgency:

As prayed.

Yours faithfully,

Place: New Delhi

Date: 30 November 2022



Anjali Agrawal | Sanidhya Rao
(D/2045/2020) | (D/8146/2021)

Saikrishna & Associates

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

I.A. NO. _____ OF 2022

IN

CS(COMM) NO. 401 OF 2021

IN THE MATTER OF

Universal City Studios LLC and Ors. ...Plaintiffs

Versus

myflixer.to & Ors. ...Defendants

APPLICATION ON BEHALF OF THE PLAINTIFFS UNDER
ORDER I RULE 10 OF THE CODE OF CIVIL PROCEDURE,
1908 SEEKING IMPLEADMENT OF ADDITIONAL
MIRRORS, REDIRECTS, OR ALPHANUMERIC
VARIATIONS AS DEFENDANTS IN THE MEMO OF
PARTIES

MOST RESPECTFULLY SHEWETH:

1. Plaintiffs have filed the instant suit seeking permanent injunction against infringement of its copyright in its films being works of visual recording and which include sound recordings accompanying such visual recordings, unfair competition and commercial misappropriation of its exclusive rights enumerated under Section 14(d) of the Copyright Act, 1957. The Plaintiffs crave leave to refer to and rely upon the plaint which may be read as a part and parcel of this application, the contents of which are not being repeated for the sake of brevity.

2. The present application has been filed seeking impleadment of additional mirror/redirect/alphanumeric variations under Order I Rule 10 CPC as these variations merely provide access to the same websites which are the subject of the main injunction, namely, the following domains, which are also listed in Schedule A with their URLs and IP addresses:

- (93) 1 filmy4wep.online
- (94) 1 filmy4wep.pics
- (95) 1 filmy4wep.tube
- (96) sflix.pro
- (97) m4uhd.cc
- (98) myflixer.it
- (99) filmy4wap.plus
- (100) filmy4wap.dev
- (101) filmy4wap.codes
- (102) soap2day.sh
- (103) gototub.to
- (104) cineb.app
- (105) cineb.co

(hereinafter referred to as ‘Proposed Defendant Websites’) as Defendant Nos. 93 to 105. The additional mirror/redirect/alphanumeric variations, who the Plaintiffs are proposing to implead in the present suit are engaged in the business of hosting, streaming, retransmitting, making available for viewing and download, providing access to, and communicating to the public, third party content and information through the medium of internet and mobile transmission the Plaintiffs’ films without authorization

leading to a direction/redirection of viewers from the Plaintiffs' legal/subscription based channels to internet based viewing through such illegal means.

3. It is submitted that "Ashok Kumars" (Defendant No. 49) or "John Doe's" were also impleaded as party to the suit and leave of this Hon'ble Court was duly sought by the Plaintiffs to amend the memo of parties and substitute all such Ashok Kumars with specific website which were found violating the Plaintiffs exclusive rights. In this regard, reliance is placed upon paragraph 48 of the Plaint.
4. It is submitted that *vide* Orders dated 22.12.2021 and 21.03.2022, this Hon'ble Court was pleased to implead Defendant Nos. 50-70 and 71-92 respectively. In accordance with the Judgment dated 10.04.2019, the Plaintiffs are seeking to implead the present Defendants as Proposed Defendant Nos. 93-105.
5. It is submitted that *vide* Order dated 31.08.2021, this Hon'ble Court was pleased to pass an *ex-parte* ad interim Order against the said Defendant Websites and directed the ISPs to block access to the Defendant Websites. For the sake of convenience, the relevant portion of the Order is extracted herein below:

6. Clearly, the plaintiffs have made out a prima facie case. An interim injunction is passed in favour of the plaintiffs and against defendants No.1 to 37 in terms of the prayer para 5(i) of the present application; an interim injunction is passed in favour of the plaintiffs and against defendants No.38 to 46 in terms of the prayer para 5(ii) of the present application; and an interim injunction is also passed in favour of the plaintiffs and against defendants No.47 and 48 in terms of the prayer para 5(iii) of the present application till further orders.

Copy of the Order dated 31.08.2021 is attached herewith.

