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

\+ CS(COMM) 572/2025

CULVER MAX ENTERTAINMENT PRIVATE LIMITED
.....Plaintiff
Through: Counsel (appearance not given)

versus

VIPBOX.LC & ORS. .....Defendants
Through: None

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

O R D E R

% 30.05.2025

I.A. 14219/2025 *(Exemption from pre-litigation mediation)*

1. *Vide* the present application under *Section 12A* of the Commercial Courts Act, 2015, read with *Section 151* of the Code of Civil Procedure, 1908 (***CPC***), the plaintiff seeks exemption from pre-litigation mediation.

2. Considering the averments made in the present application, as also since the plaintiff is seeking *ex parte ad interim* injunction in an accompanying application, and in view of the judgment passed by the Hon'ble Supreme Court in ***Yamini Manohar v. T.K.D. Krithi*** *2024 (5) SCC 815*, which has been followed by a Division Bench this Court in ***Chandra Kishore Chaurasia v. R. A. Perfumery Works Private Limited*** *2022:DHC:4454-DB*, the plaintiff is exempted from instituting pre-litigation mediation.

3. Accordingly, the present application stands disposed of.

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I.A. 14218/2025 *(Additional Document)*

4. *Vide* the present application under *Order XI Rule 1(4)* read with *Section 151* of the CPC, the plaintiff seeks leave of this Court to file additional documents.

5. The plaintiff will be at liberty to file additional documents at a later stage, *albeit*, after initiating appropriate steps, strictly as per the provisions of the Commercial Courts Act, 2015 read with *Section 151* of the CPC and the Delhi High Court (Original Side) Rules, 2018.

6. Accordingly, the present application stands disposed of.

I.A. 14220/2025 *(Exemption from serving notice to defendants)*

7. *Vide* the present application under *Section 151* of the CPC, the plaintiff seeks exemption from advance service upon the defendant nos.28, 31, 36 and 37.

8. *Vide* the present application filed under *Section 80*, read with *Section 151* of the CPC, the plaintiff seeks exemption from the requirement of advance service upon the defendant nos.28 and 31, namely Bharat Sanchar Nigam Ltd. ('**BSNL**') and Mahanagar Telephone Nigam Ltd. ('**MTNL**') respectively and defendant nos.36 and 37, namely Department of Telecommunications ('**DoT**') and Ministry of Electronics and Information Technology ('**MEITY**') respectively, on the ground that no formal remedy/ relief as prescribed under the Copyright Act, 1957 ('**Act of 1957**'), is being claimed against them, as also since they are only being arrayed to ensure compliance with any orders that may be passed by this Court.

9. For the reasons stated in the present application, as also taking into account the aforesaid factors, and since it would be in the interest of

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justice, the plaintiff is granted exemption from effecting advance service upon the aforesaid defendant nos.28, 31, 36 and 37.

10. Accordingly, the present application stands disposed of.

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11. The plaintiff, by way of the present plaint, seeks permanent injunction, rendition of account, damages for infringement of copyright and broadcast reproduction rights, under the Act of 1957, as also appropriate directions to the arrayed authorities.

12. Let the plaint be registered as a suit.

13. Upon filing of the process fee, issue summons of the suit to the defendants through all permissible modes returnable before the learned Joint Registrar on 02.09.2025.

14. The summons shall state that the written statement(s) be filed by the defendants within a period of *thirty days* from the date of the receipt of the summons. Written statement(s) be filed by the defendants along with affidavit of admission/ denial of documents of the plaintiff, without which the written statement(s) shall not be taken on record.

15. Replication(s) thereto, if any, be filed by the plaintiff within a period of *fifteen days* from the date of receipt of written statement(s). The said replication(s), if any, shall be accompanied by with affidavit of admission/ denial of documents filed by the defendants, without which the replication(s) shall not be taken on record within the aforesaid period of fifteen days.

16. If any of the parties wish to seek inspection of any document(s), the same shall be sought and given within the requisite timelines.

17. List before the learned Joint Registrar for marking exhibits of

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documents on 02.09.2025. It is made clear that if any party unjustifiably denies any document(s), then it would be liable to be burdened with costs.

