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

+ **CS(COMM) 449/2024, I.A. 30575/2024**

**NETWORK18 MEDIA AND INVESTMENTS
LIMITED & ORS.**

.....Plaintiffs

Through: Mr. Saikrishna Rajagopal with Mr.
Kushal Gupta, Ms. Deepshika Sarkar
and Mr. D. Upadhyaya, Advocates

versus

WWW.BRAWLERSFIGHTCLUB.COM & ORS.Defendants

Through: Mr. Tejas Karia, Mr. Varun Pathak,
Mr Yash Karunakaran and Ms
Prasidhi Agrawal, Advocates for D-
11.

Mr. Deepak Gogia and Mr. Aadhar
Nautiyal, Advocates for D-12.

Mr. Mrinal Ojha, Mr. Debarshi Dutta,
Mr. Arjun Mookerjee and Mr.
Rishabh Agarwal for D-16

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

ORDER
25.10.2024

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I.A.30577/2024 (under Section 80 r/w Section 151 of CPC)

1. This application has been filed by the plaintiffs seeking exemption from issuing notice to the defendant no.27 (Department of Telecommunications) and the defendant no.28 (Ministry of Electronics and Information Technology).
2. For the reasons stated in the application, the same is allowed.



3. The plaintiffs are exempted from issuing notice under Section 80 of the Code of Civil Procedure, 1908 (CPC) to the defendant no.27 (Department of Telecommunications) and the defendant no.28 (Ministry of Electronics and Information Technology).

I.A. No.43493/2024 (for condonation of delay in filing replication)

4. Counsel for the plaintiffs does not press this application.

5. Accordingly, the application is closed.

I.A. 43432/2024 (under Order XXXIX Rule 4 for modification/clarification of the order passed by this Court.)

6. This application has been filed on behalf of the defendant no.16 seeking modification of the *ex parte ad interim* injunction order passed by this Court on 28th May, 2024 in I.A. 30575/2024.

7. Issue notice.

8. Mr. Saikrishan Rajagopal, counsel appearing on behalf of the plaintiffs accepts notice.

9. The applicant-defendant no.16 seeks the following modifications in the aforesaid order:

- “(i) The direction contained in paragraph 31 (b) be read as “lock and suspend” the respective domain names instead of “block/suspend access”;*
- (ii) The direction for dynamic injunction at paragraph 31(g) be omitted;*
- (iii) In the alternative to (ii), the learned Joint Registrar of this Hon’ble Court be directed to issue directions to ISPs to disable access to such mirror websites and to pass an order to lock and suspension of any future/additional domain, upon receiving the plaintiff’s affidavit demonstrating infringement of its rights.”*

10. Insofar as prayer (i) is concerned, counsel for the plaintiffs does not oppose the same. Hence, the direction contained in paragraph 31 (b) will read as follows:-



“b. Defendants No. 13 to 17 [Domain Name Registrars] are directed to **lock and suspend** the respective domain names parked at websites mentioned in Annexure-A attached to this order. They shall, within four weeks from today, file in a sealed cover, the KYC details concerning the registrants of the aforesaid domain names, as are available with them. A copy of the said documents shall also be provided to counsel for Plaintiffs, which shall be strictly used by them for the purpose of investigation and identification of the perpetrators.”

11. Insofar as prayers (ii) and (iii) are concerned, having heard the counsel for the parties, I am inclined to modify the direction contained in paragraph 31 (g) in the following terms. The amended paragraph 31 (g) is set out below:-

“g. In the event, Plaintiffs discover other mirror websites that infringe the plaintiffs’ trademark/copyright, they shall file an affidavit confirming that the aforesaid website is a mirror/redirect/alphanumeric website with sufficient supporting evidence. Upon being satisfied that the impugned website is indeed a mirror/redirect/alphanumeric websites of the injuncted rogue website, the Joint Registrar, based on the interim order passed by this Court on 28th May, 2024, shall issue directions to the defendants No.13-17 (DNRs) to lock and suspend any such domain names filed on behalf of the plaintiffs and direct the defendants No.27 and 28 to issue necessary directions to the telecom service providers and internet service provider to block the aforesaid websites. The plaintiffs shall, within one week of having filed an affidavit, move an application under Order I Rule 10 of CPC for impleadment of the aforesaid infringing mirror websites.”

12. The application stands disposed of.

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13. List before the Joint Registrar on 15th January, 2025.

AMIT BANSAL, J

OCTOBER 25, 2024/Vivek