For the sake of convenience paras 5(i),(ii) and (iii) have been reiterated hereinbelow:

i. Pass an order of temporary injunction restraining the Defendant Nos. 1-37 (and such other mirror/redirect/alphanumeric websites discovered to provide additional means of accessing the Defendant Websites, and other domains/ domain owners/web site operators/entities which are discovered to have been engaging in infringing the Plaintiffs' exclusive rights), its owners, partners, proprietors, officers, servants, employees, and all others in capacity of principal or agent acting for and on their behalf, or anyone claiming through, by or under it, from, in any manner hosting, streaming, reproducing, distributing, making available to the public and/or communicating to the public, or facilitating the same, on their websites, through the internet in any manner whatsoever, any cinematograph work/content/programme/show in relation to which Plaintiffs have copyright;

ii. Pass an order directing the Defendant Nos.38-46, their directors, partners, proprietors, officers, affiliates, servants, employees, and all others in capacity of principal or agent acting for and on their behalf, or anyone claiming through, by or under it, to block access to the Defendant Nos. 1-37 websites identified by the Plaintiffs in the instant suit (and such other mirror/redirect/alphanumeric websites discovered to provide additional means of accessing the Defendant Website, and other domains/domain owners/web site operators/entities which are discovered to have been engaging in infringing the Plaintiffs' exclusive rights);

iii. Pass an order directing the Defendant Nos.47 and 48, to issue a notification calling upon the various internet and telecom service providers registered under it to block access to the Defendant Nos.1-37 websites identified by the Plaintiffs in the instant suit (and such other mirror/redirect/alphanumeric websites discovered to provide additional means of accessing the Defendant Websites, and other domains/domain owners/web site operators/entities which are discovered to have been engaging in infringing the Plaintiffs' exclusive rights).

6. Plaintiffs had instituted 8 suits for Copyright Infringement against 30 infringing domains that were communicating to

the public, Plaintiffs' copyright works without their authorization. The said suits were filed before the Hon'ble High Court of Delhi, being CS(COMM) 724 of 2017 UTV Software Communication Ltd. & Anr. v. 1337x.to and Ors., etc. Plaintiffs obtained a permanent injunction against the Defendant Websites therein, *vide* Judgement dated 10.04.2019. It is submitted that, this Hon'ble Court was pleased to record that the Defendant Websites are Hydra Headed Rogue websites who on being blocked, actually multiply and resurface as redirect or mirror or alphanumeric websites. Further, this Hon'ble Court held that such hydra-headed websites can be blocked by filing an impleadment application under Order I Rule 10 along with the evidence against them. The relevant portion of the Judgement is reiterated herein below:

94. *Now, the question that arises for consideration is how should courts deal with 'hydra headed' websites who on being blocked, actually multiply and resurface as alphanumeric or mirror websites. In the present batch of matters though this Court had injuncted the main website by way of the initial injunction order, yet the mirror/alphanumeric/redirect websites had been created subsequently to circumvent the injunction orders.*
95. *It is pertinent to mention that in Greek mythology the Hydra also called Lernaean Hydra is a serpent-like monster. The Hydra is a nine-headed serpent like snake. It was said that if you cut off one hydra head, two more would grow back.*
96. *Critics claim that website blocking is an exercise in futility as website operators shift sites—the so-called "whack-a-mole" effect.*
97. *Internationally, there has been some recent development to deal with the aforesaid menace in the form of a "Dynamic Injunction" though limited to mirror websites.*
98. *The High Court of Singapore in the case of Disney Enterprise v. MI Ltd., (2018) SGHC 206 has after discussing the cases of 20th Century Fox v. British Telecommunications PLC, (2012) 1 All ER 869 and Cartier International AG v. British Sky Broadcasting*

(supra), held that the applicant was not obligated to return to court for an order with respect to every single IP address of the infringing URLs already determined by the Court. The Court held as under:-

"38 I found that the court has the jurisdiction to issue a dynamic injunction given that such an injunction constitutes "reasonable steps to disable access to the flagrantly infringing online location". This is because the dynamic injunction does not require the defendants to block additional FIOs which have not been included in the main injunction. It only requires the defendants to block additional domain names, URLs and/or IP addresses that provide access to the same websites which are the subject of the main injunction and which I have found constitute FIOs (see [19] - [29] above). Therefore, the dynamic injunction merely blocks new means of accessing the same infringing websites, rather than blocking new infringing websites that have not been included in the main injunction.