I.A. 14179/2025 *(Stay)*

18. At the very outset, learned counsel for the plaintiff fairly submits that he does not wish to press for any relief(s) against the defendant no.24. Be that as it may, the present application under *Order XXXIX, Rules 1 and 2* of the CPC has been filed by the plaintiff seeking the following reliefs:

> *i. Pass an order granting interim injunction restraining the Defendant Nos. 1 to 10 and such other rogue mirror/ redirect/alphanumeric versions of the impleaded websites/ applications and other new websites/ applications which are discovered during the course of the proceedings, their owners, partners, proprietors, officers, servants, agents and representatives, franchisees, head-ends and all others in capacity of principal or agent, acting for and on their behalf from in any manner communicating to the public, hosting, storing, reproducing, streaming, broadcasting, rebroadcasting, causing to be seen or heard by public, making available for viewing and/ or communicating to the public, or facilitating the same on their websites/ applications, through internet in any manner whatsoever, the said Sporting Events, amounting to infringement of Plaintiff's said Rights in the said Sporting Events;*
>
> *ii. Pass an order directing the Defendant Nos. 11 to 26 and other DNRs, 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 them, to block and suspend the Defendant No. 1 to 10 Websites and such other rogue mirror/redirect/alphanumeric versions of the impleaded websites/ applications and other new websites/ applications along with their subdomains and subdirectories, which are discovered during the course of the proceedings to have been engaging in infringing the Plaintiffs' exclusive rights in the said Sporting Events, withing 72 hours of being communicated with a copy of order passed by this Hon'ble Court;*
>
> *iii. Pass an order directing the Defendant Nos. 11 to 26 and other DNRs, 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 them, to disclose the contact details and other details such as*

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KYC, credit card, mode of payment, mobile number, etc. about the owners of the Defendant Nos. 1-10 and such other rogue mirror/redirect/alphanumeric versions of the impleaded websites/ applications and other new websites/ applications along with their subdomains and subdirectories, which are discovered during the course of the proceedings to have been engaging in infringing the Plaintiffs' exclusive rights in the said Sporting Events, withing 72 hours of being communicated with a copy of order passed by this Hon'ble Court;

iv. Pass an order directing the Defendant Nos. 27 to 35 (ISPs), to immediately block access to the Defendant Nos. 1 to 10 websites and such other rogue mirror/redirect/alphanumeric versions of the impleaded websites/ applications and other new websites/ applications along with their subdomains and subdirectories, which are discovered during the course of the proceedings to have been engaging in infringing the Plaintiffs' exclusive rights in the said Sporting Events;

v. Pass an order directing the Defendant Nos. 36 and 37 (DoT and MeitY) to issue a notification calling upon the various internet and telecom service providers registered under it to block access to the various domain names identified by the Plaintiff in the instant suit Defendant No. 1 to 10 websites and such other rogue mirror/redirect/alphanumeric versions of the impleaded websites/ applications and other new websites/ applications along with their subdomains and subdirectories, which are discovered during the course of the proceedings to have been engaging in infringing the Plaintiffs' exclusive rights in the said Sporting Events, immediately and latest within 72 hours of being communicated with a copy of order passed by this Hon'ble Court;

vi. Pass an order granting a 'Dynamic+ injunction' to protect Plaintiff's exclusive rights in the said Sporting Events as soon as they are infringed/ created, by granting liberty to the Plaintiff to communicate the details of other rogue mirror/redirect/alphanumeric versions of the impleaded websites/ applications and other new websites/ applications along with their subdomains and subdirectories, which are discovered during the currency of the said Sporting Events, to have been engaging in infringing the Plaintiffs' exclusive rights in the said Sporting Events, to their concerned DNRs as well as to the Defendant Nos. 27 to 35 ("ISPs") for blocking the said websites on real time basis and directing the Defendant Nos. 36 to 37 to ensure compliance with the said directions of blocking to the ISPs. The Plaintiff may be granted liberty to file an appropriate

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affidavit/ application under Order 1 Rule 10 of the Code of Civil Procedure, 1908 supported by necessary affidavit and evidence of infringement in order to ensure that this Hon'ble Court is informed of the Defendants' websites after communicating the details of the infringing websites to the concerned DNRs, ISPs, DoT and MietY, and this Hon'ble Court may pass similar orders in terms of prayer (I) to (V) above against such newly impleaded websites;

vi. Pass an order granting ad-interim injunction and other directions in respect of the aforesaid prayers (I) to (VI).

19. As per pleading, the plaintiff/ Culver Max Entertainment Private Limited (formerly known as 'Sony Pictures Networks India Pvt. Ltd.') is a company incorporated under the Companies Act, 1956, and has its registered office at 4th Floor, Interface Building No. 7, Off Malad Link Road, Malad (West), Mumbai-400 064.

