



\$~23

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

+ CS(COMM) 13/2024

WINZO GAMES PRIVATE LIMITED Plaintiff

Through: Mr. Abhishek Malhotra,
Mr. Kartikay Dutta & Ms. Anukriti
Trivedi, Advs.

versus

HTTPS//WWW.WINZOGOLD.ORG/ AND ORS. Defendants

Through: Ms. Mamta R. Jha, Mr. Rohan Ahuja,
Ms. Shritima & Ms. Diya
Viswanath, Advs. for D-73
Ms. Nidhi Raman (CGSC) with
Mr. Zubin Singh & Mr. Debarchan
De, Advs. with Mr. Prashant Rawat,
GP for D-74 & 75

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

%

08.01.2024

I.A. No. 283/2024 (*exemption from filing certified, legible copies, etc.*)

1. Exemption is granted, subject to all just exceptions.
2. Applicant shall file certified, legible, clear, and original copies of the documents on which the applicant may seek to place reliance within four weeks from today or before the next date of hearing, whichever is earlier.
3. Accordingly, the present application is disposed of.

I.A. No. 286/2024 (*exemption from instituting pre-litigation mediation*)

1. Having regard to the facts of the present case and in light of the judgement of Division Bench of this Court in ***Chandra Kishore Chaurasia v. R.A. Perfumery Works Private Ltd.*** FAO (COMM) 128/2021, exemption from attempting pre-institution mediation is allowed.



2. Accordingly, the application stands disposed of.

I.A. No. 284/2024 (Seeking leave to file additional documents)

1. The present application has been filed on behalf of the plaintiff under Order 11 Rule 1(4) of the Code of Civil Procedure, 1908 (“CPC”) as applicable to commercial suits under the Commercial Courts Act, 2015 seeking to place on record additional documents.

2. The plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly as per the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

3. Accordingly, the present application is disposed of.

I.A. No. 285/2024 (Extension of time for filing court fees)

1. In view of the submission of counsel for the plaintiff that the requisite court fee already stands deposited, this application is disposed of as infructuous.

I.A. No. 287/2024 (Exemption from serving notice to defendant nos.74 & 75)

1. Since defendant nos. 74 and 75 have entered appearance through counsel, this application is disposed of as infructuous.

I.A. No. 282/2024 (Under Order XXXIX Rules 1 & 2 CPC)

1. This is an application by the plaintiff under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 (“CPC”) for interlocutory injunctive relief.

2. Plaintiff has filed the instant suit for permanent, mandatory, and dynamic injunction restraining the defendants from infringement of trademarks, passing off, dilution, rendition of accounts, damages, etc. in respect of plaintiff’s registered trademarks “WinZO” and “WinZO Games”. The plaintiff is a digital gaming and technology company having its



registered office at Suite No. 106, First Floor, Copia Corporate Suites, Building No. 9, DDA District Centre, Jasola, New Delhi – 110025, India. Plaintiff operates as an online skill-based digital gaming platform under its registered Trade Mark and brand name “WinZO” / “WINZO” (“said marks”). Plaintiff states that it was established in 2016, introduced apps with the said marks, in February, 2017 and currently offers more than 100 games in 6 formats to users in more than 12 regional languages. Plaintiff claims to be a pioneer in the online gaming industry, providing a platform where users can play games of skill and win prizes. Currently, it claims to have more than 175 million users with a strong foothold across India and the biggest social gaming app in India.

3. The list of registered/applied for trademarks of the plaintiff is as follows:

Sl. No	Trade Mark	Application / Registration No.	Class	Status
i.	WINZO (Word)	3567402	41	Registered
ii.	WINZO GAMES (Word)	3567404	41	Registered
iii.	WINZO GAMES (Word)	3567403	42	Registered
iv.	WINZO (Word)	3567401	42	Registered
v.	Jeetne Mein Kick Hai	4770450	38	Registered
vi.	Jeetne Ki Adat	4770453	38	Registered
vii.	Jeetne Ki Adat	4770454	41	Registered
viii.	The Kick of Winning	4770455	38	Registered
ix.	The Kick of Winning	4770456	41	Registered
x.		5018508	38	Registered
xi.		5018509	41	Registered
xii.		5018510	42	Registered
xiii.		5018511	38	Registered
xiv.		5018512	41	Registered
xv.		5018513	42	Registered



xvi.		5018514	38	Registered
xvii.		5018515	41	Registered
xviii.		5018516	42	Registered
xix.		5018517	38	Registered
xx.		5018518	41	Registered
xxi.		5018519	42	Registered
xxii.	winzogames.com	5018520	38	Registered
xxiii.	WinZO Rummy	5455356	38	Registered
xxiv.		5407212	41	Registered
xxv.		5407213	42	Registered

