

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-40/2023-DS-II

Dated: 19.09.2023

To,

All Internet Service Licensee's

Subject: Cs (Comm) 556/2023 Sporta Technologies Pvt. Ltd. And Anr. Vs. John Doe and Others Before Hon'ble Delhi High Court.

Kindly find the enclosed Hon'ble Delhi High Court order dated **16.08.2023** on the subject matter.

2. Please refer to the **para 16(iii)** of the said court order in respect of blocking of **01 website** enumerated in the said para of the order.
3. Accordingly, in view of the above, all the Internet Service licensees are hereby instructed to take immediate necessary action for blocking of the said website, as above, for compliance of the said court order.



Director (DS-II)

Tel: 011-2303 6860

Email: dirds2-dot@nic.in

Encl:A/A

Copy to:

- (i) V.Chinnasamy, Scientist E (chinnasamy.v@meity.gov.in), Electronics Niketan, Ministry of Electronics and Information Technology (MeitY) New Delhi for kind information and necessary action.
- (ii) Parkhi (Parkhi@fiduslawchambers.com) counsel for the plaintiff for kind information.
- (iii) Harish Vaidyanathan Shankar (hvscgscdhc@gmail.com) Senior Penal Counsel for kind information
- (iv) IT wing of DoT for uploading on DoT websites please.



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 556/2023, I.A. 15263/2023, I.A. 15264/2023, I.A. 15265/2023, I.A. 15266/2023 & I.A. 15267/2023

SPORTA TECHNOLOGIES PVT. LTD. AND ANR.

..... Plaintiffs

Through: Mr. Rohan Krishna Seth, Mr. Prithvi Singh and Ms. Parkhi Rai, Advs.

versus

JOHN DOE AND OTHERS

..... Defendants

Through: Mr. Harish Vaidyanathan Shankar, CGSC, Mr. Srish Kumar Mishra, Mr. Sagar Mehlawat and Mr. Alexander Mathai Paikaday and Mr. Sriram, Advs.

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER
16.08.2023

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CS(COMM) 556/2023

1. The Plaintiffs provide popular fantasy sports platforms under the mark “Dream11”, and its variants, since 2012. The plaintiffs are registered proprietors of the following trademarks:

Trademarks of Plaintiff 1

S. No.	Trademark	Number	Classes	Date
1.		3802186	9, 16, 35, 41, 42	11 April 2018
2.		3660715	9, 16, 35, 41, 42	21 October 2017
3.		3660717	9, 16, 35, 41, 42	21 October 2017



4.		3660851	9, 16, 35, 41, 42	22 October 2017
5.		3660718	9, 16, 35, 41, 42	21 October 2017
6.		3660720	9, 16, 35, 41, 42	21 October 2017
7.		3802184	9, 16, 35, 41 & 42	11 April 2018
8.		3802185	9, 16, 35, 41, 42	11 April 2018

Trademarks of Plaintiff 2

S. No.	Trademark	Number	Classes	Date
1.	DREAM11	4863621	9, 16, 18, 28, 35, 38, 42 & 45	25 September, 2019
2.		1823011	38	28 May 2009
3.		1823015	41	28 May 2009

2. Plaintiff 2 also has the domain name www.dream11.com registered in its favour.


3. The plaintiff is aggrieved by the creation, by Defendant 1, of the website www.trusteddream11.com along with its mobile application Trusteddream11.

4. Defendant 1 is also stated to be using the “Trusteddream11”/



logos, providing services similar to those provided by the plaintiff. The domain name www.trusteddream11.com as well as the aforesaid logos, it is submitted, infringe the plaintiff's registered trademarks.

5. This Court has, in several similar matters, protected the plaintiffs' registered trademarks against similar marks such as "Edream11", "Dream11Champ", "MyDream11", "FanDream11", "Dream7", "Sattadream11", "Dreamz11Sports", "Dreamz11", "Dream11apk.in", "Deep11", "ProDream11", "Dream11app.in" and "Dream111.net". Copies of the said orders have been placed on record.

