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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 427/2025**

**THE FOOTBALL ASSOCIATION PREMIER LEAGUE
LIMITED**Plaintiff

Through: Mr. Saikrishna Rajagopal, Ms.
Suhasini Raina, Mr. Angad Makkar
and Mr. Abhay Aren, Advs.

versus

YOGHURT TV & ORS.Defendants

Through: None.

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **07.05.2025**

I.A. 11486/2025 (*Exemption from pre-institution mediation*)

1. *Vide* the present application under *Section 12A* of the Commercial Courts Act, 2015, read with *Section 151* of the Code of Civil Procedure, 1908 (*CPC*), the plaintiff seeks exemption from pre-litigation mediation.
2. Considering the averments made in the present application, as also since the plaintiff is seeking *ex parte ad interim* injunction in an accompanying application and in view of the judgment passed by the Hon'ble Supreme Court in *Yamini Manohar v. T.K.D. Krithi* 2024 (5) SCC 815, which has been followed by a Division Bench this Court in *Chandra Kishore Chaurasia v. R. A. Perfumery Works Private Limited* 2022:DHC:4454-DB, the plaintiff is exempted from instituting pre-litigation mediation.
3. Accordingly, the present application stands disposed of.

I.A. 11489/2025 (*Exemption*)

4. Exemption allowed, subject to all just exceptions.

5. The application stands disposed of.

I.A. 11487/2025 (*Exemption from issuing notices to the D-20 and D-21*)

6. *Vide* the present application filed under *Section 80*, read with *Section 151* of the CPC, the plaintiff seeks exemption from the requirement of advance service upon the defendant nos.20 and 21, namely Department of Telecommunications (***DoT***) and Ministry of Electronics and Information Technology (***MEITY***) respectively, on the ground that no formal remedy/ relief as prescribed under the Copyright Act, 1957 (***the Act***), is being claimed against them, as also since they are only being arrayed to ensure compliance with any orders that may be passed by this Court.

7. For the reasons stated in the present application, as also taking into account the aforesaid factors, and since it would be in the interest of justice, the plaintiff is granted exemption from effecting advance service upon the aforesaid defendant nos.20 and 21, being DoT and MEITY respectively.

8. Accordingly, the present application stands disposed of.

I.A. 11488/2025 (*Additional document*)

9. *Vide* the present application filed under *Order XI Rule 1(4)* read with *Section 151* of the CPC, the plaintiff seeks leave of this Court to file additional documents.

10. The plaintiff will be at liberty to file additional documents at a later stage, *albeit*, after initiating appropriate steps, strictly as per the provisions of the Commercial Courts Act, 2015 read with *Section 151* of the CPC and

the Delhi High Court (Original Side) Rules, 2018.

11. Accordingly, the present application stands disposed of.

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12. *Vide* the present plaint, the plaintiff seeks grant of a permanent injunction for infringement of copyright under the Act of 1957, as also appropriate directions to the arrayed authorities.

13. Let the plaint be registered as a suit.

14. Upon filing of the process fee, issue summons of the suit to the defendants through all permissible modes returnable before the learned Joint Registrar on 28.08.2025.

15. The summons shall state that the written statement(s) be filed by the defendants within a period of *thirty days* from the date of the receipt of the summons. Written statement(s) be filed by the defendants along with affidavit of admission/ denial of documents of the plaintiff, without which the written statement(s) shall not be taken on record.

16. Replication(s) thereto, if any, be filed by the plaintiff within a period of *fifteen days* from the date of receipt of written statement(s). The said replication(s), if any, shall be accompanied by with affidavit of admission/ denial of documents filed by the defendants, without which the replication(s) shall not be taken on record within the aforesaid period of fifteen days.

17. If any of the parties wish to seek inspection of any document(s), the same shall be sought and given within the requisite timelines.

18. List before the learned Joint Registrar for marking exhibits of documents on 28.08.2025. It is made clear that if any party unjustifiably denies any document(s), then it would be liable to be burdened with costs.