39. In fact, under the dynamic injunction applied for in the present case, the plaintiffs would be required to show in its affidavit that the new FQDNs provide access to the same FIOs which are the subject of the main injunction before the defendants would be required to block the new FQDNs (see [6] above) ...

xxx xxx xxx

42. In relation to S 193DB(3)(d) of the Copyright Act, i.e, the effectiveness of the proposed order, the dynamic injunction was necessary to ensure that the main injunction operated effectively to reduce further harm to the plaintiffs. This is due to the ease and speed at which circumventive measures may be taken by owners and operators of FIOs to evade the main injunction, through for instance changing the primary domain name of the FIO. Without a continuing obligation to block additional domain names, URLs and/or IP addresses upon being informed of such sites, it is unlikely that there would be effective disabling of access to the 53 FIOs."

(emphasis supplied)

99. Though the dynamic injunction was issued by the Singapore High Court under the provisions of Section 193 DDA of the Singapore Copyright Act, and no similar procedure exists in India, yet in order to meet the ends of justice and to address the menace of piracy,

this Court in exercise of its inherent power under Section 151 CPC permits the plaintiffs to implead the mirror/redirect/alphanumeric websites under Order I Rule 10 CPC as these websites merely provide access to the same websites which are the subject of the main injunction.

- 100. It is desirable that the Court is freed from constantly monitoring and adjudicating the issue of mirror/redirect/alphanumeric websites and also that the plaintiffs are not burdened with filing fresh suits. However, it is not disputed that given the wide ramifications of site-wide blocking orders, there has to be judicial scrutiny of such directions and that ISPs ought not to be tasked with the role of arbiters, contrary to their strictly passive and neutral role as intermediaries.*
- 101. Consequently, along with the Order I Rule 10 application for impleadment, the plaintiffs shall file an affidavit confirming that the newly impleaded website is a mirror/redirect/alphanumeric website with sufficient supporting evidence. On being satisfied that the impugned website is indeed a mirror/redirect/alphanumeric website of injuncted Rogue Website(s) and merely provides new means of accessing the same primary infringing website, the Joint Registrar shall issue directions to ISPs to disable access in India to such mirror/redirect/alphanumeric websites in terms of the orders passed.*

Copy of the judgement dated 10.04.2019 is attached herewith.

7. It is submitted that the Proposed Defendant Websites are hydra headed websites and are making available and communicating Plaintiffs' Copyrighted material in which Plaintiffs have an exclusive right without permission and authorization. It is submitted that since these websites are showing Plaintiffs' content without authorization, these Proposed Defendant Websites fall squarely within the scope of the Judgement dated 10.04.2019 passed and the Plaintiffs are entitled to seek their impleadment and extension of the injunction Order.

8. Plaintiffs obtained a permanent injunction against the Defendant Websites vide Order dated 11.11.2022. The relevant portion of the Order is reiterated hereinbelow:

4. In the meantime, considering that the injunction order in the suit has been operating since 31st August, 2021, the interim injunction granted vide the said order is confirmed during the pendency of the suit.

5. Accordingly, I.A. 10898/2021 is disposed of.

9. In the light of the above, it is imperative to implead the Proposed Defendant Websites. This Hon'ble Court ought to extend the permanent injunction granted vide Order dated 11.11.2022 against the Proposed Defendant Websites. Further, the evidence produced by the Plaintiffs establishes that the Proposed Defendant Websites are merely providing a new means of accessing the same primary infringing websites that have been enjoined. Therefore, the Proposed Defendant Websites ought to be blocked, and that this Hon'ble Court ought to issue directions to the ISPs to disable access to the Proposed Defendant Websites. Further, this Hon'ble Court in its Judgment dated 10.04.2019 has settled the law on impleadment of such mirror/redirect/alphanumeric Websites. The relevant portions of the judgement are extracted hereinbelow:

107. Keeping in view the aforesaid finding ... the plaintiffs are permitted to implead the mirror/redirect/alphanumeric websites under Order I Rule 10 CPC in the event they merely provide new means of accessing the same primary infringing websites that have been enjoined...