20. The Plaintiff *inter alia*, owns and operates the "SONY TEN Network" of channels which, *inter alia*, includes SONY TEN 1 SD, SONY TEN 1 HD, SONY TEN 2 SD, SONY TEN 2 HD, SONY TEN 3 SD, SONY TEN 3 HD, SONY TEN 4, SONY TEN 4 HD, SONY SIX SD, SONY SIX HD. The plaintiff also runs the OTT platform 'Sony LIV', which showcases content ranging from short films, original web-series, films and live sports besides showcasing archival content.

21. The plaintiff has acquired several rights including digital media rights and exclusive license to broadcast/ communicate/ exhibit to the public the Sporting Events in the specified territories for specified period of time, from various Sporting Federations/ Associations around the world having ownership over the digital media and broadcasting rights of the above-mentioned said Sporting Events. The particulars of agreements entered into by the plaintiff in relation to the said Sporting Events are enumerated in paragraph 7 of the present application.

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22. In light of the above, the plaintiff, being a right holder of "original works" as envisaged under Section 37 of the Copyright Act of 1957, is entitled to the protection available therein.

23. The cause of action first arose in and around May 2025, when the plaintiff came across *"rogue websites"* of defendant nos.1 to 10 unlawfully streaming sporting events. Moreover, the cause of action is a continuous one as, seeing the precedent of illegal activity and also that their very business model appears to be illegally streaming content in which third-parties have exclusive rights, the plaintiff has full conviction that the said *"rogue websites"* will once again indulge in illegal streaming of the upcoming sports tournament, the details of which are tabulated in Annexure A and apprehends that irreparable harm will be caused to the plaintiff if it is not granted an ex parte ad interim injunction against the said *"rogue websites"* and their aids at the earliest.

24. Defendant nos.11 to 26 being Domain Name Registrars (DNRs) with respect to the said *"rogue websites"* are entities which are engaged in the business of registering and hosting domain names. The plaintiff has arrayed these DNRs to ensure effective implementation of any reliefs that may be granted, including suspension of domain names and disclosure of information of registrants of the "*rogue websites*". For ease of reference, the list of such "*rogue websites*" and respective DNRs are enumerated in Annexure B.

25. Since defendant nos.27 to 35 are Internet Service Providers (ISPs) and, hence are instrumental in the functioning of the said "*rogue websites*", being responsible for provision of internet services across India, they have been arrayed as such. The said defendants have a responsibility

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to ensure that no violation of third-party intellectual property rights takes place through their networks. The DoT and the MEITY have also been arrayed as defendant nos.36 and 37 respectively, for the purposes of assistance and ensuring compliance with any orders that may be passed by this Court.

26. *John Doe* has also been arrayed as defendant no.38 in the form of a generic identity, to safeguard the plaintiff's against infringement by any unidentified or "*rogue websites*" that may be discovered at a later stage, or that may emerge suddenly even during the live telecast of the India Tour of England 2025 matches, with the intent to unlawfully make available the plaintiff's content.

27. It is submitted that in cases of live sporting events, the *modus operandi* followed by these "*rogue websites*" is that they activates new domains/ websites and URLs just minutes before a match and later deactivate them as soon as it ends. Considering this, if the blocking of the domains does not occur within minutes of notification, the exclusive rights of the plaintiff as also their remedies get diluted, eroded, and effectively rendered redundant.

28. In effect, the plaintiff is seeking a ***'dynamic+' injunction***, a form of injunctive relief which is being granted by Court(s) in similar matters in the recent years, primarily with a view to protect parties like the plaintiff herein against rapidly developing online infringement platforms. For instance, the Bombay High Court, in a case bearing no. *I. A. (Lodging) 10257/2023* entitled ***Applause Entertainment Private Limited v. Meta Platforms Inc. & Ors.***, which was a case involving audio-visual extracts of certain *"web-series"* being streamed illegally on multiple platforms,

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granted real time relief in the form of a '***dynamic+' injunction*** to the plaintiff therein. Similarly, a Coordinate Bench of this Court in ***Universal City Studios LLC v. Dotmovies.baby*** *2023:DHC:5842* has, also while granting such a '***dynamic+' injunction***, observed that any injunction granted by this Court ought to be effective in nature.

