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

+ **CS(COMM) 1149/2024 & I.A. 48754/2024**

DAZN LIMITED & ANR.

.....Plaintiffs

Through: Mr. Akshay Maloom and Ms. Ishi Singh, Advs.

Versus

BACK.METHSTREAMER.COM & ORS.

....Defendants

Through: Mr. Mrinal Ojha, Mr. Debarshi Dutta, Mr. Arjun Mookherjee, Mr. Shivam Tiwari & Mr. Yogesh Singh, Advs. for D-31.

Ms. Nidhi Raman, CGSC with Mr. Om Ram, Mr. Arnav Mittal & Mr. Mayank Sansanwal, Advs. for D-47 & 48.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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27.11.2025

1. The present suit has been filed seeking permanent injunction restraining Defendant Nos. 1 to 28 from infringing the Plaintiffs exclusive broadcasting and reproduction rights, along with ancillary reliefs.

Factual Matrix

2. The relevant facts, as stated in the pleadings are as under: -

2.1. Plaintiff No. 1 i.e., DAZN Limited is a global sports streaming and entertainment platform that offers live and on-demand/over-the-top ['OTT'] sports broadcasting in over 200 countries. It is the world's largest sports



streaming service, with 2,400 employees in 25 countries.

It has the broadcasting rights in relation to various premium sporting events around the world from official organisers of the said events. As a sports platform, Plaintiff No. 1 has streamed more than 1.2 billion hours globally, across 130 million plus devices.

2.2. Plaintiff No. 1 owns and operates the online streaming platform/website - '<https://dazngroup.com/>' and '<https://www.dazn.com/en-IN/home>' ['Plaintiffs' websites'] and mobile application. These platforms enable its viewers to watch sporting content including live streaming of sporting events etc.

2.3. Plaintiff No. 2 i.e., DAZN Software Private Limited is the Indian subsidiary of Plaintiff No. 1, overseeing operations in India as well as technological developments. Plaintiff No. 1, through Plaintiff No. 2 has a strong domestic presence in 10 core markets, where it holds top-tier sports rights. Plaintiff Nos. 1 and 2 are hereinafter collectively referred to as 'the Plaintiffs'.

2.4. The Plaintiffs have acquired certain exclusive media rights inter-alia for India territory, which includes television rights [to be exercised via broadcast delivery systems], digital rights [to be exercised via digital delivery systems including through internet and mobile technology], and certain ancillary rights ['Exclusive Rights'] in respect of the event 'Tyson Fury v Oleksandr Usyk Rematch' and all featured undercard bouts taking place on or around 21.12.2024 in Riyadh, Saudi Arabia, from Sela [which is the owner of the exclusive rights in the above-mentioned event].

In exercise of the Exclusive Rights granted vide the Rights Confirmation Letter dated 08.12.2024 ['Rights Confirmation Letter'], the



Plaintiffs have the exclusive rights to exploit such rights via its Indian subsidiary – Plaintiff No. 2.

2.5. The subject matter of the present suit pertains to the boxing matches – ‘Tyson Fury v Oleksandr Usyk Rematch’ and all featured undercard bouts took place on or around 21.12.2024 in Riyadh, Saudi, Arabia. The details of the ‘fights’ included in these bouts are provided at paragraph no. 11 of the plaint.

2.6. It is stated that by virtue of the provisions of the Copyright Act, 1957 [‘Act of 1957’], the Plaintiffs have the Exclusive Rights to broadcast and communicate live, delayed, highlights, clips, and repeat telecast of 21.12.2024 bouts through the Plaintiffs’ websites and mobile application.

About the Defendants

3. Defendant Nos. 1 to 28 [‘rogue websites’] are various websites engaged in the business of making available to public unauthorized and/or unlicensed third-party content and information, through the medium of internet, digital delivery, and mobile transmission in order to obtain financial benefits.

3.1. It is stated that the said rogue websites [details of which are filed at Serial No.1 of the documents], primarily and substantially engaged in unauthorizedly, inter alia, communicating to the public, hosting, streaming and/or making available to the public, the broadcasts that are the exclusive dominion of the Plaintiffs, pursuant to its exclusive licensing arrangements that it has entered into with the event organisers and the same amounts to violation of the Plaintiffs’ Exclusive Rights protected under Section 37 of the Act of 1957.

3.2. It is stated that the said rogue websites upload a vast volume of



infringing content, such as unauthorised broadcasts of the Plaintiffs exclusively licensed content.

3.3. It is stated that no contact details pertaining to the said rogue websites/Defendant Nos. 1 to 28 are publicly available.