10. It is submitted that the Plaintiffs have, through its counsels, served Legal Notice to the Proposed Defendant Websites, calling upon them to cease and desist from indulging in such

infringing activities. However, till date, the Websites have failed to stop their infringing activities.

11. Thus, in light of the above, it is imperative that the Proposed Defendant Websites are impleaded in the instant suit as Defendants to safeguard the interest of the Plaintiffs.

PRAYER:

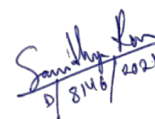
12. In view of the above, the Plaintiffs humbly pray that this Hon'ble Court may be pleased to:
 - a. Implead the Proposed Defendant Websites whose domains, subdomains and subdirectories are listed above whose domains, URLs and IP are listed in the attached Schedule A, as *Defendant No. 93 to 105*, to the instant suit and extend the permanent injunction dated 11.11.2022;
 - b. Pass an order directing the Defendant Nos. 38 to 46, their directors, partners, proprietors, officers, affiliates, servants, employees, and all others in capacity of principal or agent acting for and, on their behalf, or anyone claiming through, by or under it, to block access to the Proposed Defendant Websites listed in Schedule A;
 - c. Pass an Order directing the Defendant Nos. 47 and 48, to issue a notification calling upon the various internet and telecom service providers registered

under it to block access to the Proposed Defendant Websites listed in Schedule A;

- d. Take the amended Memo of Parties on record; and
- e. Pass any further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case be passed.

Place: New Delhi

Date: 30 November 2022



Anjali Agrawal | Sanidhya Rao
(D/2045/2020) | (D/8146/2021)

Saikrishna & Associates
Advocates for the Plaintiffs

57, Jor Bagh,

Delhi – 110003

+91 8871414503

sanidhya@saikrishnaassociates.com

SCHEDULE A

Injuncted Website Location (at Time of Suit)	URL of New Mirror/Redirect/ Alphanumeric Variation of Injuncted Website	Domain Name of Mirror/Redirect/ Alphanumeric Variation of Injuncted Website	IP Addresses of New Mirror/Redirect/ Alphanumeric Variation of Injuncted Website
myflixe.to myflixe.com	https://1filmy4wep.online	1filmy4wep.online	104.21.31.91
mflixer.ru s2dfree.nl	1filmy4wep.pics	1filmy4wep.pics	172.67.180.137 104.21.59.156
soap2day.ac s2dfree.to	https://1filmy4wep.tube	1filmy4wep.tube	172.64.164.36 172.64.165.36
s2dfree.is s2dfree.in	https://sflix.pro	sflix.pro	172.67.128.105 104.21.1.247
soap2day.cc s2dfree.de s2dfree.cc	https://ww1.m4uhd.cc	m4uhd.cc	104.26.12.96 104.26.13.96 172.67.71.154
soap2day.to soap2day.video	https://myflixe.r.it	myflixe.r.it	104.31.16.5 104.31.16.124
soapgate.org ask4movie.cc	https://www.filmy4wap.plus	filmy4wap.plus	104.21.10.172 172.67.146.35
zoechip.com flixtor.to	https://filmy4wap.dev	filmy4wap.dev	104.21.83.96 172.67.220.244

