



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

Reserved on: 19.09.2022

Date of decision: 10.10.2022

+ **CS(COMM) 457/2019 & I.A. 11595/2019, 11597/2019, 17180/2021, 17181/2021 & 13799/2022**

WARNER BROS. ENTERTAINMENT INC. Plaintiff
Through: Ms.Suhasini Raina, Ms.R.Ramya,
Ms.Mehr Sidhu, Advs.

versus

MOVIESFLIX.NET_& ORS. Defendants
Through: Mr.Bhagvan Swarup Shukla,
CGSC with Mr.Kamaldeep, Adv.
for UOI.
Mr.Kirtiman Singh, CGSC with
Ms.Vidhi Jain, Advs. for D-26 &
D-27.

**CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA**

1. The plaintiff has filed the present suit inter-alia praying for the following reliefs:

“54. In light of the foregoing, it is most respectfully prayed that this Hon’ble Court may be pleased to:

i. Issue an order and decree of permanent injunction restraining the Defendant Nos. 1-14 (and such other mirror/redirect/alphanumeric websites discovered to provide additional



means of accessing the Defendant Websites, and other domains/domain owners/website operators/entities which are discovered to have been engaging in infringing the Plaintiff's exclusive rights), its owners, partners, proprietors, officers, servants, employees, 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 hosting, streaming, reproducing, distributing, making available to the public and/or communicating to the public, or facilitating the same, on their websites, through the internet in any manner whatsoever, any cinematograph work/content/programme/ show in relation to which Plaintiff has copyright,

ii. Issue an order and decree directing the Defendant Nos. 15-23, their directors, partners, proprietors, officers, affiliates, servants, employees, 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 to the Defendant Nos. 1-14 website identified by the Plaintiff in the instant suit (and such other mirror/redirect/alphanumeric websites discovered to provide additional means of accessing the Defendant Websites, and other domains/domain owners/website operators/entities which are discovered to have been engaging in infringing the Plaintiff's exclusive rights)

iii. Issue an order directing the Defendant Nos. 24 and 25, to issue a



notification calling upon the various internet and telecom service providers registered under it to block access to the Defendant Nos. 1-14 websites identified by the Plaintiff in the instant suit (and such other mirror/redirect/alphanumeric websites discovered to provide additional means of accessing the Defendant Website, and other domains/domain owners/website operators/entities which are discovered to have been engaging in infringing the Plaintiff's exclusive rights);

iv. Issue an order directing the Domain Name Registrars of the Defendant Website identified by the Plaintiff in the Plaint to disclose the contact details and other details about the owner of the said websites, and other such relief as this Hon'ble Court may deem fit and proper:"

2. The plaintiff claims itself to be a global entertainment company under the laws of the State of Delaware, the United States of America, and as being engaged in the business of creation, production, and distribution of motion pictures. The plaintiff has also received certain reputed awards, such as the Academy Award for 'Best Picture' for 'Argo' in 2012.

3. It is the contention of the plaintiff that the motion pictures produced by the plaintiff, being works of visual recording and which include sound recordings accompanying such visual recordings, qualify to be a 'cinematograph film' under Section 2(f) of the Copyright Act, 1957 (in short 'the Act'). The plaintiff claims that this Court has



jurisdiction by virtue of Section 13(1) read with Sections 13(2) and 5 of the Act. Since the plaintiff's cinematograph films are released in India, the cinematograph films of the plaintiff would be entitled to all the rights and protections granted under the provisions of the Act.

4. The claim of the plaintiff is premised on the allegation of illegal and unauthorized distribution, transmission and streaming of the plaintiff's original content by the Defendant Nos. 1-14, 27-78, 79-118, 119-130, 131-157, 158-174, 175-212, 213-224 (hereinafter referred to as the 'rogue websites'). It is the case of the plaintiff that as a result of the unauthorized transmission of their content, the rogue websites infringe the copyright of the plaintiff in the original works produced by it, which have been granted protection under the provisions of the Act.

5. The plaintiff has impleaded various Internet Service Providers (in short, 'ISPs') as the defendant Nos. 15-23 and concerned departments of the Government of India as the defendant Nos. 24 and 25. The ISPs and the concerned departments have been impleaded for the limited relief of compliance with any directions of this Court granted in favor of the plaintiff.