I.A. 11485/2025 (Stay)

19. *Vide* the present application under *Order XXXIX Rules 1 and 2* of the CPC, the plaintiff seeks the following reliefs:

“i. Pass an order of temporary injunction restraining the Defendant Nos. 1 to 5 (and such other rogue apps which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to have been infringing / authorising the infringement of the Plaintiffs copyright works), their owners, partners, proprietors, officers, servants, affiliates, employees, and all others in capacity of principal or agent acting for and on its behalf, or anyone claiming through, by or under it, from in any manner communicating to the public, hosting, storing, reproducing, streaming, broadcasting, re-broadcasting, causing to be seen or heard by public and/or making available for viewing, Plaintiffs copyright works through their Rogue Apps (viz, Yoghurt TV, Venus 11, Venus SG, Venus US, NOVA IPTV, or any other App, including ones whose names / branding / trademark recall is deceptively or substantially similar to the Rogue Apps identified hereinabove, amounting to infringement of the Plaintiffs copyright works) and;

ii. Pass an order of temporary injunction directing the Defendant Nos. 6 to 10 (DNRs), 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:

a. Lock and suspend of the domain names associated with the Rogue Apps, and any such domain names which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to be infringing / authorising infringement of its copyright works;

b. Disclose all details including but not limited to registrant details and billing details of the domain

names associated with the Rogue Apps, including KYC, credit card, mobile number etc., to the Plaintiff, as also such details of any additional domain names which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to be infringing / authorising infringement of its copyright works.

iii. Pass a temporary order directing the Defendant Nos. 11 to 19 (ISPs), 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 various domain names identified by the Plaintiff in the instant suit at S. No. 1 of the Documents or such other / additional domain names that may subsequently be notified on Affidavit by the Plaintiff to be infringing / authorising infringement of its copyright works;

iv. Pass a temporary order directing the Defendant Nos. 20 and 21 (DoT and MeitY) to issue a notification calling upon the C various internet service providers registered under it to block access to the various websites identified by the Plaintiff in the instant suit at S. No. 1 of the Documents or such other/ additional domain names that may subsequently be notified on Affidavit by the Plaintiff to be infringing / authorising infringement of its copyright works;

v. Pass an ex- parte ad- interim order in terms of the prayer clauses (i)-(iv) hereinabove.

vi. Pass any other Order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case may also be passed in favour of the Plaintiff.”

20. As per the pleadings and arguments advanced by the learned counsel for the plaintiff, the plaintiff, The Football Association Premier League Limited, is a private limited company incorporated in England and

Wales, in accordance with the laws of the United Kingdom, having residence at Brunel Building, 57 North, Wharf Road, London, W2 1HQ, United Kingdom.

21. The plaintiff is the organizing body of the top-level competition for football clubs in England and Wales (***Competition***). The Competition takes place annually between August and May and involves a total of 380 matches. The matches typically take place on a weekly basis. The plaintiff controls the worldwide audio-visual rights relating to each Premier League match played as part of the Competition (***Match/ Matches***) and is also responsible for the licensing of the live audio-visual rights to all Matches around the world. The plaintiff is the owner of the copyright and additional rights subsisting in the recorded footage of each Match played as part of the Competition.

22. The plaintiff is thus the owner of copyright and is engaged in the business of broadcasting the Matches throughout the world (including India). In India, the Matches are broadcasted through Star India's linear channels, video streaming platform/ website and mobile application, which enables its viewers to watch the Matches. The plaintiff owns all rights, titles, interest and intellectual property rights in the Copyright Works subsisting in the Matches which are broadcasted/ communicated to the public in India exclusively through Star India.

23. The defendant nos. 1 to 5 viz. Yoghurt TV, Venus 11, Venus SG, Venus US, and Nova IPTV. (***Rogue Apps***) on 12.04.2025 made available *inter alia* the 1st Match of the 32nd game week and again on 13.04.2025 when the Rogue Apps made available *inter alia* the 2nd Match of the 32nd game week and further 10.04.2025 and 14.04.2025 when takedown

notices were issued to the domain names associated with the Rogue Apps.