flixtor.se	https://filmy4	filmy4wa	172.67.175.5
flixtor.vc	wap.codes	p.codes	104.21.80.66
flixtor.it	https://soap2da	soap2day.	104.31.16.4
flixtor.nu	y.sh	sh	104.31.16.125
flixtor.video	https://gototub.	gototub.t	111.90.158.77
flixtor.one	to	o	
fsharetv.com	https://cineb.a	cineb.app	104.21.13.84
cmovies.ac	pp		172.67.132.163
tinyzonetv.to	https://www7.	cineb.co	104.21.68.8
9movies.ro	cineb.co		172.67.184.31
9movies.yt			
vidcloud9.com			
vidnext.net			
mobilemovies.i			
nfo			
kissmovies.io			
azmovie.to			
azm.to			
m4ufree.com			
m4uhd.tv			
sflix.to			
bflix.watch			
gototub.com			
noxx.is			
new-			
movies123.link			
theofficetv.com			
moviesverse.or			
g.in			

moviesverse.or g moviesverse.in moviesverse.net altmovies.net altmovies.in altmovies.me filmyzilla.run filmyzilla.net filmyzilla.xyz filmyzilla.me ofilmyzilla.age ncy ofilmyzilla.cool ofilmyzilla.toda y 123chill.to orgmovies.la 1filmywap.com afilmywap.li afilmywap.part y afilmywap.surf besthdmovies.f yi besthdmovies.n inja besthdmovies.k im cineb.net			
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flixq.ru			
flixhq.net			
streamani.net			
gogo-play.net			
gogo-			
stream.com			
moviesrush.one			
moviesrush.in			
tamilblasters.wf			
tamilian.net			
fulltube.online			
123series.ru			
123series.net			
moviesverse.cc			
moviesverse.co.			
in			
moviesverse.co			
tamilblasters.lin			
k			
tamilblasters.wi			
n			
tamilblasters.vi			
p			
tamilblasters.eu			
tamilblasters.nl			
tamilblasters.bz			
tamilblasters.m			
x			
filmyzilla.produ			
ctions			

filmyzilla.servi ces filmyzilla.cool moviesrush.vip moviesrush.ca m myflixertv.to vidembed.io vidnext.net vidembed.cc ssoap2day.to ssoap2day.ac soap2dayhd.co m soap2day.rs soap2day.group soap2day.cx ask4movie.io myfixer.site myfixer.pw myfixer.life cmovies.online cmovies.is cmovies.vip 123series.xyz m4uhd.com vidembed.io vidcloud9.com vidembed.net tinyzonetv.cc			
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katmoviehd.one			
katmoviehd.pm			
katmoviehd.nz			

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

I.A. NO. _____ OF 2022

IN

CS(COMM) NO. 401 OF 2021

IN THE MATTER OF

Universal City Studios LLC and Ors. ...Plaintiffs

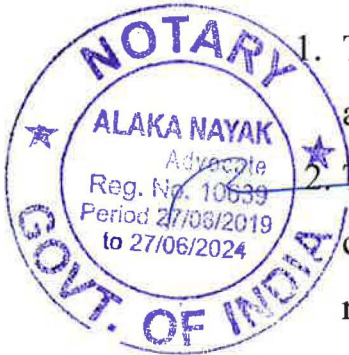
Versus

myflixer.to & Ors. ...Defendants

AFFIDAVIT OF MR. VISHAL AHUJA, AUTHORISED SIGNATORY OF PLAINTIFFS, SON OF HARISH AHUJA, AGED AROUND 39 YEARS, HAVING OFFICE AT 57, JOR BAGH, NEW DELHI 110003, DELHI, INDIA.

I, the abovenamed deponent, do hereby solemnly affirm and declare as under:

- 1. That I am the authorized signatory of the Plaintiffs and am duly authorized and competent to swear the present Affidavit.
- 2. That I have read the contents of the Application and the contents of the same, as well as the documents filed may be read as the part and parcel of the present affidavit, the same are not being reproduced herein for the sake of brevity.



Alaka Nayak
I identified the deponent who has signed in my presence.

Vishal Ahuja
DEPONENT

VERIFICATION:

30 NOV 2022

CERTIFIED THAT I have verified at New Delhi on this the 30th day of November 2022 that the contents of the above Affidavit are true to the best of my knowledge, information and belief and nothing material has been concealed therefrom.

