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

+ CS(COMM) 650/2022 & I.A. 15351/2022

ZEE ENTERTAINMENT ENTERPRISES LIMITED ..... Plaintiff

Through: Mr. Akshay Maloo and Mr. Manas  
Raghuvanshi, Advocates.

versus

IBOMMA.BAR & ORS. .... Defendants

Through: Mr. Apoorv Kurup, Ms. Nidhi Mittal,  
Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER**

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**27.02.2024**

1. The suit has been filed seeking permanent injunction restraining the defendants (Rogue Websites) from infringing the plaintiffs exclusive rights *inter alia* including the copyrights in the content which was being broadcast on streaming OTT service G-5.

2. This Court had passed an *ex parte ad interim* injunction on 19<sup>th</sup> September, 2022 in the following terms:

*“23. Accordingly, Defendants No. 1 to 3 their owners, partners, and all others acting on their behalf are hereby restrained from in any manner communicating, hosting, streaming and/or making available for viewing and downloading, without authorization on their websites or other platforms, through the internet in any manner whatsoever. Plaintiffs Works and contents related thereto, being the subject matter of the present suit, thereby infringing Plaintiffs copyright.*

*24. Defendant No. 4, its directors, partners and all others acting on its behalf are directed to revoke/cancel the*



*domain name registrations of Defendant No. 1 as per the details mentioned above in para 20.*

*25. Defendant No. 5 is directed to revoke or cancel the domain name registrations of Defendant No. 2 (zee 5.org) and Defendant No. 6 shall revoke or cancel the domain name registration of Defendant No. 3 (Onlinemovieshindi.com).*

*26. It is further directed that Defendants No. 4 to 6 will disclose the complete details such as name, address, email address, IP address, phone number etc. of Defendants No. 1 to 3 and details of other websites registered by Defendants No. 1 to 3 using similar details, credit cards, payment gateway etc.*

*27. Defendants No. 7 to 15 are directed to block access to various websites identified by the Plaintiff in the present suit and Defendants No. 16 and 17 shall issue notifications calling upon various internet and telecom service providers registered under it to block access to various websites identified by the Plaintiff in the present suit.*

*28. In case the Plaintiff come across any other domain names or websites carrying out the infringing activities, they shall file an affidavit before this Court and on such affidavit being filed the matter will be placed before the learned Joint Registrar for consideration of the matter and passing appropriate directions. Plaintiff is also given liberty to file an appropriate application to array other rogue websites as and when the same are discovered in future.”*

3. Counsel for defendant nos. 16 and 17 (*Department of Telecommunication and Ministry of Electronics and Information Technology, Govt. of India*) is present before the Court and submits they have filed their compliance affidavit.

4. The other defendants are arrayed as under:

a. Defendant nos. 1 -3, 19-35 which are the domain names which are



alleged to be Rogue Websites.

- b. Defendant nos. 4-6 are domain names Registrars.
- c. Defendant nos. 7-15 are International Service Providers (ISPs).
- d. Defendant no. 18 is Ashok Kumar (John Doe)

5. Compliance of the directions has already been done by various defendants except for defendant no.6. Counsel for plaintiff states that due to passage of time, they do not wish to press for relief against defendant no. 6.

6. There are no other contesting defendants, none of them have filed any written statement with regard to the suit.

7. Counsel for plaintiff prays for a decree in these circumstances.

8. Accordingly, decree is granted in favour of the plaintiff in terms of prayer 77 (i),(ii),(iii) & (iv) extracted as under: -

*“i. Pass an order and decree of permanent injunction restraining the Defendants No. 1 to 3 (and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to have been infringing he Plaintiffs exclusive rights and copyrights), their 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 communicating, hosting, streaming, and/or making available for viewing and downloading, without authorization, on their websites or other platforms, through the internet in any manner whatsoever, the Plaintiffs Works and content related thereto, so as to infringe the Plaintiff's exclusive rights and copyrights,*

*ii. Pass an order and decree of permanent injunction directing-*

*a. The Defendant No. 3, its 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 revoke / cancel the domain name registration of the Defendant No. 1 (ibomma.bar;https://ww19.ibomma.bar/ and https://ww22.ibomma.bar) / and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to have been infringing he Plaintiffs exclusive rights, copyrights;*

*b. the Defendant No. 5, its 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 revoke / cancel the domain name registration of the Defendant No. 1 (zee5 .org) and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to have been infringing he Plaintiffs exclusive rights, copyrights;*

*c. the Defendant No. 6, its 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 revoke/cancel the domain name registration of the Defendant No. 2 (onlinemovieshindi.com and 111.90.159.132) and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to have been infringing he Plaintiffs exclusive rights, copyrights;*

**iii.** *Pass an order directing the Defendant Nos. 4 - 6 to disclose the following information:*

*a. Complete details (such as Name, Address, Email address, Phone Number, IP Address etc.) of the Defendant Nos. 1 to 3 (and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff*



*to have been infringing the Plaintiffs exclusive rights and copyrights);*

*b. Mode of payment along with payment details used for registration of domain name by the Registrant i.e., Defendant Nos. 1 to 3 (and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to have been infringing he Plaintiffs exclusive rights and copyrights);*

*c. Details of other websites registered by the Defendant Nos. 1 to 3 (and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to have been infringing he Plaintiffs exclusive rights and copyrights) using similar details, same credit card, payment gateway etc. (disclosed as per clause b above) with the Defendant Nos. 4-6 in the Plaintiffs Works;*

*d. Details of Complaints received by the Defendant Nos. 4 to 6 in past against the Defendant Nos. 1 to 3 (and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to have been infringing he Plaintiffs exclusive rights and Copyrights).*

*iv. Pass an order and decree directing the Defendant Nos. 7 to 15, 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 websites identified by the Plaintiff in the instant suit at S. No. 1 of the Documents or and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to have been infringing he Plaintiffs exclusive rights and copyrights;”*

9. Decree sheet be drawn up accordingly.



10. The suit is disposed of. Pending applications, if any, are rendered infructuous.

11. Order be uploaded on the website of this Court.

**ANISH DAYAL, J**

**FEBRUARY 27, 2024/RK/ig**