6. The plaintiff, vide an investigation conducted by an independent investigator, learnt of the extent of the infringing activity of the rogue websites, in as much as the rogue websites have infringed the plaintiff's copyright under the provisions of the Act in the original content by streaming or hosting and/or by facilitating the use of the rogue websites, *inter alia* by downloading and streaming the Plaintiff's original cinematograph films in which copyright vests.



7. It is also the case of the plaintiff that a cease-and-desist notice was served on the rogue websites calling upon them to cease from engaging in their infringing activities. Despite the legal notice, the rogue websites continue to infringe the rights of the plaintiff in its original content.

8. The learned counsel for the plaintiff presses only for prayers (i), (ii) and (iii), as noted hereinabove, of the plaint. The other reliefs as made in the plaint are not pressed.

9. The learned counsel for the plaintiff relies upon the judgment dated 10.04.2019 passed by this Court in a batch of suits, including *UTV Software Communication Ltd. &Ors. v. 1337X.to &Ors.*, 2019 SCC OnLine Del 8002, which dealt with the determination of rogue websites.

10. The plaintiff has filed I.A. 13799 of 2022 under Order XIII-A of the Code of Civil Procedure, 1908 (in short, 'CPC'), as applicable to commercial disputes, seeking a Summary Judgment.

11. The grounds for filing the above application, as enumerated by the Plaintiff in the same, are as follows:

a. That all the defendants have been duly served by the plaintiff, however, only the defendant Nos. 15, 20, 22, 24 and 25 have entered appearance before this Court.

b. That the defendant Nos. 1-14 and 27-224 being the rogue websites, against whom the plaintiff is seeking primary relief, are illegally streaming the plaintiff's content on their websites and even after being duly served by the plaintiff, have decided not to contest the present suit.



c. That the rogue websites impleaded as defendant Nos. 1-14 and 27-224 have no real prospect of successfully defending the claim of copyright infringement under Section 51 of the Act and have further not chosen to contest the said claim.

d. Additionally, there is no other compelling reason why the present suit should not be disposed of before recording of oral evidence particularly in view of the fact that there is no dispute regarding the illegal activities of the Defendant Nos. 1-14 and 27-224 and in any event, in the absence of any challenge or opposition to the factual allegations made in the plaint, in view of provisions of Order VIII Rule 5 of the CPC, there is no occasion for recording of oral evidence in the present matter.

12. The learned counsel for the plaintiff has relied upon Clause 3 of Chapter XA of the Delhi High Court (Original Side) Rules, 2018 which states the grounds under which a Court can pass a Summary Judgment.

13. The learned counsel for the plaintiff has drawn my attention to affidavits filed by Mr. Manish Vaishampayan, who conducted the investigation with regard to the aforesaid websites at the instance of the plaintiff, to contend that the said websites need to be treated as rogue websites. With respect to this contention, reliance is placed on the following documentary evidence in support of each of the aforesaid websites:



S.No.	Particulars	Court File Pagination along with Volume No.
1.	Print of Contact Details of various websites as available on WHOIS (primary domains):	
	1)MoviesFlixHub.com (Defendant 1)	Pg. 812-814 Folder IV
	2)MoviesFlixHub.net (Defendant No.1)	Pg.913-915 Folder IV
	3)HdMoviearea.com (Defendant No.1)	Pg. 981-983 Folder IV
	4)Dailydrivelink.me (Defendant No.1)	Pg.1097-1099 Folder IV
	5)DailyDriveLink.in (Defendant No.1)	Pg.1102-1105 Folder IV
	6)Psarips.org (Defendant No.2)	Pg.1368-1371 Folder IV
	7)PsaRips.org (Defendant No.2)	Pg.1372-1374 Folder IV
	8)PsaRips.com (Defendant No.2)	Pg.1375-1377 Folder IV
	9)PsaRips.in (Defendant No.2)	Pg.1382-1386 Folder IV
	10)PsaRips.net (Defendant No.2)	Pg.1389-1391 Folder IV



11)World4uFree.store (Defendant No.3)	Pg.1433-1435 Folder IV
12)World4uFree.best (Defendant No.3)	Pg.1436-1438 Folder IV
13)World4uFree.com.co (Defendant No.3)	Pg.1441-1444 Folder IV
14)World4uFree.cool (Defendant No.3)	Pg.1447-1450 Folder IV
15)World4uFree.fun (Defendant No.3)	Pg.1453-1455 Folder IV
16)Moviebaba.in (Defendant No.4)	Pg.1496-1500 Folder IV
17)123movies.domains (Defendant No.5)	Pg.1602-1605 Folder IV
18)123moviesback.org (Defendant No.5)	Pg.1632-1635 Folder IV
19)123MoviesBack.org (Defendant No.5)	Pg.1636-1638 Folder IV
20)123MoviesBack.com (Defendant No.5)	Pg.1639-1641 Folder IV
21)123Movies.gdn (Defendant No.5)	Pg.1679-1682 Folder IV
22)123MoviesLa.com (Defendant No.5)	Pg.1704-1707



