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

+ **CS(COMM) 536/2025**

DAZN LIMITED & ANR.

.....Plaintiffs

Through: Mr. Siddharth Chopra, Mr. Yatinder
Garg, Mr. Akshay Maloo and Ms.
Ishi Singh, Advocates.

versus

BUFFSPORTS. ME & ORS.

.....Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

28.05.2025

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I.A. 13759/2025-Exemption from pre institution 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 plaintiffs are 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 plaintiffs are exempted from instituting pre-litigation mediation.



3. Accordingly, the present application stands disposed of.

I.A. 13758/2025-Addl.doc.

1. *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.

2. The plaintiffs are 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.

3. Accordingly, the present application stands disposed of.

I.A. 13757/2025-Exp the plaintiff from issuing notice to D-13, 16, 21 and 22 under Section 80 of CPC.

1. *Vide* the present application under *Section 151* of the CPC, the plaintiff seeks exemption from advance service upon the defendants No. 13, 16, 21 and 22.

2. For the reasons stated in the application as also taking into account the aforesaid factors and in the interest of justice, the plaintiff is granted exemption from effecting advance service upon defendants No. 13, 16, 21 and 22

3. Accordingly, the present application is allowed and disposed of.

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4. *Vide* the present plaint, the plaintiff seeks grant of a permanent injunction restraining the defendants (rouge websites) engaged in infringing the plaintiff's exclusive rights and broadcasting rights, rendition of accounts, damages, etc.

5. Let the plaint be registered as a suit.



6. 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 28.08.2025.

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

8. Replication 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, 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*.

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

10. List before the learned Joint Registrar for marking exhibits of documents on 28.08.2025. It is made clear that if any party unjustifiably denies any document, then such party would be liable to be burdened with costs.

I.A. 13756/2025-Stay

11. *Vide* 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 of temporary injunction restraining the Defendants Nos. 1 to 6 (and such other websites/domains which are discovered during the course of the proceedings on Affidavit by the Plaintiffs to have been infringing the Plaintiff's Exclusive Rights and*



broadcasting rights), their owners, partners, officers 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 Plaintiff's works, exclusive broadcasts, streams and content in respect of FIFA Club World Cup 2025, so as to infringe the Plaintiffs' Exclusive Rights;

(ii) Pass an order directing the Defendant Nos. 7-11, its directors, partners, officers, affiliates, and all others in capacity of principal or agent acting for and, on their behalf, or anyone claiming through, by or under it, to lock/ suspend (on real time basis) the domain name registration of the Defendant Nos.1-6 (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 Plaintiff's Exclusive Rights and Broadcast Reproduction Rights. 12 Specific Domain Name Registrars for each website are disclosed under para 5 of this Application.

(iii) Pass an order directing the Defendant Nos. 7-11 to disclose the following information of Defendant Nos. 1-6 (and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to has been infringing the Plaintiff's Exclusive Rights and broadcast reproduction rights):

a. Complete details such as name, address, email address, phone number, IP address, etc.

b. Mode of payment along with payment details used for registration of domain name by the registrant(s).

(iv) Pass a temporary order directing the Defendant Nos. 12-20, their directors, partners, proprietors, affiliates, 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 (on real time basis) to the various websites identified by the Plaintiff in the instant suit at S. No. 1 of the Documents (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 Plaintiff's Exclusive Rights);

(v) Pass an order directing the Defendant Nos. 21-22 to issue a notification calling upon the various internet service providers



registered under it to block access to the various websites identified by the Plaintiff in the instant suit at S. No. 1 of the Documents (and such other websites which are discovered during the course of the proceedings and notified 13 on Affidavit by the Plaintiff to have been infringing the Plaintiff's Exclusive Rights).

12. As per the pleadings and arguments advanced by the learned counsel for the plaintiffs that plaintiff No. 1, i.e. DAZN Limited, is a company incorporated under the laws of England and Wales in the year 2007 and plaintiff no. 2 i.e., DAZN Software Private Limited oversees operations in India and are incorporated under the provision of the Companies Act, 2013 since the year 2022.

13. The plaintiffs are engaged in the business of providing a global sports streaming and entertainment platform, and they also offer live and on-demand/ over-the-top (OTT) sports broadcasting in over 200 countries. Further, the plaintiffs also own and operate the online streaming platform/ website <https://dazngroup.com/> and <https://www.dazn.com/en-IN/home> and its mobile application ("DAZN streams") and which embeds highly evolved video streaming technology and provides a vast library of sporting content *inter alia* football, martial arts, tennis, and snooker.

14. The plaintiffs have acquired certain exclusive media rights for *FIFA Club World Cup 2025* ("Event") on 19.05.2025 with the broadcasting rights worldwide including within India, through television rights, digital rights to be exercised via 2 digital delivery systems including through internet and mobile technology, along with certain ancillary rights i.e. sub-licensing ("Exclusive Rights") in respect of the event taking place from 14.06. 2025 to 13.07.2025 in the United States of America. Further, the learned counsel for the plaintiffs submits that by virtue of *Section 37* of



the Copyright Act, 1957, the plaintiffs have the Exclusive Right to broadcast, re-broadcast, retransmit, stream, and make available for viewing and/ or communicate to the public.

