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

+ CS(COMM) 108/2025 & I.A. Nos. 3363/2025, 3364/2025,
3365/2025, 3366/2025 & 3367/2025

STAR INDIA PVT. LTD.

.....Plaintiff

Through: Mr. Siddharth Chopra with
Mr. Yatinder Garg, Ms. Disha
Sharma, Ms. Rimjhim Tiwari and
Ms. Ishi Singh, Advocates.
(M): 9999064036
Email: yatinder@saikrishnaassociates.com

versus

IPTV SMARTER PRO & ORS.

.....Defendants

Through: Mr. Avish Sharma with
Mr. Subhashish Kumar, Mr. Himesh
Dwivedi and Ms. Ishika Jain,
Advocates for defendant no. 1.
(M): 8603705017
Email: subhashish.adv@gmail.com
Mr. Mrinal Ojha with Mr. Debarshi
Dutta, Mr. Arjun Mookerjee and
Ms. Nikita Rathi, Advocates for
defendant no. 7.
(M): 9674388460
Email: arjun.mookerjee@solarislegal.in

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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10.02.2025

I.A. 3365/2025 (Exemption from filing original and certified copies of documents)

1. The present is an application under Section 151 of the Code of Civil



Procedure, 1908 (“CPC”), on behalf of the plaintiff, seeking exemption from filing original documents/certified copies of documents/clearer copies of documents/documents with appropriate margins/translated copies and seeking permission to file dim documents.

2. Exemption is granted, subject to all just exceptions.
3. Plaintiff shall file legible, clear, and translated copies of the documents, on which the plaintiff may seek to place reliance, before the next date of hearing.
4. Accordingly, the present application is disposed of.

I.A. 3364/2025 (Exemption from undergoing Pre-Institution Mediation)

5. The present is an application under Section 12A of the Commercial Courts Act, 2015, read with Section 151 of CPC, seeking exemption from undergoing Pre-Institution Mediation.
6. Issue notice to the defendants.
7. Notice is accepted by learned counsels appearing for defendant nos. 1 and 7.
8. Let notice be issued to other defendants.

I.A. 3367/2025 (Application seeking leave to file additional documents)

9. This is an application under Order XI Rule 1(4) read with Section 151 CPC, as amended by the Commercial Courts Act, 2015, seeking leave to file additional documents.
10. The plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly as per the provisions of Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.
11. The application is disposed of, with the aforesaid directions.

I.A. 3366/2025 (Exemption from advance service to the defendant nos.



10, 13, 17 and 18)

12. The present is an application under Section 80(2), read with Section 151 CPC, seeking exemption from advance notice to the defendant nos. 10 (BSNL), 13 (MTNL), 17 [Department of Telecommunication (DoT)] and 18 [Ministry of Electronics and Information Technology (MEITY)].

13. Considering the submissions made before this Court and considering the urgent nature of the suit, exemption is allowed.

14. With the aforesaid directions, the present application is disposed of.

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15. Let the plaint be registered as suit.

16. Issue summons.

17. Summons is accepted by learned counsels appearing for defendant nos. 1 and 7. Let written statement be filed within thirty days from today by the said defendants.

18. Upon filing of the Process Fee, issue summons to the other defendants by all permissible modes.

19. Let the written statement be filed by the other defendants within thirty days from the date of receipt of summons. Along with the written statement, the defendants shall also file affidavit of admission/denial of the plaintiff's documents, without which, the written statement shall not be taken on record.

20. Liberty is given to the plaintiff to file replication within thirty days from the date of receipt of the written statement. Further, along with the replication, if any, filed by the plaintiff, an affidavit of admission/denial of documents of the defendants, be filed by the plaintiff, without which, the replication shall not be taken on record. If any of the parties wish to seek



inspection of the documents, the same shall be sought and given within the timelines.

21. List before the Joint Registrar (Judicial) for marking of exhibits, on 14th April, 2025.

22. List before the Court on 14th July, 2025.

I.A. 3363/2025 (Application under Order XXXIX Rules 1 and 2 CPC)

23. The present suit has been filed for permanent injunction restraining the defendant nos. 1 to 4 alleging that they are engaged in the infringement of plaintiff's copyrights and broadcast reproduction rights, rendition of accounts, damages, etc.

24. Learned counsel appearing for the plaintiff submits that the plaintiff is a leading entertainment and media company in India, engaged, *inter alia*, in the production of popular content broadcast on its STAR channels. The plaintiff is also an exclusive right owner for several work broadcasted on its STAR channels. Plaintiff, along with its affiliates, is the owner of an extensive portfolio of more than 100 channels in over ten languages – including channels like Star Movies, Colors Infinity, Sports18, Star Bharat, Star Gold, Jalsha Movies, Star Sports 1, Star Sports HD 1, Star Sports Select 1, Star Sports Select HD 1, Maa Movies, Star Plus, Colors, Colors Rishtey, VH1, MTV, Disney Channel, National Geographic.

25. It is submitted that plaintiff also owns and operates the online audio-visual streaming platform and website, www.hotstar.com, www.Jiocinema.com and the mobile application, 'Disney+Hotstar', formerly known as 'Hotstar' and JioCinema.

26. It is further submitted that the STAR Channels also broadcast various sporting events in the field of cricket, football, F1, badminton, tennis,



hockey etc. Thus, by virtue of quality of content and the time, effort and resources expended by plaintiff, to advertise and promote the channels, the channels of the plaintiff are extremely popular amongst the viewing audiences. The STAR Channels have acquired tremendous goodwill and reputation in the entertainment industry amongst the people.