3.4. Defendant Nos. 29 to 36 are various domain name registrar(s) ['DNR'] of the rogue websites. The details of the concerned DNR for each of the rogue websites are provided at paragraph no. 46 of the plaint. Defendant No. 46 i.e., NIXI – National Internet Exchange of India.

The said Defendants have been impleaded for the purposes of revoking/cancelling the domains of the rogue websites associated with Defendant Nos. 1 to 28 and to ensure effective implementation of the reliefs, this Court may be inclined to grant in favour of the Plaintiffs.

3.5. Defendant Nos. 37 to 45 are various internet service providers ['ISPs']. The Plaintiff has arrayed the said ISPs to ensure the effective implementation of the relief granted in favour of the Plaintiff for disabling access to the rogue websites associated with Defendant Nos. 1 to 28.

3.6. Defendant No. 47 i.e., Department of Telecommunications ['DoT'] and Defendant No. 48 i.e., Ministry of Electronics and Information Technology ['MeitY'] have been impleaded to assist in enforcing and ensuring compliance with the orders of injunction.

3.7. Defendant No. 49 is Ashok Kumar/John Doe.

3.8. The compliance affidavit(s) of Defendant No. 31 and Defendant No. 46 have been filed in a sealed cover.

Submissions on behalf of the Plaintiffs

4. Learned counsel for the Plaintiffs submit that Defendant Nos. 1 to 28/rogue websites exhibit a general disregard for copyright and the broadcast



reproduction rights of the Plaintiffs, as is evident from the structure and functioning thereof, i.e., routinely making available to the public the broadcasts exclusively licensed, inter alia, to the Plaintiffs, without authorization.

4.1. He states that Defendant Nos. 1 to 28/ rogue websites are not only violating and infringing the Exclusive Rights of the various right holders like Plaintiffs but also substantially eroding and diluting the value of the said copyrights by taking away significant revenues from all the stake holders.

4.2. He further submits that the conduct of Defendant Nos. 1 to 28 clearly establishes, as per the Plaintiffs, that they are operating the websites, which are 'rogue' in nature in terms of the judgment passed by the Coordinate Bench of this Court in **UTV Software Communication Ltd. & Anr. v. 1337x.to and Ors.**¹ and thus, they deserved to be blocked in their entirety.

4.3. He states that in such circumstances; to protect the Plaintiffs exclusive broadcast rights, the Plaintiffs have filed the present suit seeking relief of permanent injunction restraining Defendant Nos. 1 to 28/rogue websites from illegally and unauthorizedly disseminating and broadcasting the content over which the Plaintiffs have copyrights and exclusive rights.

4.4. He states that this Court has already granted ex-parte ad-interim injunction vide order dated 18.12.2024 in favour of the Plaintiffs and against Defendant Nos. 1 to 28. He prays that since the said contesting Defendants have not appeared till date despite being served with summons and in view of the fact that said Defendants have failed to file the written statement(s) within the statutory time limit, this is a fit case to be decreed in terms of Order VIII Rule 10 of the Code of Civil Procedure, 1908 ['CPC'].



4.5. He states that the Plaintiffs are only pressing for the relief of permanent injunction against the Defendant Nos. 1 to 28 and not pressing for relief of damages and costs.

Findings and Analysis

5. The Court has heard the counsel for the Plaintiffs and perused the record of the present matter.

6. The predecessor bench of this Court vide Order dated 18.12.2024 issued summons in the present suit and granted an ex-parte ad interim injunction in favour of the Plaintiffs, and passed the following directions: -

- a. Defendant Nos. 1 to 28 and/or on any person acting on their behalf were restrained from communicating, hosting, streaming, screening, disseminating, or making available for viewing/ downloading, without authorization, any part of the event on any electronic or digital platform, in any manner whatsoever.
- b. Defendant Nos. 29 to 36 [DNRs] and Defendant No. 46 – NIXI were directed to lock and suspend the domain names of Defendant Nos. 1 to 28. The said Defendants were further directed to file an affidavit in a sealed cover disclosing the complete details of Defendant Nos. 1 to 28.
- c. Defendant Nos. 37 to 45 [ISPs/TSPs] were directed to block the rogue websites of Defendant Nos. 1 to 28.
- d. Defendant Nos. 47 and 48 were directed to issue necessary directions to all ISPs and TSPs for blocking/removing access to the said rogue websites.
- e. Pertinently, this Court also permitted the Plaintiffs to provide details

¹ 2019 SCC Online Del 8002



of additional rogue websites [which are illegally streaming and communicating content over which the Plaintiffs have rights] to Defendant Nos. 47 and 48, after which, these additional websites would stand blocked with immediate effect by the ISPs and DoT/MeitY.