29. Therefore, the position of law apparent therefrom, which has since developed with the passage of time, clearly reflects that the rights of a plaintiff, who is an intellectual property right holder, cannot be rendered otiose in this world of rapidly developing technology and for that, enforcement of intellectual property rights on any social platform, including but not limited to, the internet as well alongwith the real world, ought to be visible and effective.

30. The upcoming technology and the technological advances association therewith, have their own implication(s) and/ or ramification(s), which are not only reachable far and wide, but are also unpredictable. With the immense degree of freedom enjoyed by developers and innovators globally today, all and sundry, especially those intellectual property right holders like the plaintiff herein, are prone to/ may be exposed and/ or vulnerable to the actions of the "*rogue websites*" herein, more so, if such right holders like the plaintiff herein, are not accorded proper protection from them. On one hand, though such intellectual property right holders like the plaintiff herein, can proceed in the normal manner, however, on the other hand, without any proper channelization, their intellectual property rights are prone to get effected by such "*rogue websites*", who have no right, title and/ or interest therein. This would lead them and their facilitators to freely and blatantly exploit

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the rights of the right holders like the plaintiff herein, causing irreparable loss, damage and injury to them as also leaving them struggling on the fence exposed *dangerous edge* of technology.

31. This so-called *dangerous edge* has become *even sharper* with the fast-paced evolution of certain *"hydra-headed"* websites, which, even if blocked/ deleted, have the incredulous potential to resurface in multitudes as alphanumeric or mirror websites, with only minor, mechanical changes within seconds. Such *"hydra-headed"* websites, under the garb of privacy, are able to mask their registration/ contact details perfectly, making it virtually impossible to locate and contact their operators to, if necessary, demand cessation of infringing conduct.

32. In essence, as per the case set up by the plaintiff, the *"rogue websites"* are in flagrant infringement/ facilitation of infringement as is evident from the unabashed streaming of the copyrighted content on such *"rogue websites*. Moreover, the systematic, organised and intentional nature of the infringement, and the regularity and consistency with which the said content is being updated/ uploaded on the said *"rogue websites"* shows the extent of the violation of the rights of the plaintiff in real time. The said *"rogue websites"* are also employing the URL-redirection and identity masking methods as noted above, putting the plaintiff in an even more precarious condition to defend itself against their infringing actions. In these circumstances, the present case appears, *prima facie*, to be a clear example of copyright infringement by entities such as defendant nos.1 to 10, who are using modern technology to hide their identities while unlawfully benefiting from others' copyrighted works.

33. Thus, in light of the violations already committed by the *"rogue*

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websites" by unlawfully streaming sporting events, this Court sees every likelihood that such *"rogue websites"* will continue to stream copyrighted works to the public during the upcoming sports tournaments, the details of which are set out in Annexure A, without authorization or license from the plaintiff.

34. Therefore, the plaintiff has been able to make out a *prima facie* case in its favour and against the defendants and the *balance of convenience* is also tilting towards the grant of relief in favour of the plaintiff. If an *ex parte ad interim injunction* in favour of the plaintiff is not granted, the plaintiff will likely suffer *irreparable loss and injury*.

35. Accordingly, in view of the aforesaid, as also keeping in mind the existing position of law, as also to keep pace with the changing times coupled with the changing technology, till the next date of hearing:

a. Any person/ entity including, but not limited to, the defendant nos.1 to 10 being *"rogue websites"*, their owners, partners, proprietors, officers, servants, agents and representatives, franchisees, head-ends and all others in capacity of principal or agent, acting for and on their behalf are restrained from in any manner communicating to the public, hosting, storing, reproducing, streaming, broadcasting, rebroadcasting, causing to be seen or heard by public, making available for viewing and/ or communicating to the public, or facilitating the same on their websites/ applications, through internet in any manner whatsoever, the said Sporting Events as enumerated in Annexure A, so as to infringe the plaintiff's intellectual property rights;