6. The plaintiffs have, in these circumstances, approached this Court by means of the present plaint, seeking a permanent injunction against Defendant 1 as well as all other acting on its behalf, from using the marks "Trusteddream11"/ , as well as a direction to Defendant 2 to transfer the domain trusteddream11.com of Defendant 1 to the plaintiffs, apart from damages and costs.

7. Let the plaint be registered as a suit.

8. Issue summons in the suit. Summons are accepted on behalf of Defendants 3 and 4 by Mr. Harish Vaidyanthan.

9. Let summons be issued to Defendants 1 and 2 at the email id indicated in the memo of parties.



10. Written statement, accompanied by affidavit of admission/denial of the documents filed by the plaintiff be filed within 30 days with advance copy to learned Counsel for the plaintiff who may file replication thereto, accompanied by affidavit of admission/denial of the documents filed by the defendant within 30 days thereof.

11. List before the learned Joint Registrar (Judicial) for completion of pleadings, admission and denial of the documents and marking of exhibits on 17 October 2023, whereafter the matter would be placed before the Court for case management hearing and further proceedings.

I.A. 15263/2023 (under Order XXXIX Rules 1 and 2 of the CPC)

12. This is an application by the plaintiff under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 (CPC), seeking interlocutory injunctive reliefs.

13. Following the orders passed by this Court in earlier similar proceedings, issue notice.

14. Notice is accepted on behalf of Defendants 3 and 4 by Mr. Harish Vaidyanthan.

15. Let notice be issued to remaining defendants at the email addressed indicated in the memo of parties.

16. Till the next date of hearing, the following interim directions are passed:



(i) Defendant 1 as well as all others acting on its behalf shall stand restrained from using the mark “Dream11” or any other deceptively similar variant thereof, as a trademark, tradename, domain name or their website or mobile application or as part of their email id.

(ii) Defendant 2 is directed to disclose, on affidavit, the address and contact details of the registrant of the domain trusteddream11.com and to suspend and lock the said domain till the next date of hearing.

(iii) Defendants 3 and 4 are directed to issue notifications requiring internet service providers to block access to the domain/website of Defendant 1 being www.trusteddream11.com.

17. Compliance with Order XXXIX Rule 3 of the CPC, *qua* Defendants 1 and 2 be effected within a period of one week from today.

18. Re-notify on 18 December 2023.

I.A. 15264/2023 (under Section 12A of the Commercial Courts Act, 2015)

19. In view of the judgment of the Division Bench of this Court in *Chandra Kishore Chaurasia v. R.A. Perfumery Works Pvt Ltd*¹, exemption is granted from the requirement of pre-institution mediation under Section 12A of the Commercial Courts Act, 2015.

¹ 2022 SCC OnLine Del 3529
CS(COMM) 556/2023



20. The application stands allowed accordingly.

I.A. 15265/2023 (under Order XI Rule 1(4) of the CPC)

21. By this application, the plaintiff seeks permission to file additional documents.

22. The plaintiff is permitted to place additional documents on record in accordance with Order XI Rule 1(4) of the CPC as amended by the Commercial Courts Act within 30 days from today.

23. The application stands disposed of accordingly.

I.A. 15266/2023 (under Section 151 of the CPC)

24. By this application, the plaintiff seeks exemption from the requirement to filing original documents.

25. Exemption is granted for the present subject to the filing of the original documents being filed at the stage of filing of documents during the course of the proceedings.

26. The application stands disposed of accordingly.

I.A. 15267/2023 (exemption from filing court fees)

27. For the reasons stated in the application, exemption is granted for the present, subject to deposit of the Court fees within 4 weeks.

C.HARI SHANKAR, J

AUGUST 16, 2023

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IN THE HIGH COURT OF DELHI AT NEW DELHI
(*Ordinary Commercial Jurisdiction*)
CS(COMM) No. 556 of 2023

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

Versus

John Doe and Ors. ...Defendants

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Prithvi Singh | Rohan Seth | Parkhi Rai
Enrl. No.: [D/2066/2011], [D/2172/2017], [D/8420/2022]

Fidus Law Chambers
Advocates for the Plaintiffs

F – 12, Ground Floor,
Sector – 8, Noida – 201301

Place: New Delhi

Date: September 2023

Mob. No.: +91 – 9911167179

litigation@fiduslawchambers.com

NOTE:

(i) The amended memo of parties is being filed in compliance with the Hon'ble Court's order dated 16th August 2023.

