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

% *Date of decision: 3rd March, 2025*

+ CS(COMM) 455/2024, I.A. 30677/2024 & I.A. 30679/2024

STAR INDIA PRIVATE LIMITED & ANR.Plaintiffs

Through: Mr. Priyansh Kohli and Ms. Srishti
Dhoundiyal, Advocates.

versus

STREAM2WATCH.PK & ORS.Defendants

Through: Mr. Mrinal Ojha, Mr. Debarshi Dutta,
Mr. Arjun Mookerjee, Mr. Yogesh
Singh and Ms. Nikita Rathi,
Advocates for D-20.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

AMIT BANSAL, J. (Oral)

1. The present suit has been filed seeking relief of permanent injunction restraining the defendants from illegally and unauthorizedly disseminating and broadcasting the plaintiffs' works/ content through their rogue websites, along with other ancillary reliefs.

CASE SETUP IN THE PLAINT

2. The plaintiff no.1 is an entertainment and media company that operates more than seventy (70) channels in over in eight languages, including channels such as Star World, Star Movies, Star Bharat, Movies Ok, Star Gold, Jalsha Movies, Star Sports I, Star Sports HOI, Star, Sports Select I, Star Sports Select HD 1, Star Sports 1 Hindi, Star Sports 1 HD



Hindi, Star Sports I Tamil, Maa Movies, Suvama Plus, etc. (*hereinafter collectively referred to as "STAR Channels"*). Through its STAR channels, the plaintiff no.1 broadcasts various sporting events for which the plaintiff no.1 holds the exclusive license.

3. Plaintiff no.2 [Novi Digital Entertainment Pvt. Ltd.] is an affiliate company of plaintiff no.1. Plaintiff no.2 owns and operates the online video streaming platform/website '*www.hotstar.com*' and the mobile application '*Disney+ Hotstar*'. On the aforesaid platforms, plaintiff no.2 streams various events in respect of which plaintiff no.1 has the exclusive digital rights (Internet and Mobile).

4. The plaintiffs are the producers of various TV shows, films, and/or web series, which are communicated through the STAR Channels and/or Disney+ Hotstar, and they hold the exclusive rights to publicly exhibit and communicate the said content through any medium or mode, including but not limited to the STAR Channels or Disney+ Hotstar.

5. The present suit is concerned with broadcasting rights of the "ICC Men's T20 World Cup 2024", a Twenty20 (T20) international cricket tournament organized by the International Cricket Council ('ICC') at regular intervals of two years. In 2024, the T20 World Cup 2024 was held from 2nd June 2024 to 29th June 2024, featuring a total of 55 T20 matches, which took place in the West Indies and the United States of America.

6. Plaintiff no.1 entered into a Media Rights Agreement dated 27th August 2022 (*hereinafter the 'Agreement'*) with the International Cricket Council (*hereinafter the 'ICC'*), whereby it was granted exclusive digital media rights and television broadcasting rights for the territory of India concerning various ICC events, including the T20 World Cup, for a



contractual term spanning four years, from 2024 to 2027 (hereinafter the ‘plaintiffs’ exclusive content’). The subsistence of these rights in favour of the plaintiffs is detailed in paragraph no.9 of the plaint. The same has been duly affirmed by the ICC through its letter dated 22nd May 2024. A copy of the said letter has been placed on record by the plaintiffs. In view of the exclusive rights acquired by the plaintiffs from the ICC, the plaintiffs enjoy broadcast reproduction rights as contemplated and confirmed under Section 37 of the Copyright Act, 1957.

7. It is stated that the ICC World Cup has historically enjoyed immense popularity, particularly in India, where cricket is the most widely followed sport. In previous editions, the plaintiffs have generated substantial revenue through their internet and mobile application services, offering streaming of matches via their website and mobile application, as well as repeat telecasts, on-demand access to match content, highlights, and related features. During the filing of the suit, similar revenue generation was anticipated by the plaintiffs from the live broadcast and streaming of the ICC T20 World Cup 2024 on the plaintiffs’ platforms, including Disney+ Hotstar and Star Channels, along with other sporting events for which they hold exclusive rights.

8. Defendants no.1 to 11 and defendants no.33 to 175 (hereinafter “rogue websites”) are third-party websites that are engaged in the business of making available to the public third-party content and information, through the medium of the internet and mobile transmission.

9. Defendants no.12 to 20 are Domain Name Registrars (‘DNRs’) of the domain names where the said rogue websites are being hosted.



10. Defendants no.21 to 29 are various internet service providers ('ISPs') and telecom service providers ('TSPs').

11. Defendants no.30 and 31 are the Department of Telecommunications ('DoT') and Ministry of Electronics and Information Technology ('MeitY'), respectively.