		Folder IV
23)123moviesz.pro (Defendant No.5)	Pg.1745-1746	Folder IV
24)123movies.site (Defendant No.5)	Pg.1771-1773	Folder IV
25)123Movies2019.com (Defendant No.5)	Pg.1774-1776	Folder IV
26)123Movies2019.com (Defendant No.5)	Pg.1777-1779	Folder IV
27)123moviesHq.org (Defendant No.5)	Pg.1810-1812	Folder IV
28)123movies.st (Defendant No.5)	Pg.1861-1863	Folder IV
29)123movies.la (Defendant No.5)	Pg.1900-1903	Folder IV
30)123movie.uk (Defendant No.5)	Pg.1977-1979	Folder IV
31)Go123Movies.io (Defendant No.5)	Pg.2193-2195	Folder IV
32)GoStream.site (Defendant No.5)	Pg.2251-2254	Folder IV
33)Gostream.nu (Defendant No.5)	Pg.2275-2277	Folder IV



34)MkVciNemas.eu (Defendant No.6)	Pg.2374-2376 Folder IV
35)MkVciNemas.pro (Defendant No.6)	Pg.2377-2378 Folder IV
36)MkVciNemas.live (Defendant No.6)	Pg.2381-2383 Folder IV
37)MkVciNemas.pro (Defendant No.6)	Pg.2386-2388 Folder IV
38)MkVciNemas.com (Defendant No.6)	Pg.2391-2394 Folder IV
39)MkVciNemas.cz (Defendant No.6)	Pg.2397-2399 Folder IV
40)MkvCage.fun (Defendant No.6)	Pg.2433-2435 Folder IV
41)MkvCage.com (Defendant No.6)	Pg.2476-2480 Folder IV
42)MkvHub.com (Defendant No.6)	Pg.2517-252 Folder IV
43)MkvRips.com (Defendant No.6)	Pg.2571-2573 Folder IV
44)480Mkv.net (Defendant No.6)	Pg.2651-2653 Folder IV
45)480Mkv.com (Defendant No.6)	Pg.2690-2692



		Folder IV
	46)MkvCinemas.be (Defendant No.6)	Pg.2775-2776 Folder IV
	47)Pahe.in (Defendant No.7)	Pg.2804-2808 Folder IV
	48)Ettv.to (Defendant No.8)	Pg.2845-2846 Folder IV
	49)Katr.co (Defendant No.8)	Pg.2862-2866 Folder IV
	50)KickAss1.to (Defendant No.8)	Pg.2926-2927 Folder IV
	51)Kat.ag (Defendant No.8)	Pg.2928-2930 Folder IV
	52)KickAss.sx (Defendant No.8)	Pg.2953-2955 Folder IV
	53)Kickass.to (Defendant No.8)	Pg.2991-2994 Folder IV
	54)Kat.sx (Defendant No.8)	Pg.3014-3017 Folder IV
	55)Fullmaza.ch (Defendant No.9)	Pg.3059-3060 Folder IV
	56)Fullmaza.vip (Defendant No.9)	Pg.3061-3064 Folder IV



57)FullMaza.Org (Defendant No.9)	Pg.3067-3070 Folder IV
58)Watch-Series.cc (Defendant No.10)	Pg.3139-3142 Folder IV
59)WatchSeriesNet.net (Defendant No.10)	Pg.3155-3157 Folder IV
60)MyWatchseries.stream (Defendant No.10)	Pg.3185-3189 Folder IV
61)MyWatchSeries.stream (Defendant No.10)	Pg.3190-3194 Folder IV
62)MyWatchSeries.stream (Defendant No.10)	Pg.3197-3201 Folder IV
63)Swatchseries.to (Defendant No.10)	Pg.3292-3293 Folder IV
64)dWatchSeries.to (Defendant No.10)	Pg.3294-3296 Folder IV
65)GoWatchSeries.tv (Defendant No.10)	Pg.3352-3354 Folder IV
66)GoWatchSeries.co (Defendant No.10)	Pg.3355-3357 Folder IV
67)WatchSeries.to (Defendant No.10)	Pg.3427-3428 Folder IV
68)Watch-Series.ac (Defendant No.10)	Pg.3429-3431