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/04/2026 at 19:09:45



xvi.		5407211	38	Registered
xvii.	WinZO Fantasy	5455350	38	Registered
viii.	WinZO Fantasy	5455351	41	Registered
xix.	WinZO Rummy	5455358	42	Registered
xxx.	WinZO Fantasy	5455352	42	Registered
xxi.	WinZO Sports	5407215	38	Registered
xxii.	WinZO Sports	5407216	41	Registered
xiii.	WinZO Sports	5407217	42	Registered
xiv.	WinZO Pool	5455353	38	Registered.
xxv.	WinZO Pool	5455354	41	Registered.
xxvi.	WinZO Pool	5455355	42	Registered.
xvii.	WinZO Store	5455359	38	Registered.
viii.	WinZO Store	5455360	41	Registered.
xix.	WinZO Store	5455361	42	Registered.
xl.	WinZO Verse	5485951	35	Registered.
xli.	WinZO Verse	5485952	36	Registered.
xlvi.	WinZO Verse	5485953	38	Registered.
cliii.	WinZO Verse	5485954	41	Registered.
cliv.	WinZO Verse	5485955	42	Registered.
xliv.	WinZO Gold	5534809	09	Pending
clvi.	WinZO Gold	5534810	38	Accepted & Advertised
lvii.	WinZO Gold	5534811	41	Pending
viii.	WinZO Gold	5534812	42	Pending
clix.	WinZO Superstar	5642850	09	Accepted & Advertised
l.	WinZO Superstar	5642853	35	Pending
li.	WinZO Superstar	5642854	41	Pending

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/04/2026 at 19:09:45



lii.	WinZO Verse	5485950	09	Pending
liii.	WinZO Store	5705912	09	Pending
liv.	WinZO Rummy	5455357	41	Pending
lv.	winzogames.com	5018521	41	Accepted & Advertised.
lvi.	winzogames.com	5018522	42	Pending
lvii.	WinZO Sports	5407214	09	Pending
lviii.	winzogames.com	5705913	09	Pending
lix.	Play More Win More	4816465	38	Accepted & Advertised.
lx.	Play More Win More	4816466	41	Pending
lxi.	WINZO (Word)	5705915	09	Pending

4. Plaintiff also owns the following registered domain names using the said marks, tabulated as under:

Sl. No	Domain Name	Creation Date (dd/mm/yyyy)	Status
i.	winzogames.com	03/05/2017	Registered
ii.	win-zo.com	07/05/2017	Registered
iii.	winzo.app	18/05/2021	Registered



iv.	winzo.games	30/11/2020	Registered
v.	winzo.store	07/05/2021	Registered
vi.	winzoboss.com	14/11/2021	Registered
vii.	winzocoin.com	14/11/2021	Registered
viii.	winzocoins.com	14/11/2021	Registered
ix.	winzogames.co	07/05/2021	Registered
x.	winzogames.in	16/05/2021	Registered
xi.	winzoscholar.com	14/11/2021	Registered
xii.	winzoscholars.com	14/11/2021	Registered
xiii.	winzostore.in	07/05/2021	Registered

5. By virtue of prior continuous and uninterrupted use of these marks, plaintiff claims to have acquired distinctiveness, immense goodwill, and recognition in India; and seeks *ad interim ex-parte* relief against the defendants.