27. It is submitted that plaintiff's OTTs i.e., Disney+ Hotstar and JioCinema enable viewers to watch television serials and programs, films, sports content including live sports content, trailers of upcoming films and television serials, international content, including, viewing schedules of content offered etc.

28. Learned counsel appearing for the plaintiff submits that the rogue Apps, by hosting the original content and making available the streaming of plaintiff's STAR Channels without authorization, are causing irreparable harm and grave monetary loss to the plaintiff by diverting viewers away from its platforms, Disney+Hotstar and JioCinema, thereby, undermining the value of plaintiff's intellectual property, depriving plaintiff of rightful revenue streams, and enabling piracy and copyright infringement on a large scale, thereby damaging the plaintiff's business.

29. It is submitted that defendant no. 1's rogue App showcases content under four categories, viz. Indian Sports, Disney+Hotstar, JioCinema Cricket, Big Boss Series, and Indian Entertainment. The defendant no. 1's App can be accessed through Android devices as well as iOS devices, wherein, various channels of plaintiff's works and logo are being made available for public viewing

30. It is submitted that as per information on the 'About Us' page of defendant no.1's rogue App, it claims to be a software development



company specializing in ‘Custom OTT’.

31. It is submitted that the plaintiff also issued a Cease and Desist notice to defendant no. 1 on 08th October, 2024, however, no response has been received on its behalf and the rogue App continues to make available infringing content.

32. It is submitted that defendant nos. 2 and 3, have structured their platforms in a manner that closely mirrors the operational framework of defendant no. 1. The application of defendant no. 3 offers subscription packages under two distinct categories, which is available on a yearly subscription basis. These packages provide users with illegal access to a wide range of plaintiff’s work/content, including, but not limited to live sports events, movies, series, and other forms of entertainment.

33. Learned counsel appearing for the plaintiff has drawn the attention of this Court to the various documents to show that the content, over which the plaintiff has copyright, is being streamed by the defendant nos. 1 to 4.

34. Issue notice.

35. Notice is accepted by learned counsels appearing for defendant nos. 1 and 7.

36. Learned counsel appearing for defendant no. 1 submits that defendant no. 1 is only a video player and does not indulge in any infringing activity.

37. Per contra, learned counsel appearing for the plaintiff submits that though the defendant no. 1, including, defendant nos. 2, 3 and 4, may be a video player, however, the content being streamed on their video player, infringes the copyright of the plaintiff. Thus, learned counsel appearing for the plaintiff submits that as of today, the plaintiff is praying for directions to defendant nos. 5 and 6 to block the websites, which infringe the copyrighted



content of the plaintiff, which are streamed on the platforms of defendant nos. 1 to 4.

38. Learned counsel appearing for defendant no. 1 appearing on advance notice submits that defendant no. 1 is only a video player and does not encourage any infringing content, therefore, it has no objection if directions are issued to defendant nos. 5 and 6 to block the websites in question.

39. In the above circumstances, the plaintiff has demonstrated a *prima facie* case for grant of injunction and, in case, no *ex-parte ad-interim* injunction is granted, the plaintiff will suffer an irreparable loss. Further, balance of convenience also lies in favour of the plaintiff, and against the defendants.

40. Accordingly, the following directions are issued:

I. Defendant nos. 5 and 6 are directed to block the following websites:

a) starshare.live

<http://starshare.live:8080>

b) xtv.ooo

<http://xtv.ooo:8080>

c) opplex.live

<http://opplex.live:8080>

d) smart4k.cc

<http://smart4k.cc>

II. Defendant nos. 5 to 8, are directed to disclose the information of the registrant details and payment information, as available of the following domains:



S.No.	Domain Name / Website
1.	starshare.live (http://starshare.live:8080)
2.	xtv.ooo (http://xtv.ooo:8080)
3.	opplex.live (http://opplex.live:808)
4.	smart4k.cc (http://smart4k.cc)
5.	https://iptvsmarterpro.app/
6.	https://www.iptvsmarters.com/
7.	https://iptvstreamplayer.com/
8.	https://xciptv.com/

III. Defendant nos. 9 to 16 are directed to block access to the various domains, as follows:

- a) starshare.live
<http://starshare.live:8080>
- b) xtv.ooo
<http://xtv.ooo:8080>
- c) opplex.live
<http://opplex.live:8080>
- d) smart4k.cc
<http://smart4k.cc>

IV. Defendant nos. 17 and 18 are directed to issue a notification calling



upon the various internet and telecom service providers registered under it to block access to the following domains:

- a) starshare.live
<http://starshare.live:8080>
- b) xtv.ooo
<http://xtv.ooo:8080>
- c) opplex.live
<http://opplex.live:8080>
- d) smart4k.cc
<http://smart4k.cc>

V. It is further directed that in case, any domains are discovered by the plaintiff during the course of the proceedings, the same shall be notified by the plaintiff for infringing the plaintiff's exclusive rights, copyrights, by filing the same before the learned Joint Registrar (Judicial). Upon satisfaction of the learned Joint Registrar (Judicial) with respect to any infringement being carried out by any domains which are discovered by the plaintiff and notified on the affidavit, the present order shall extend to such domains also.

41. Issue notice to the other defendants by all permissible modes, upon filing of the Process Fee, returnable on the next date of hearing.

42. Let reply be filed by the defendants within a period of four weeks.

43. In their reply, defendant nos. 1 to 4 shall also disclose compliance with respect to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code), Rules, 2021.

44. Rejoinder thereto, if any, be filed within two weeks, thereafter.

45. Compliance of Order XXXIX Rule 3 CPC, be done, within a period



of one week, from today.

46. List before the Court on 14th July, 2025.

MINI PUSHKARNA, J

FEBRUARY 10, 2025

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