		Folder IV
69)HdPopcorns.me (Defendant No.11)	Pg.3537-3539	Folder IV
70)HdPopcorns.online (Defendant No.11)	Pg.3621-3623	Folder IV
71)LordHd.com (Defendant No.12)	Pg.3651-3654	Folder IV
72)MovieSak47.pro (Defendant No.13)	Pg.3711-3713	Folder IV
73)MovieSak47.in (Defendant No.13)	Pg.3714-3716	Folder IV
74)Subzmovies.nz (Defendant No.14)	Pg.3740-3743	Folder IV
75)123movies.actor (Defendant No. 27)	I.A. No. 17639/2019 Pg 378-380(Vol. III)	
76)123movies.best (Defendant No. 28)	I.A. No. 17639/2019 Pg 381-384 (Vol. III)	
77)123Movies.cat (Defendant No. 29)	I.A. No. 17639/2019 Pg 385-388(Vol. III)	
78)123Movies01.to (Defendant No. 30)	I.A. No. 17639/2019 Pg 389-390(Vol. III)	
79)123Movies009.com (Defendant No.31)	I.A. No. 17639/2019 Pg.391-393(Vol. III)	



80)123Moviesfull.me (Defendant No. 32)	I.A. No. 17639/2019 Pg 394-396 (Vol. III)
81)123MovieSs.cc (Defendant No.33)	I.A. No. 17639/2019 Pg 397-400(Vol. III)
82)Go123Movies.to (Defendant No. 34)	I.A. No. 17639/2019 Pg 401-402 (Vol. III)
83)PortalenEws.me (Defendant No.35)	I.A. No. 17639/2019 Pg. 403-405(Vol. III)
84)Video123Movies.com (Defendant No. 36)	I.A. No. 17639/2019 Pg 406-408 (Vol. III)
85)480PtVsEries.info (Defendant No. 37)	I.A. No. 17639/2019 Pg 465-467 (Vol. III)
86)World4uFree.surf (Defendant No.38)	I.A. No. 17639/2019 Pg 520-523 (Vol. III)
87)World4ufree.casa (Defendant No. 39)	I.A. No. 17639/2019 Pg 524-528(Vol. III)
88)World4ufree.com (Defendant No. 40)	I.A. No. 17639/2019 Pg 529-533 (Vol. III)
89)World4ufree.host (Defendant No. 41)	I.A. No. 17639/2019 Pg 534-536 (Vol. III)
90)World4ufree.press (Defendant No. 42)	I.A. No. 17639/2019 Pg 537-539 (Vol. III)
91)Fullmaza.site (Defendant No. 43)	I.A. No. 17639/2019



		Pg 573-576(Vol. III)
	92)Fullmaza.de (Defendant No. 44)	I.A. No. 17639/2019 Pg 577-578(Vol. III)
	93)Altdownload.com (Defendant No.45)	I.A. No. 17639/2019 Pg 684-688 (Vol. IV)
	94)Gowatchseries.fm (Defendant No. 46)	I.A. No. 17639/2019 Pg 689-692 (Vol. IV)
	95)Gowatchseries.me (Defendant No. 47)	I.A. No. 17639/2019 Pg.693-695 (Vol. IV)
	96)Gowatchseries.video (Defendant No. 48)	(I.A. No. 17639/2019 Pg 696 – 698 (Vol. IV)
	97)Hdpopcorns.ws (Defendant No. 49)	I.A. No. 17639/2019 Pg 850-851 (Vol. V)
	98)Hdpopcorns.eu (Defendant No. 50)	I.A. No. 17639/2019 Pg 852-854 (Vol. V)
	99)Hdpopcorns.blue (Defendant No. 51)	I.A. No. 17639/2019 Pg 855-857 (Vol. V)
	100)Hdpopcorns.club (Defendant No. 52)	I.A. No. 17639/2019 Pg 858-861(Vol. V)
	101)Hdpopcorns.cc (Defendant No. 53)	I.A. No. 17639/2019 Pg 862-864 (Vol. V)
	102)Isubsmovies.com (Defendant No. 54)	I.A. No. 17639/2019 Pg 923-925 (Vol. V)