Identified by me as *Vishal Ahuja*
Has solemnly affirmed before me at Delhi on *30 NOV 2022* as *Sh. Vishal Ahuja*
That the contents of the affidavit which have been read & explained to him/her are true & correct to his/her knowledge

30 NOV 2022

Vishal Ahuja
DEPONENT

Alaka Nayak
NOTARY

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

I.A. NO. _____ OF 2022

IN

CS(COMM) NO. 401 OF 2021

AMENDED MEMO OF PARTIES

- (1) Universal City Studios LLC.
having its office at
100 Universal City Plaza, Universal City,
CA 91608, United States of America,
Email: antipiracy@nbcuni.com

- (2) Warner Bros. Entertainment Inc.
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4000 Warner Boulevard, Burbank,
California 91522, United States of America
Email: antipiracy@warnerbros.com

- (3) Columbia Pictures Industries, Inc.
having its office at
10202 W. Washington Blvd., Culver City,
CA 90232-3195 United States of America,
Email: copyright_agent@spe.sony.com

- (4) Netflix Studios, LLC
having its office at
100 Winchester Cir Los Gatos
CA, 95032-1815, United States of America,

Email: legal@netflix.com

- (5) Paramount Pictures Corporation
having its office at
5555 Melrose Avenue, Hollywood,
CA, 90038, United States of America,
Email: CopyrightAgent@Paramount.com

- (6) Disney Enterprises, Inc.
having its office at
500 S. Buena Vista, Burbank,
CA, 91521, United States of America,
Email: tips@disneyantipiracy.com

... Plaintiffs

Versus

- (1) myfixer.to
myfixer.com
mfixer.ru
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323e87857f324ab2a16542bb8e0d5853.protect@withheldforprivacy.com
- (2) s2dfree.nl
soap2day.ac
s2dfree.to
s2dfree.is
s2dfree.in

soap2day.cc

s2dfree.de

s2dfree.cc

soap2day.to

soap2day.video

soapgate.org

Contact information: support@soap2day.net, afilias-abuse@namesilo.com, soap2dayvideo@gmail.com, tld-abuse@nic.ru, abuse@namesrs.com

(3) ask4movie.cc

Contact information: antipiracy@ask4movie.cc, compliance_abuse@webnic.cc, leesuyeon@apexscore.com

(4) zoechip.com

Contact information: f9b25de79fc5478186fd3c5dcffb3f3d.protect@withheldforprivacy.com

(5) flixtor.to

flixtor.se

flixtor.vc

flixtor.it

flixtor.nu

flixtor.video

flixtor.one

Contact information: important@flixtor.to, important@flixtor.se, important@flixtor.vc,

important@flixtor.it, important@flixtor.nu,
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- (6) fsharetv.com
Contact information: abuse@namecheap.com,
support@fsharetv.co,
e7be9d2c043c428184b79d8a44466dcc.protect@
withheldforprivacy.com
- (7) cmovies.ac
Contact information: abuse@namecheap.com
- (8) tinyzonetv.to
Contact information: through registrar -
support@cloudflare.com;
<https://tinyzonetv.to/contact>
- (9) 9movies.ro
9movies.yt
Contact information: admin@9movies.ro
- (10) vidcloud9.com
vidnext.net
Contact information: abuse@namecheap.com
- (11) mobilemovies.info
Contact information: abuse-
contact@publicdomainregistry.com
- (12) kissmovies.io

Contact information: abuse@namecheap.com

(13) azmovie.to

azm.to

Contact information: abuse@azm.to

(14) m4ufree.com

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(15) m4uhd.tv

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(16) sflix.to

Contact information: through registrar
support@cloudflare.com; <https://sflix.to/contact>

(17) bflix.watch

Contact information: bflixwatch@gmail.com,
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(18) gototub.com

Contact information: domainabuse@tucows.com

(19) noxx.is

Contact information:
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abuse.noxx@protonmail.com

