

O.A.Nos.716 to 718 of 2016
in C.S.No.590 of 2016

M.M.SUNDRESH, J.

Applicant is the plaintiff. The suit is filed for permanent injunction on the ground of alleged infringement of copyright ownership available to the applicant and for other reliefs. Pending the suit, the present applications have been filed, seeking an order of interim injunction.

2.Learned counsel for the applicant submits that it is a reputed production/distribution house involved in the business of production, acquisition, co-production, promotion, marketing and distribution of various cinematographic films. It has now produced a new movie titled as A FLYING JATT, which is stated to be released throughout the world by 25.08.2016. Now, there is a possible and perceived threat to exhibit the above said movie in the various websites and web pages hosted by the defendants across the world. Incidentally, there is likelihood of the movie being exhibited through Cable T.V. by the Cable T.V. Operators/defendants 38 to 42/cable. There is also an attempt to upload the said movie in the websites mentioned in Schedule A of the plaint without any authority by defendants 1 to 37/Internet Service Providers. If the defendants and other similarly placed persons are allowed to upload the movie belonging to the

applicant, which is inclusive of songs, visual clips etc., allowing the general public to download the movie free of cost, the same would virtually destroy the financial interest of the applicant. The learned counsel has made reliance upon the order passed by this Court in the case involving the similar issue in O.A.Nos.645 to 647 of 2016 in C.S.No.529 of 2016 dated 10.08.2016.

3.Considering the submissions made by the learned counsel for the applicant and after going through the relevant records, this Court is of the view that a prima facie has been made out as there is no dispute on the copyright proprietaryship of the applicant for the movie titled as A FLYING JATT. Accordingly, there shall be an order of interim injunction as prayed for, for a period of four weeks. The applicant/plaintiff shall comply with Order 39 Rule 3(a) C.P.C. within a period of one week from the date of receipt of a copy of this order.

Notice returnable in four weeks. Private notice is also permitted.

24.08.2016

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Note: Issue Today

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