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b. Defendants no. 11 to 23, and 25 & 26, being DNRs are directed to block and suspend the websites of defendant nos.1 to 10 registered under them and enumerated in Annexure B, within 72 hours of being supplied with a copy of this order by the learned counsel for the plaintiff and are also directed to provide details of the registrants of the *"rogue websites"* such as their names and contact details upon being requested by the learned counsel for the plaintiff;

c. Defendant nos.27 to 35 being the ISPs are also directed to block access to the abovenamed *"rogue websites"* as enumerated in Annexure B, within *72 hours*, after being supplied with a copy of this order by the learned counsel for the plaintiff;

d. '***Dynamic+' injunction*** is granted in favour of the plaintiff to protect its copyrighted works as soon as they are infringed/ created. Consequently, during the streaming of the Sporting Events which are enumerated in Annexure A, if any further websites, such as mirror/ redirect/ alphanumeric variations of the *"rogue websites"* are discovered which are illegally streaming and communicating content over which the plaintiff has rights, the plaintiff will be at liberty to communicate the details of these websites to their concerned DNRs, if available, or in the alternative to the defendant nos.27 to 35 being the ISPs for blocking the said websites. As such, upon receiving the said intimation from the plaintiff, the concerned ISP(s) shall take steps to immediately block the said *"rogue websites"* on real time basis;

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e. Defendant nos.36 and 37 shall take steps to ensure that defendant nos.27 to 35, being the ISPs, comply with the aforesaid directions, through appropriate communications and notices sent to the said ISPs which are registered with them;

f. However, after communicating the details of the *"rogue websites"* in terms of the above, the plaintiff shall continue to file affidavits with this Court in order to ensure that this Court is informed of the said *"rogue websites"*.

36. Upon the plaintiff taking requisite steps, issue notice to defendants through all permissible modes returnable before the Court on 13.10.2025.

37. Reply(s), if any, be filed within *four weeks* from the date of service. Rejoinder thereto, if any, be filed within *two weeks* thereafter.

38. List before Court 13.10.2025.

SAURABH BANERJEE, J

MAY 30, 2025/Ab

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Annexure A

List of Sporting Events:

Sr. No.	Sporting event	Tentative telecast schedule
1.	ACC Women's T20i Emerging Team	Tentatively scheduled from June 2025
2.	Bangladesh tour of Sri Lanka	Tentatively scheduled from June 2025
3.	Men's Asia Cup 2025 (T20i)	Tentatively scheduled from September 2025
4.	Australia Tour of New Zealand	Tentatively scheduled from October 2025
5.	England Tour of New Zealand	Tentatively scheduled from October 2025
6.	West Indies Tour of New Zealand	Tentatively scheduled from November 2025
7.	Men's Emerging Teams Asia Cup Tournament (T20i)	Tentatively scheduled from November, 2025
8.	Men's Under 19 Asia Cup Tournament	Tentatively scheduled from December, 2025
9.	England tour of Sri Lanka	Tentatively scheduled from January, 2026
10.	India Tour of New Zealand	Tentatively scheduled between 2026-27 and 2030-31

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Annexure B

List of *rogue websites* and respective DNRs

Defendant No.	Domain Name Registrar	Domain Name
1	Sarek Oy	Vipbox.lc
	N/A	Vipbox.to
	Gransy, s.r.o.	Vipbox1.com
	Gransy, s.r.o.	Vipboxtvs.com
	Dynadot LLC	Vipleague.im
		Vipleague.live
		Vipleague.one
	Cloud DNS	Vipleague.be
	Sarek Oy	Watch.cricstream.me
		Cracksports.me
2	NameCheap, Inc.	Live4wap.wapqiz.com
		Live4wap.wapkiz.com
		Waptv.wapka.co
3	Tucows Domains Inc.	Wheresthematch.com
4	Name.com, Inc.	Crichd.com.co
		M.crichd.vip
		New.crichd.tv
	EPAG Domain Service GmbH	Crichd.at
	easyDNS Technologies Inc.	K2.crichd.com

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	Name.com, Inc.	Cricgo.pro
	R01-RU	Crichdplays.ru
5	Tucows Domains Inc.	Cricfy.net
	Dynadot Inc	Cricfypro.com
	Vedhan Technology and Solutions	Cricfy.in
	Dynadot Inc	Cricfytv.com.co
	Vedhan Technology and Solutions	Cricfy.in
	NameCheap Inc.	Cricfy.app
6	CloudFlare	Sport.stream2watch.com
	Spaceship, Inc.	Stream2watch.in
	NameCheap, Inc.	Stream2watch.vip
7	CloudFlare	Blog.smartcric.is
	Vadian.net	Smartcric.ch
8	IceNetworks Ltd.	My.livecricket.is
	Tucows Domains Inc.	Freecricket.live
9	NameCheap, Inc.	Jokerstream.co
10	NameCheap, Inc.	Starshareiptv.net

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