- (20) new-movies123.link
Contact information: abuse@namecheap.com
- (21) theofficetv.com
Contact information: abuse@namesilo.com; pw-0c12a5fd54368556ae6a320a9e3880da@privacyguardian.org
- (22) moviesverse.org.in
moviesverse.org
moviesverse.in
moviesverse.net
Contact information: abuse@godaddy.com
- (23) altmovies.net
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altmovies.me
Contact information: bollyflix@protonmail.com, abuse@namecheap.com
- (24) filmyzilla.run
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filmyzilla.xyz
filmyzilla.me
Contact information: abuse@namecheap.com, abuse@internet.bs, abuse@tldregistrarsolutions.com; filmyzilla.net-owner-546h@customers.whoisprivacycorp.com
- (25) ofilmyzilla.agency

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ofilmyzilla.today

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(26) 123chill.to

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<https://www.tonic.to/emailowner.htm?E31GD72C;;>

123chill

(27) orgmovies.la

1filmywap.com

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afilmywap.surf

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besthdmovies.kim

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(31) flixq.ru

fliqhq.net

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(32) streamani.net

gogo-play.net

gogo-stream.com

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moviesrush.in

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support@sarek.fi

(35) tamilian.net

Contact information: domainabuse@tu cows.com

(36) fulltube.online

Contact information: domains@hostinger.com

(37) 123series.ru

123series.net

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- (42) Mahanagar Telephone Nigam Ltd.
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care@jio.com; Hitesh.marthak@relianceada.com;
Kapoor.guliani@ril.com; mahipal.singh@ril.com;
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jyoti.jain@ril.com
- (44) Shyam Spectra Pvt. Ltd.
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anand.dalal@tatatel.co.in; satya.yadav@tatatel.co.in

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Lower Parel, Mumbai - 400 013 India

Also At:

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Radhika.gokhale@vodafoneidea.com,
sanjeet.sarkar@vodafoneidea.com;
lavati.sairam@vodafoneindia.com

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dot@gov.in

- (48) Ministry of Electronics and Information Technology
Through the Director General (DIT) Cyber Laws &
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Contact information: abuse@godaddy.com
- (52) moviesverse.co
Contact information: abuse@godaddy.com
- (53) tamilblasters.link
Contact information: abuse@name.com
- (54) tamilblasters.win
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- (55) tamilblasters.vip
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- (56) tamilblasters.eu
Contact information: whois@nial.la

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- (58) tamilblasters.bz
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- (59) tamilblasters.mx
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- (60) filmyzilla.productions
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- (61) filmyzilla.express
Contact information: abuse@dynadot.com
- (62) filmyzilla.watch
Contact information: abuse@namesilo.com
- (63) filmyzilla.services
Contact information: abuse@namecheap.com
- (64) filmyzilla.cool
Contact information: abuse@dynadot.com
- (65) moviesrush.vip
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- (66) moviesrush.cam
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- (67) myflixertv.to
Contact information: abuse@namecheap.com
- (68) vidembed.io
Contact information: abuse@namecheap.com
- (69) vidnext.net
Contact information: abuse@namecheap.com,
7032d3b4bfb6402d88282eaaaa729eb9.protect@
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- (70) vidembed.cc
Contact information: abuse@namecheap.com,
5a3ca78e897b4e0fb486146dff6ed4b.protect@
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- (71) ssoap2day.to
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- (75) soap2day.group
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- (76) soap2day.cx
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- (77) ask4movie.io
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- (79) myflixer.pw
Contact information: abuse@namecheap.com
- (80) myflixer.life
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- (81) cmovies.online
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- (82) cmovies.is
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- (85) m4uhd.com
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- (87) vidcloud9.com
Contact information: abuse@namecheap.com,
2bbc59c2a6f9427c877bd845e182801f.protect@
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- (88) vidembed.net
Contact information: abuse@namecheap.com,
8cee94b6dfe84aa0bd0f6e201c18e53e.protect@
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- (89) tinyzonetv.cc
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6077bd143f7c4c65b12edc9f43a7ddaf.protect@
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- (96) sflix.pro
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- (97) m4uhd.cc
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(104) cineb.app

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(105) cineb.co

Contact information: abuse@namecheap.com

...Defendants

Place: New Delhi

Date: 30 November 2022



Anjali Agrawal | Sanidhya Rao
(D/2045/2020) | (D/8146/2021)

Saikrishna & Associates
Advocates for the Plaintiffs

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