7. As recorded in the order dated 19.02.2025, passed by the learned Joint Registrar (J), Defendant Nos. 1 to 48 have been served through email on 14.02.2025. The Plaintiffs have also filed an affidavit of service dated 18.02.2025 in this regard.

8. In the present matter, Defendant Nos. 1 to 28 are the contesting Defendants. The said Defendants have been served or are aware of the orders passed by this Court. However, the said Defendants have neither entered appearance nor filed the written statement. In these facts and circumstances, it is evident that the said Defendants have failed to file the written statement within the prescribed time period.

9. In view of the aforesaid, all the averments made in the plaint and documents filed with the plaint are deemed to admitted. At this stage, it would be apposite to refer to Order VIII Rule 10 of CPC. The said rule reads as under: -

“10. Procedure when party fails to present written statement called for by Court.— Where any party from whom a written statement is required under rule 1 or rule 9 fails to present the same within the time permitted or fixed by the Court, as the case may be, the Court shall pronounce judgment against him, or make such order in relation to the suit as it thinks fit and on the pronouncement of such judgment a decree shall be drawn up.”

10. It would be relevant to refer to the dicta of **Satya Infrastructure Ltd.**



& Ors. v. Satya Infra & Estates Pvt. Ltd.², wherein the Co-ordinate Bench of this Court held as under: -

“4. The next question which arises is whether this Court should consider the application for interim relief and direct the plaintiffs to lead ex parte evidence. The counsel for the plaintiffs states that the plaintiffs are willing to give up the reliefs of delivery, of rendition of accounts and of recovery of damages, if the suit for the relief of injunction alone were to be heard today.

5. I am of the opinion that no purpose will be served in such cases by directing the plaintiffs to lead ex parte evidence in the form of affidavit by way of examination-in chief and which invariably is a repetition of the contents of the plaint. The plaint otherwise, as per the amended CPC, besides being verified, is also supported by affidavits of the plaintiffs. I fail to fathom any reason for according any additional sanctity to the affidavit by way of examination-in-chief than to the affidavit in support of the plaint or to any exhibit marks being put on the documents which have been filed by the plaintiffs and are already on record. I have therefore heard the counsel for the plaintiffs on merits qua the relief of injunction.”

(Emphasis Supplied)

11. The averments made in the plaint clearly evidence that Defendant Nos. 1 to 28 are violating and infringing the Exclusive Rights of the Plaintiffs by unauthorisedly making available the Plaintiff’s content across their unauthorized websites. It is further evident that the intent of the said Defendants is to exploit the Plaintiff’s exclusive material, thereby infringing upon the Plaintiff’s copyrights and broadcasting rights.

12. Since the said Defendants have failed to take any requisite steps to contest the present suit, despite having suffered an ad interim injunction order locking and suspending the domain name, it is evident that they have no defence to put forth on merits. None of these Defendants have

² 2013 SCC OnLine Del 508



approached the Court for modification or vacation of the said injunction; evidencing their acceptance of the said injunction.

13. The act(s) and conduct of Defendant Nos. 1 to 28 is bound to have caused irreparable harm to the Plaintiffs, as these rogue/ impugned websites by violating and infringing the exclusive rights of the Plaintiffs are also causing revenue losses to the Plaintiffs.

14. Given the fact that the plaint has been duly verified and is supported by the affidavit(s) of the Plaintiffs as well the Statement of Truth and in view of the aforesaid findings, this Court is of the view that this suit does not merit trial. This Court deems it fit to opine that the present suit is capable of being decreed in terms of Order VIII Rule 10 of CPC.

15. In view of the aforesaid, this Court is of the view that the Plaintiffs are entitled to reliefs of permanent injunction as claimed in the plaint. Accordingly, a decree of permanent injunction is passed in favour of the plaintiffs and against Defendant Nos. 1 to 28 in terms of prayer clause 60(i) of the plaint. The interim order dated 18.12.2024 shall merge into the decree. Since, Defendant Nos. 29 to 48 are performatu Defendants; no decree has been passed against them.

16. Learned counsel for the Plaintiffs submit that the remaining reliefs sought in the plaint stand satisfied and hence, does not press for reliefs of damages and legal costs. The said statement is taken on record and the prayer for damages and legal costs is disposed of as not pressed.

17. Let the decree sheet be drawn up.

18. The information filed by defendant nos. 31 and 46 in sealed cover may be opened and placed on record.

19. With the aforesaid directions, this suit along with pending



applications (if any) stands disposed of.

20. All future dates stand cancelled.

21. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J
NOVEMBER 27, 2025/ng/MG