24. The defendant Nos. 6 to 10 and 11 to 19 are Domain Name Registrar (***DNRs***) and Internet Service Providers (***ISP***) respectively.

25. Furthermore, the cause of action is continuous in nature as there is reasonable apprehension that the Rogue Apps will engage in and continue their unauthorized and illegal activities of infringing/ authorising infringement of the plaintiff's Copyright Works.

26. The defendant nos. 6 to 10 being DNRs with respect to the said Rogue Apps have provided platform access to them. The list of such Rogue Apps and respective DNRs is as follows:

S. No.	Domain Name Registrar (D. No.)	Rogue Website (D. No.)
1.	GoDaddy.com, LLC (D. No. 6)	1357c.cc, F666666.xyz, 6868a.cc, 6868b.cc, 6868c.cc (D. No. 1) openbestai.com, hbytrcnlkssx.xyz, fdcovhsv.com, theskyreach.com, Google10sv.com, 6868jx.com, 68smart.com, 00005555.cc, 6868box.com, googlebr01.com, sbiubiu20210.com, youtube100.com, 01158.com, Etv5.com (D. No. 2) 6868nbtc.com, googleasapi.com, 68smart.com, 00005555.cc, 6868box.com, googlebr01.com, (D.No. 3)

		openbestai.com, hbytrcnlkssx.xyz, fdcovhsv.com, Gooleddns.com, 00005555.cc (D. No. 4)
2.	NameSilo, LLC (D. No. 7)	googleserver.top (D. No. 2) googleserver.top (D. No. 4) Googleserver.club (D. No. 4)
3.	NameCheap Inc (D. No. 8)	Ky-iptv.com (D. No. 5) Cdn-port.com (D. No. 5)
4.	Hostinger, UAB (D. No. 9)	Novaipvtv.org (D. No. 5)
5.	Public Domain Registry (D. No. 9)	Novaipvtvplayer.com (D. No. 5)

27. The defendant nos. 11 to 19 are ISPs and are instrumental in the functioning of the said Rogue Apps, being responsible for providing internet services across India.

28. The DoT and the MEITY have also been arrayed as defendant nos.20 and 21 respectively, for the purposes of assistance and ensuring compliance with any orders that may be passed by this Court.

29. John Doe has also been arrayed as defendant no. 22 in the form of a generic identity to protect the plaintiff against infringement by any other party which may be discovered at a later stage/ spring up in the spur of the moment even during live telecast of the Matches from the Competition, to infringe their content.

30. This Court has heard the learned counsel for the plaintiff and perused the documents on record.

31. The present case, prima facie, appears to be a classic case of

copyright infringement by masked players like the defendant nos.1 to 5, who use the veil of today's technology to conveniently conceal their true identities and unabashedly abuse and enrich themselves by using the protected works of parties like the plaintiff herein through URL redirection/ masking, etc. Such entities are sprouting and have to be stopped at the earliest given opportunity. If the same is not done, undoubtedly the legitimate rights of parties like the plaintiff herein would be put in serious jeopardy.

32. In light of above, under the present scenario, especially, since the plaintiff is the legally rightful owner of the intellectual property rights therein, i.e. both qua its original works as well as the licensed works for exclusive broadcasting, the plaintiff is well and truly entitled to seek and obtain protection. More so, since the infringing acts of the defendant nos.1 to 5 are without obtaining any kind of permission/ authorization/ right/ title/ interest from the plaintiff.

33. In terms of above, the plaintiff has been able to make out a prima facie case in its favour and against the defendants and the balance of convenience is also tilting heavily towards the grant of relief in favour of the plaintiff. If an *ex parte ad interim* injunction in favour of the plaintiff is not granted, the plaintiff will likely suffer irreparable loss and injury.