6. Plaintiff has approached this Court for protection of its said marks against the following category of defendants:

a) **Category I:** Defendant nos. 1 to 10, as per the plaintiff, are websites engaged in the business of broadcasting/relaying/communicating unlicensed and pirated content, using the said marks as part of their domain names. The list of websites (“*infringing websites*”) are as follows:



DEFENDANT NO.	NAME	URL/ DOMAIN NAME
1	https://www.winzogold.org +31.104482297	Domain ID: 97681216220942468dcd2ae 1111f0933- LROR Email: abuse@registrar.eu
2	https://www.winzo.org +1.6502620100	Domain ID: 97877b9127b34f0a838a9b5 bbe019914- LROR Email: abuse@dynadot.com
3	https://www.winzo.net +1.4805240066	Domain ID: 2730909144_DOMAIN_NE T-VRSN Email: abuse@namesilo.com
4	https://winz.io +33.170377661	Domain ID: 530b1a25bed44b3da08bb9a 3db52eaa2- DONUTS Email: abuse@support.gandi.net
5	https://winzogold.in +1.6613102107	Domain ID: DF636EE5533A34F549473 3C7B0CA4D2D 6-IN Email: abuse@spaceship.com
6	https://win-so.com +4930398020	Domain ID: 69223721_DOMAIN_COM -VRSN Email: abuse- domains@cronon.net
7	www.winzocasino.com +1.6613102107	Domain ID: 2817892588_DOMAIN_CO M-VRSN Email: abuse@namecheap.com
8	https://winzoapk.com +1.6613102107	Domain ID: 2750081308_DOMAIN_CO M-VRSN Email: abuse@namecheap.com
9	https://wingoug.com +1.6613102107 Email: abuse@namecheap.com	Domain ID: 2791504313_DOMAIN_CO M-VRSN

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/04/2026 at 19:09:45



No. 10	www.winzogame.com +16502620100	Domain ID: 2557670894_DOMAIN_CO M-VRSN Email: abuse@dynadot.com
--------	-----------------------------------	--

b) **Category II:** Defendant nos. 11 to 23 allegedly operate online domains that offer mobile applications with the ‘.apk’ extension. The users are directed to these applications from the defendants’ websites, which thereafter initiates a download on the user’s device; this allows users to access defendants’ services through the application-based user interface. These defendants, as per the plaintiff, are using deceptively similar/identical marks and the said marks for their apps and causing confusion in the market. The list of said defendants (“*infringing .apk sites*”) is as follows:

DEFENDANT NO.	NAME	URL/ DOMAIN NAME
11	Winzo Game App: Play & Win Divine Inc Limited	https://www.appbrain.com/app/winzo-gameapp-playwin/com.wizo.freegames.mpl.game.newgame.gme.wizo
12	Winzo Games – Play Games Jes Brandt	https://www.appbrain.com/app/winzo-gamesplay-games/com.jes.laa
13	Winzo Gold MOD APK v 4.3 Download (Unlimited Money, Unlocked ALL 2023)	https://fastmodapk.com/winzo-gold-modapk/
14	Winjo Games, Earn Game Advice	https://apkpure.com/winjo-games-earn-gameadvice/com.tuhaimerawgames.mai nhuterawin



	Lukhi Brothers ner	
15	WinjoApp – Earn 24 * 7 US.Pvt.	https://www.ldplayer.net/apps/winjoapp-earn-24x7-on-pc.html
16	Winjo Winjo Gold Game: Tips for Winjo Game Choicemakrer Developers	https://www.9apps.com/android-apps/comwinzogold-gold/
17	Win Jo Games – Play all & win 1.0 APK The Solution Infotech	https://apksos.com/app/com.winzo.winjogames.playonline.rewardgame
18	To Win Play – Play Game Tips Logic Solution	https://www.appbrain.com/app/to-win-playplay-game-tips/com.winjo.playgames
19	WinGO QUIZ – Win Everyday & Win Real Cash WINGO STUDIO	https://cafebazaar.ir/app/com.wingo.quiz?l=en
20	Winzo Gold: Play and Win Coin Win Games: Play Games and Win Game Coins App (Developer)	https://winzo-gold-play-and-wincoin.en.softonic.com/android
21	Winzo Winzo Gold – Earn Money & Win Cash Games Tips 1.0 APK Pajseroft	https://apksos.com/app/playnwinzogame.winzogames.winzogold
22	WinZO Games App: Play &	https://apkgk.com/com.gaming.wgame.winz