(ii) All Defendants have been served.

IN THE HIGH COURT OF DELHI AT NEW DELHI
(Ordinary Commercial Jurisdiction)
CS (COMM) No. 556 of 2023

MEMO OF PARTIES

Sporta Technologies Pvt. Ltd.
Unit No. 1201-1202,
12th Floor, Wing A, One BKC, G Block,
Plot No.66, Bandra
Kurla Complex, Bandra-E
Mumbai, Maharashtra 400051
Email: litigation@fiduslawchambers.com ... Plaintiff No. 1

Dream Sports Inc.
formerly known as Dream11 Inc.
960 Holmdel Road, Bldg. 2,
Holmdel, NJ-0773
USA
Email: litigation@fiduslawchambers.com ... Plaintiff No. 2

V E R S U S

~~John Doe~~
~~Proprietor of,~~
~~Trusteddream11 (www.trusteddream11.com)~~
~~Email: abuse@ownregistrar.com;~~
~~support@ownregistrar.com~~
~~... Defendant No. 1~~

Suraj Tiwari
Katni Road, Maharj pur, Jabalpur,
Madhya Pradesh, India – 484225
Email: ranibai442@gmail.com
Contact: 91-9907766806 ... Defendant No. 1

OwnRegistrar, Inc.
Email: abuse@ownregistrar.com;
support@ownregistrar.com
... Defendant No. 2

Department of Telecommunications
Through its secretary,
Ministry of Communications and IT,
20, Sanchar Bhawan, Ashoka Road,

New Delhi-110001,

E-mail: secy-dot@nic.in
dirds2-dot@nic.in
abhinesh.meena@gov.in
uoidhc@gmail.com

... Defendant No. 3

Ministry of Electronics and Information Technology
Through the Director General (DIT) Cyber Laws & e-security).
Electronics Niketan, 6, CGO Complex,
Lodi Road, New Delhi - 110003

Email: cyberlaw@meity.gov.in
gccyberlaws@meity.gov.in;
pkumar@meity.gov.in;
sathya.s@meity.gov.in

... Defendant No. 4

Filed by:



Prithvi Singh | Rohan Seth | Parkhi Rai
Enrl. No.: [D/2066/2011], [D/2172/2017], [D/8420/2022]
Fidus Law Chambers
Advocates for the Plaintiffs
F – 12, Ground Floor,
Sector – 8, Noida – 201301
Mob. No.: +91 – 9911167179
litigation@fiduslawchambers.com

Place: New Delhi

Date: 18th September 2023



OwnRegistrar Inc.
1250 Broadway, Suite 3600
New York City
NY 10001, U.S.A.

e: corp@ownregistrar.com
w: www.ownregistrar.com

We, OwnRegistrar Inc are a Reseller centric Wholesale Domain Name Registrar and we work on prepay model. The below Domain Name was registered with us by a Reseller for their Customer from the available balance in their account. We do not have any financial or any other transactions with the end users. Further, we follow prepay/wallet system so we do not have payment transaction details for a specific domain.

Domain Details:

Domain Name : trusteddream11[.]com

IP Address: 101.53.145.254

Status : Suspended

NameServer1 : dns3.resellernameservers.in

NameServer2 : dns4.resellernameservers.in

Creation Date : 2023-02-15

Expiration Date : 2024-02-15

Reseller Details:

Company Name : SPINGTREE PRIVATE LIMITED

First Name : Onohosting

User Name: onohosting@gmail.com

Phone No : 91-8440068440

Zip : 122001

State : Haryana

Country :India

Customer Details: (We are wholesale Domain Registrar. Customer details are as provided by the Reseller)

Company Name: NA

First Name: suraj tiwari

User Name: ranibai442@gmail.com

Address: KATNI ROADmaharj pur

City: JABALPUR

State: Madhya Pradesh

Country : India

Contact No: 91-9907766806

Zip: 483225