34. Accordingly, in view of the aforesaid, as also keeping in mind the existing position of law, as also to keep pace with the changing times coupled with the changing technology, till the next date of hearing:-

- a) Any person/ entity including their owners, partners, officers, servants, affiliates, employees and all others in capacity of principal or agent acting for and on their behalf, or anyone claiming through,

by or under them, are restrained from communicating to the public, hosting, storing, reproducing, streaming, broadcasting, re-broadcasting, causing to be seen or heard by public and/or making available for viewing, plaintiff's copyright works through any mode including applications Yoghurt TV, Venus 11, Venus SG, Venus US, NOVA IPTV, including ones whose names/ branding/ trademark recall is deceptively or substantially similar to the Rogue Apps identified hereinabove, amounting to infringement of the plaintiff's copyright works.

b) The defendant no. 6 being DNR namely *Godaddy.com LLC* is directed to block and suspend the domain names *1357c.cc*, *F666666.xyz*, *6868a.cc*, *6868b.cc*, *6868c.cc*, *openbestai.com*, *hbytrcnlkssx.xyz*, *fdcovhsv.com*, *theskyreach.com*, *Google10sv.com*, *6868jx.com*, *68smart.com*, *00005555.cc*, *6868box.com*, *googlebr01.com*, *sbiubiu20210.com*, *yutube100.com*, *01158.com*, *Evtv5.com*, *6868nbtc.com*, *googleasapi.com*, *Gooleddns.com* within 72 hours, after being supplied with a copy of this order by the learned counsel for the plaintiff;

c) The defendant no. 7 being DNR namely *Namesilo LLC* is directed to block and suspend the domain names *googleserver.top*, *Googleserver.club* within 72 hours, after being supplied with a copy of this order by the learned counsel for the plaintiff;

d) The defendant no. 8 being DNR namely *NameCheap Inc* is directed to block and suspend the domain names *Ky-iptv.com*, *Cdn-port.com* within 72 hours, after being supplied with a copy of this order by the learned counsel for the plaintiff;

- e) The defendant no. 8 being DNR namely *Hostinger, UAB* is directed to block and suspend the domain name *Novaiptv.org* within 72 hours, after being supplied with a copy of this order by the learned counsel for the plaintiff;
- f) The defendant no. 8 being DNR namely Public Domain Registry is directed to block and suspend the domain name *Novaiptvplayer.com* within 72 hours, after being supplied with a copy of this order by the learned counsel for the plaintiff
- g) The defendant nos.6 to 10 being the DNRs are also directed to provide details of the registrants of the Rogue Apps such as their names and contact details including but not limited to registrant details and billing details of the domain names associated with the Rogue Apps to the plaintiff, as also such details of any additional domain names which are discovered during the course of the proceedings and notified on Affidavit by the plaintiff to be infringing/ authorising infringement of its copyright works upon being requested by the learned counsel for the plaintiff;
- h) ‘**Dynamic+**’ *injunction* is granted in favour of the plaintiff to protect its copyrighted works as soon as they are infringed/ created. Consequently, during the pendency and after the Competition if, any further domain names, such as mirror/ redirect/ alphanumeric variations of the domains associated with the Rogue Apps are discovered which are illegally streaming and communicating content over which the plaintiff has rights, the plaintiff will be at liberty to communicate the details of these domain names to their concerned DNRs, if available, or in the alternative to the defendant

nos.11 to 19 being the ISPs for blocking the said websites. As such, upon receiving the said intimation from the plaintiff, the concerned ISP(s) shall take steps to immediately block the said domain names associated with the Rogue Apps on real time basis.

i) Defendant nos.20 and 21 shall take steps to ensure that defendant nos.11 to 19, being the ISPs, comply with the aforesaid directions, through appropriate communications and notices sent to the said ISPs which are registered with them;

j) However, after communicating the details of the Rogue Apps and their associated domains in terms of the above, the plaintiff shall continue to file affidavits with this Court in order to ensure that this Court is informed of the said Rogue Apps and their associated domains.

35. Upon the plaintiff taking requisite steps, issue notice to the defendants by all permissible modes returnable before Court on 06.08.2025.

36. Reply(s), if any, be filed within four weeks from the date of service. Rejoinder(s) thereto, if any, be filed within two weeks thereafter.

37. List before Court on 06.08.2025.

SAURABH BANERJEE, J

MAY 7, 2025/Ab