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/04/2026 at 19:09:45



	Win Ghanshyam Infotech	
23	Winzo games app: play games Ghanshyam Infotech	https://play.google.com/store/apps/details?id=com.gaming.wgame.winz

c) **Category III:** Defendants nos. 24 to 38 are social media pages/handles (“*infringing social media handles*”) on various popular social media platforms including Instagram and Facebook. As part of these infringing social media handles, the said registered marks of the plaintiff are being used without consent/authorization, which as per the plaintiff, are being used as a conduit to attract unsuspecting users, who are then redirected to various websites, using the plaintiff’s marks.

DEFENDANT NO.	NAME	URL/ DOMAIN NAME
24	game.winzo Meta Inc.	https://www.instagram.com/game.winzo/
25	winzogames Meta Inc.	https://www.instagram.com/WinZOGames/
26	playmorewinmore Meta Inc.	https://www.instagram.com/playmorewinmore13e/
27	winzo_xtreme Meta Inc.	https://www.instagram.com/winzo_xtreme_/
28	winzo_player_22 Meta Inc.	https://www.instagram.com/winzo_player_22/
29	-	https://www.facebook.com/profile.php?id=10



		0092347647970 157.240.22.35
30	-	https://www.facebook.com/profile.php?id=61552694446170 157.240.22.35
31	Winzo Meta Inc.	https://www.facebook.com/winzoapp
32	-	https://www.facebook.com/profile.php?id=61553801549243 157.240.22.35
33	Winzo: Play and Win Cash Meta Inc.	https://www.facebook.com/profile.php?id=100093627588265
34	Winzo 1 Meta Inc.	https://www.facebook.com/profile.php?id=100081636390046
35	-	https://www.facebook.com/profile.php?id=100079076809168 157.240.22.35
36	Winzo Meta Inc.	https://www.facebook.com/profile.php?id=100071425276816
37	Winzo Meta Inc.	https://www.facebook.com/profile.php?id=100089222657529
38	winzo King Meta Inc.	https://www.facebook.com/profile.php?id=61553300656837

7. Defendant nos. 39 to 50 that have been arrayed are ICANN (Internet Corporation for Assigned Names and Numbers) registered Domain Name Registrars (“DNRs”), who are the registrars of the domains for infringing websites and .apk sites, listed above against which plaintiff has a grievance.



8. Defendant nos. 51 to 71 are Internet Service Providers (“ISPs”) which provide access to users of these websites/social media pages through the media of internet.

9. Defendant nos. 72 and 73 are Meta Platforms Inc. and Google LLC respectively. Defendant no.72 is a distinct entity operating social media pages *inter alia* Instagram and Facebook while defendant no.73 provides search facilities pursuant to indexing of various websites.

10. Defendant nos. 74 and 75 are Union of India represented through the Ministry of Electronics and Information Technology (“MEITY”) and Department of Telecommunications (“DOT”).

11. Defendant No. 76 is arrayed as “unknown person” / John Doe allowing the plaintiff to include all those who are using or in future may use plaintiff’s said marks without consent.

12. In light of these circumstances, the Court is of the view that plaintiff has made out a *prima facie* case for grant of an *ex-parte ad interim* injunction. as also a dynamic injunction. Balance of convenience lies in favor of the plaintiff as irreparable loss would be caused if the same is not granted.

13. Accordingly, till the next date of hearing, the following directions are issued:

- a) Defendant nos. 1 to 38 are restrained from using in any manner, directly or indirectly, plaintiff’s registered trademark “WinZO”/“WINZO” and/or any other identical or deceptively similar mark, including permutations/combinations, in respect to their domain names/social media pages/ URLs/apps including those which are listed in tabulations as extracted above in para 6, or infringing the said marks of the plaintiff, or passing off or misappropriation in any manner whatsoever.