12. The plaintiffs have previously encountered infringement of their rights in sporting events, including the Tata Indian Premier League 2024 ("Tata IPL 2024"), by one or more Defendants in the present suit. Such infringements included unauthorized broadcasts, highlights, clips, and repeat exhibitions of events for which the plaintiffs hold exclusive television rights. Based on past experiences, the plaintiffs apprehended similar violations concerning the ICC T20 World Cup 2024, given their status as one of the most popular sporting events in the world, a large number of websites.

13. In such circumstances, in order to protect their exclusive broadcast rights, the plaintiffs filed the present suit seeking relief of permanent injunction restraining the rogue websites from illegal and unauthorised dissemination and broadcast of matches and/or parts thereof of the T20 World Cup.

PROCEEDINGS IN THE SUIT

14. On the first date of hearing itself i.e., 28th May 2022, this Court issued summons in the present suit and granted an *ex-parte ad interim* injunction in favour of the plaintiffs and restrained the defendants no.1 to 11 from infringing the plaintiffs' exclusive rights, copyrights, and broadcast reproduction rights by communicating, hosting, storing, reproducing,



streaming, broadcasting, re-broadcasting, causing to be seen or heard by the public on payment of charge, and/or making available for viewing the plaintiffs' content through unauthorized apps, websites, and platforms. Further, the court directed the defendants no.12 to 20 to lock and suspend the domain names of the rogue websites and defendants no.21 to 29 were directed to block the websites of the defendants no.1 to 11 and defendants no.30 and 31 were directed to issue necessary directions to all ISPs and TSPs for blocking/ removing access to these websites.

15. During the course of the suit, the plaintiffs identified additional rogue websites, defendants no.33 to 175 indulging in similar illegal and infringing activities as the original defendants. Consequently, the plaintiffs filed an application being I.A. 33527/2024 under Order I Rule 10 of the Code of Civil Procedure, 1908 ('CPC'), seeking impleadment of the proposed defendants no.33 to 175.

16. *Via* order dated 19th July 2024 passed by the Joint Registrar, the aforesaid application was allowed, and the proposed defendants no.33 to 175 were impleaded as defendants in the present suit and the plaintiffs were directed to serve the defendants through email only.

17. In the order passed by the Joint Registrar on 29th August, 2024, it was noted that the defendants no.33 to 175 have been duly served on 8th August 2024.

18. In the order passed by the Joint Registrar on 14th February, 2025, it has been noted that written statement has not been filed on behalf of the defendants no.1 to 31 and defendants no.33 to 175 and the maximum permissible period to file their written statement has expired.

19. With regard to the rogue websites, the plaintiffs have filed affidavits



stating that the plaintiffs have notified the ISPs, DoT and MeitY for the blocking of the rogue websites *via* email.

ANALYSIS

20. I have heard the counsel for the plaintiffs and gone through the record of the case.

21. The plaint has been duly verified and is also supported by the affidavit of the plaintiffs. In view of the fact that no written statement has been filed on behalf of the defendants, all the averments made in the plaint have to be taken to be admitted. Further, since no affidavit of admission/denial has been filed on behalf of the defendants in respect of the documents filed with the plaint, in terms of Rule 3 of the Delhi High Court (Original Side) Rules 2018, the same are deemed to have been admitted. Therefore, in my opinion, this suit does not merit trial, and the suit is capable of being decreed in terms of Order VIII Rule 10 of CPC.

22. Based on the averments made in the plaint, it is clear that the defendants are actively and knowingly, distributing and making available the plaintiffs' content on their Rogue Websites with the common object of exploiting plaintiffs' exclusive content and infringing the plaintiffs' copyright and broadcasting rights.

23. The defendants' activities have caused irreparable harm to the plaintiffs, as these Rogue Websites not only violate and infringe the exclusive rights of the plaintiffs in ICC T20 World Cup 2024, but also erode and dilute the value of the exclusive rights by taking away significant revenues from the plaintiffs.

24. Since the defendants have failed to take any requisite steps to contest



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the present suit, despite having suffered an *ad interim* injunction order, it is evident that they have no defence to put forth on merits.

25. Accordingly, the plaintiffs are entitled to reliefs claimed in the plaint.

RELIEF

26. Accordingly, a decree of permanent injunction is passed in favour of the plaintiffs and against the defendants no.1 to 11 and defendants no.33 to 175 in terms of prayer clause 59 (i) of the plaint.

27. Counsel for the plaintiffs submits that the remaining reliefs sought in the plaint stand satisfied and hence, does not press for relief of damages.

28. Let the decree sheet be drawn up.

29. All pending applications stand disposed of.

AMIT BANSAL, J

MARCH 03, 2025

Vivek/-