15. Pertinently, on 17.05.2025, the plaintiffs came to know *via* investigators that rogue defendants nos.1-6 (“defendant websites”) have/ are illegally broadcasted/ broadcasting the DAZN streams of the recently concluded event i.e., Ligue 1, and the ongoing event i.e., Series A on their websites without permission/ license from the plaintiffs. Therefore, on 18.05.2025, the plaintiffs issued notice to the incumbent DNRs upon discovering the infringing activities of the defendant websites. Additionally, the defendant website was not streaming independent broadcasts but rather was streaming DAZN streams by illegally circumventing its exclusive streaming mechanism, and the defendant websites are engaging in providing pirated content and are being financially enriched by the same.

16. It was further submitted that a fresh cause of action arises against the defendant websites (known and unknown) every time such defendants communicate to the public, host, advertise, stream and/ or makes available for download and viewing the Event and the content related thereto, anywhere in India, including Delhi, without obtaining requisite permissions. Pertinently, due to the very nature of the internet, lack of any geographical boundaries, and effective enforcement mechanisms to curb the blatant online illegal activities, the plaintiffs have arrayed the domain registrars of the websites named along with the rogue defendant websites as defendant nos. 7-11 (“DNRs”). For the sake of convince the domain



name registrants for each rogue defendant website are produced hereinbelow as under:-

Defendant No.	Website	DNR	Defendant No.
1.	buffsports.me	1API Gmbh	7.
2.	sporthd.me	NETIM	8.
3.	piratemediame	NameCheap, Inc.	9.
4.	vipbox.lc	Tucows Domains Inc.	10.
5.	strimsy.top	Sarek Oy	11.
6.	vipstand.pm	Sarek Oy	11.

17. The learned counsel for the plaintiffs submits that in view of the lack of an effective enforcement mechanism, the plaintiff has impleaded the internet service providers as defendant nos. 12-20 (“ISPs”) and they are engaged in the business of providing internet and telecommunication services to the public and are the gateways that enable access to such rogue defendant websites. Similarly, the plaintiffs have also arrayed the defendant Nos. 21 i.e., Department of Telecommunications and Defendant No.22, the Ministry of Electronics and Information Technology, since they are instrumental for the functioning of the defendant websites. Lastly,



the unknown defendants have been impleaded as ‘John Doe’/ defendant no. 23 to address future rogue websites that may emerge.

18. This Court heard the submissions advanced by the learned counsel for the plaintiffs and perused the documents filed along with the plaint.

19. The present case, *prima facie*, appears to be a classic case of copyright infringement by masked players like the defendant nos.1 to 23, who use the veil of today’s technology to conveniently conceal their true identities and unabashedly abuse and enrich themselves by using the protected works of parties like the plaintiff herein through URL redirection/ masking, etc. Such entities are sprouting and have to be stopped at the earliest given opportunity. If the same is not done, undoubtedly the legitimate rights of parties like the plaintiff herein would be put in serious jeopardy.

20. In light of the above, under the present scenario, especially, since the plaintiffs are legally rightful owners of the intellectual property rights therein, i.e. both *qua* its original works as well as the licensed works for exclusive broadcasting, the plaintiff is well and truly entitled to seek and obtain protection. More so, since the infringing acts of the defendant nos.1 to 23 are without obtaining any kind of permission/ authorization/ right/ title/ interest from the plaintiffs.

21. 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*.



22. 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* titled ***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, granted real time relief in the form of a ‘**dynamic+**’ **injunction** to the plaintiff therein. Similarly, a Co-ordinate 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.

23. Furthermore, such a relief is called for in the present matter, especially, in view of the fact that the Exclusive right pertain to the renowned *FIFA WORLD CUP*, any delay in blocking these “rogue websites” would, in fact, result in *irreparable loss and injury* to the plaintiffs and cause violation of the intellectual property rights of the plaintiffs.

24. Consequently, during the pendency and after the competition if, any further domain names, such as mirror/ redirect/ alphanumeric variations of the domains associated with the defendants websites are discovered which are illegally streaming and communicating content over which the plaintiffs have certain rights, the plaintiffs will be at liberty to communicate the details of these domain names to their concerned DNRs, if available, or in the alternative to the defendant nos.12 to 20 being the



ISPs for blocking the said websites. As such, upon receiving the said intimation from the plaintiff, the concerned ISPs and DNRs shall take steps to immediately block the said domain names associated with the defendant websites on real time basis.

25. Upon the plaintiff taking requisite steps, issue notice to defendants through all permissible modes returnable before the Court on 08.10.2025.

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

27. List before Court 08.10.2025.

SAURABH BANERJEE, J

MAY 28, 2025
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