- b) Defendant nos. 39 to 50 are directed to immediately suspend and/or deactivate and/or lock the domain/sub-domain names, as the case may be, which are using the plaintiff's registered trademark "WinZO"/"WINZO" and/or any other identical or deceptively similar mark, as part of their domain/sub-domain name, including those which are listed in tabulations as extracted above in para 6 forthwith, in view of the restraint order passed above.
- c) Defendant no.72 is directed to block the infringing social media handles which are using the plaintiff's registered trademark "WinZO"/"WINZO" and/or any other identical or deceptively similar mark, as part of their social media handles, including those which are listed in tabulations as extracted above in para 6. It is made clear that in the event defendant no.72 finds, post verification, that any social media page is not using the said marks or is not infringing the directions passed above, it may communicate the same to the plaintiff with reasons, who may approach this Court in case any further directions are required.
- d) Defendant no.73 is directed to de-index the URLs which are listed above in para 6, in respect of defendant nos. 1 to 38. It is made clear that in the event defendant no.73 finds, post verification, that any URLs, in its opinion, not infringing the directions passed above, it may communicate the same to the plaintiff with reasons, who may approach this Court in case any further directions are required.
- e) Directions are issued to defendant nos.51 to 71, the ISPs to block access to infringing websites, .apk sites, social media handles which are tabulated above of defendant nos. 1 to 38, within 24 hours of receipt of this order.



- f) Defendant nos. 74 and 75 shall also take steps to ensure compliance is done by the said ISPs, of directions issued above.
- g) Defendant nos. 39 to 50 (DNRs) and defendant nos. 51 to 71 (ISPs) are further directed to immediately suspend and/or deactivate and/or lock domain names and access to other similar/mirror websites, upon intimation by the plaintiff, within 48 working hours. It is clarified that in case said defendants find request of plaintiff not to be acceptable for any reason, it shall inform plaintiff of the same and the plaintiff then shall be at liberty to file an appropriate application, if so desired.
- h) Directions are also issued to defendant Nos. 39 to 50 to disclose the name, address and other identifiers of the entity that are operating the infringing websites/URLs/.apk sites, as listed in tabulation in Category I above, i.e., defendant nos. 1 to 23.

14. Insofar as anonymous defendants described as “John Does”, are concerned, the following directions are issued, the event other infringing use is discovered by the plaintiff:

- a) Wherever the mark “WinZO”/“WINZO” is being identically is being used on a website/URL/social media handle (such as Facebook and Instagram), the same shall be taken down within 36 working hours upon information being given by the Plaintiffs to the respective DNRs/platforms, and an affidavit listing these infringing websites/URLs/ social media handle shall be filed before this Court forthwith. It is clarified that in case the respective DNRs/platforms find request of plaintiff not to be acceptable for any reason, it shall inform plaintiff of the same and the plaintiff then shall be at liberty to file an appropriate application, if so desired.



- b) Plaintiff shall also file an application under Order I Rule 10 CPC for impleadment of these new defendants (website/URL/social media handles and the respective DNRs/platforms);
 - c) Defendant Nos. 74 and 75, i.e., MEITY and DOT to immediately issue directions to all ISPs i.e. Defendant Nos. 51 to 71 to block access to the websites/URLs as communicated by the Plaintiff pursuant to directions in para 14 (a) above.
15. Compliance with Order XXXIX Rule 3, CPC be done within a week.
 16. List before this Court on 1st May, 2024

CS(COMM) 13/2024

1. Let the plaint be registered as a suit.
2. Upon filing of process fee, issue summons to the defendants by all permissible modes including e-mail. Summons shall state that the written statement(s) be filed by the defendants within 30 days from the date of receipt of summons. Along with the written statement(s), the defendants shall also file affidavit(s) of admission/denial of the documents of the plaintiff, without which the written statement shall not be taken on record. Liberty is given to the plaintiff to file a replication within 30 days of the receipt of the written statement(s). Along with the replication, if any, filed by the plaintiff, affidavit(s) of admission/denial of documents filed by the defendants, be filed by the plaintiff, without which the replication(s) shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.
3. In order to effectuate the above orders, the Registry may be directed to issue extra summons in the name of unnamed defendants, whose details would be supplied by the plaintiff as and when the plaintiff receives information regarding the same.



4. List before the Joint Registrar for marking of exhibits on 11th March, 2024.
5. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.
6. List before the Court thereafter.
7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 8, 2024/sm/sc