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

+ **CS(COMM) 700/2019 & I.As. 17945/2019, 1876/2020**

XIAOMI TECHNOLOGY INDIA

PRIVATE LIMITED & ANR.

..... Plaintiffs

Through: Mr. Peeyoosh Kalra, Mr. Krisna
Gambhir and Ms. Simranjot Kaur,
Advocates.

versus

WWW.XIAOMI-INDIA.XYZ & ORS.

..... Defendants

Through: Mr. Manish Mohan, CGSC for D-27/
DoT & D-28/MeitY.
Ms. Shweta Sahu, Advocate for D-29/
Godaddy.com LLC.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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22.02.2023

1. Mr. Peeyoosh Kalra, counsel for Plaintiffs, states that before filing the application for summary judgment, he needs to verify the status of service of the Defendants. For this purpose, as requested, list the matter before Joint Registrar on 05th April, 2023.
2. Additionally, Mr. Kalra points out that Defendant No. 35 – www.midistributorships.com is still in operation and Defendant No. 29 – Godaddy.com LLC has not taken steps to block the said website.
3. Ms. Shweta Sahu, counsel for Godaddy.com LLC, draws the attention of this Court to paragraph No. 11 of order dated 23rd December, 2019 to state that Godaddy.com LLC was directed to only disclose the identity of



registrants and there was no specific direction contained in the order to block the said websites. She states that blocking of website can only be done by Defendant No. 27 – Department of Telecommunications.

4. Mr. Kalra has handed over across the board screenshots of the website (Defendant No. 35), to demonstrate that it is indulging in infringement by selling/ offering for sale goods and services. Furthermore, he points out that the said website also provides an address purported to be that of Plaintiff No. 1. The same is also taken on record.

5. It appears that the direction contained in the order dated 23rd December, 2019 has not been complied with *qua* Defendant No. 35. Mr. Manish Mohan, CGSC appearing for Defendants No. 27 and 28, states that immediate steps will be taken to issue directions/ notification to Internet Service Providers (ISPs) to block Defendant No. 35. Let compliance be done within a period of one week from today and an affidavit thereto be filed before this Court within ten days of today.

6. List before the Court on 14th July, 2023.

7. *Dasti.*

SANJEEV NARULA, J

FEBRUARY 22, 2023

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