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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ <u>CS(COMM) 250/2020</u>

STAR INDIA PVT. LTD. & ANR.

.....Plaintiffs

Mr. Saikrishna Rajagopal with Mr. Sidharth Chopra, Ms. Sneha Jain, Mr. Yatinder Garg and Mr. Vivek Ayyagari, Advs.

versus

Through

OXIBUZZ.COM & ORS.Defendants Through Ms. Manali Singhal with Mr. Santosh

Ms. Manali Singhal with Mr. Santosh Sachin, Advs. for D-84 i.e. Tata Teleservices Ltd. Mr. Samir Chugh, Advocate with Mr.

Amit Bhatia, AR for D- 79 i.e. Bharti Airtel Limited.

CORAM: HON'BLE MR. JUSTICE RAJIV SHAKDHER <u>O R D E R</u>

13.07.2020

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[Court hearing convened via video-conferencing on account of COVID-19]

I.A. 5474/2020

1. Allowed, subject to just exceptions.

I.A.5476/2020

2. Allowed, subject to the plaintiffs curing the deficiencies referred to in the captioned application within five days of the lockdown *qua* this Court being lifted.

CS(COMM) 250/2020 & I.A.5473/2020

3. Issue summons in the suit and notice in the captioned application.

3.1 Ms. Manali Singhal accepts service on behalf of defendant no. 84 i.e.

Tata Teleservices Ltd while Mr. Samir Chugh accepts service on behalf of

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defendant no. 79 i.e. Bharti Airtel Limited.

4. Mr. Saikrishna Rajagopal, who appears for the plaintiffs, says that the plaintiffs have the copyright in the film titled "*Dil Bechara*".

4.1 It is averred that plaintiff no. 2 has provided its platform for viewership of the aforementioned movie by public at large.

4.2 The plaintiffs, presently, apprehend that defendant nos. 1 to 74 are likely to release, for public viewing, the pirated copies of the aforementioned film i.e. "*Dil Bechara*" on their respective websites.

4.3 Mr. Saikrishna says that the plaintiffs have, therefore, approached this Court seeking pre-emptory orders in view of their experiences of rampant piracy *qua* other films and programmes on earlier occasions.

5. To be noted, defendant nos. 75 and 76 are the Registrars of domain names adopted by defendant nos. 1 to 74 and defendant nos. 77 to 85 are the Internet Service Providers [in short "ISPs"].

5.2 I am further informed that defendant nos. 86 and 87 are the official defendants.

6. Mr. Saikrishna, in support of the interim orders that the plaintiffs seek, relies upon the judgement of a coordinate Bench of this Court in *UTV Software Communications Ltd. & Ors. vs. 1337X.TO & Ors.*, 2019 SCC OnLine Del 8002.

7. Having heard Mr. Saikrishna, I am of the view that at least at this stage, the plaintiffs have been able to set up a *prima facie* case in their favour.

7.1 Since I am told that the subject movie i.e. "*Dil Bechara*" is to be released on the DISNEY+ HOTSTAR platform, on 24.07.2020, the balance of convenience also appears to be in favour of the plaintiffs.

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7.2 In case the plaintiffs' movie i.e. "*Dil Bechara*" is pirated, there is every likelihood that the statutory and commercial rights of the plaintiffs will get impacted.

8. Accordingly, till the next date of hearing, defendant nos. 75 and 76 shall suspend the domain names of defendant nos.1 to 74.

8.1 Furthermore, defendant nos. 1 to 74 are injuncted, from making available the pirated version(s) of the aforementioned film i.e. "*Dil Bechara*", in any manner whatsoever, including by way of streaming, viewing, downloading and/or hosting the same on their websites or any other platforms.

8.2 Besides this, defendant nos. 86 and 87 will issue necessary notification(s) for blocking the access to the websites of defendant nos. 1 to 74, the Uniform Resource Locators [URLs] of which, are also set forth hereafter:

S. No.	Particulars
1.	oxibuzz.com
2.	foumovies.me
3.	latest.newhdmovie.in
4.	oceanofmovies.cc
5.	jobxtend.com
6.	123movieslinks.com
7.	skymovieshd.life
8.	bollyfilmshd.net
9.	hdmovies.in.net
10.	ww1.0gomovies.org
11.	en.naijaonpoint.co
12.	300mbfilms.ws
13.	torrentdownload.info
14.	mkvhub.net
15.	prostylex.org
16.	geourdufilm.com
17.	123-movies.club
18.	remaxhd.com
19.	gofilms4u.ws

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20.	123movies.eus
20.	piratebay.surf
21.	dwatchmovies.pro
23.	limetorrents.at
23.	yts.digital
24.	
	piratebaylive.online
26.	1377x.is
27.	bdmusic23.fit
28.	bollywoodfilma.xyz
29.	movies4k.me
30.	putlocker5movies.site
31.	movies123.pk
32.	kickass.ws
33.	pirateproxy.surf
34.	stagatv.com
35.	hotmovieshd.com
36.	9xmovie.club
37.	writop.com
38.	hdwebmovies.club
39.	filmyanju.cc
40.	hdpopcorn.store
41.	piratbaytpb.one
42.	nowmoviesonline.com
43.	piratebays.wtf
44.	ibit.am
45.	t.extto.com
46.	baypirate.org
47.	moviescounterhd.club
48.	ww1.0123movies.live
49.	hdmovieplus.space
50.	vofotube.net
51.	onlinemovieinhd.com
52.	wowmovies.info
53.	filmyzillamovies.in
54.	skymovieshd.in.net
55.	torrentparadise.cl
56.	torrentfunk.unblocked.love
57.	piratebays.win
58.	ofilmyzilla.run
59.	thepiratebays.live
60.	rarbghd.in
61.	4movierulz.mx
62.	1tamilmv.xyz
02.	I tanının v. xyz

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63.	mkvcinemas.rocks
64.	9xmovies.cloud
65.	1sdmoviespoint.fun
66.	bonsaihd.fun
67.	world4ufree.bar
68.	7starhd.online
69.	worldfree4u.cloud
70.	9xmovie.casa
71.	7starhd1.win
72.	vegamovies.me
73.	filmyzilla.golf
74.	watchmovies1.com.pk

8.3 This apart, defendant nos. 77 to 85 shall block access to the URLs of defendant nos. 1 to 74 as set out in the table extracted in paragraph 8.2 above.

9. The plaintiffs will comply with the provisions under Order XXXIX Rule 3 of the CPC with five days from receipt of a copy of this order.

10. Renotify the matter on 28.08.2020.

RAJIV SHAKDHER, J

JULY 13, 2020 pmc/KK

Click here to check corrigendum, if any