103)Kickass-kat.com (Defendant No. 55)	I.A. No. 17639/2019 Pg 944-946 (Vol. V)
104)Kkat.net (Defendant No. 56)	I.A. No. 17639/2019 Pg 947-950 (Vol. V)
105)Thekat.cc (Defendant No.57)	I.A. No. 17639/2019 Pg 951-953 (Vol. V)
106)Moviezflix.net (Defendant No. 58)	I.A. No. 17639/2019 Pg.994-995 (Vol. V)
107)Moviesflix.epizy.com (Defendant No.59)	I.A. No. 17639/2019 Pg.996-1000 (Vol. V)
108)Moviezflix.in (Defendant No. 60)	I.A. No. 17639/2019 Pg 1001-1004 (Vol. V)
109)Moviezflix.cc (Defendant No.61)	I.A. No. 17639/2019 Pg 1005-1008 (Vol. V)
110)Movieshunk.net (Defendant No.62)	I.A. No. 17639/2019 Pg 1039-1041 (Vol. V)
111)My480mkv.org (Defendant No. 63)	I.A. No. 17639/2019 Pg 1117- 1119 (Vol. V)
112)My480mkv.org (Defendant No. 64)	I.A. No. 17639/2019 Pg.1120-1122 (Vol. V)
113)480mkv.net (Defendant No. 65)	I.A. No. 17639/2019 Pg 1123-1125 (Vol. V)
114)Psarips.eu (Defendant No. 66)	I.A. No. 17639/2019



		Pg 1141-1142 (Vol. VI)
	115)Unblockninja.icu (Defendant No.67)	I.A. No. 17639/2019 Pg 1229 - 1231 (Vol. VI)
	116)Mkvcinemas.win (Defendant No. 68)	I.A. No. 17639/2019 Pg 1232-1236 (Vol. VI)
	117)Mkvc.org (Defendant No. 69)	I.A. No. 17639/2019 Pg 1237-1239 (Vol. VI)
	118)Lordhd.net (Defendant No. 70)	I.A. No. 17639/2019 Pg 1266-1268 (Vol. VII)
	119)Watchseries.si (Defendant No. 71)	I.A. No. 17639/2019 Pg 1395-1398 (Vol. VII)
	120)Watchseries.movie (Defendant No. 72)	I.A. No. 17639/2019 Pg 1399-1401 (Vol. VII)
	121)Watchseries.fyi (Defendant No. 73)	I.A. No. 17639/2019 Pg 1402-1405(Vol. VII)
	122)Watchseries.cx (Defendant No. 74)	I.A. No. 17639/2019 Pg 1406-1408 (Vol. VII)
	123)Watchseries.ws (Defendant No. 75)	I.A. No. 17639/2019 Pg 1409-1412 (Vol. VII)
	124)Watchseries.rocks (Defendant No. 76)	I.A. No. 17639/2019 Pg 1413-1417 (Vol. VII)
	125)Watchseries.fi (Defendant No.77)	I.A. No. 17639/2019 Pg 1418-1420 (Vol. VII)



126)CinemaMkv.net (Defendant No. 78)	I.A. No. 17639/2019 Pg1451-1454 (Vol. VIII)
127)KatMovieHd.nu (Defendant No.79)	I.A. No. 8547/2020 Pg. 100-102 (Vol.1)
128)KatMovieHd.mobi (Defendant No.80)	I.A. No. 8547/2020 Pg. 130-132(Vol.1)
129)Kat.rip (Defendant No.81)	I.A. No. 8547/2020 Pg. 138-141(Vol.1)
130)KickAssTorrents.to (Defendant No.82)	I.A. No. 8547/2020 Pg. 194-196(Vol.1)
131)KickAssTorrent.cr (Defendant No.83)	I.A. No. 8547/2020 Pg. 249-252(Vol.2)
132)TheKat.app (Defendant No.84)	I.A. No. 8547/2020 Pg. 260-263(Vol.2)
133)123movie.ag (Defendant No.85)	I.A. No. 8547/2020 Pg. 300-302(Vol.2)
134)Online0123Movies.com (Defendant No.86)	I.A. No. 8547/2020 Pg. 341-343(Vol.2)
135)123Movies2020.org (Defendant No.87)	I.A. No. 8547/2020 Pg. 363- 365(Vol.2)
136)0123Movie.net (Defendant No.88)	I.A. No. 8547/2020 Pg. 372-375(Vol.2)
137)0123movies.su	I.A. No. 8547/2020



(Defendant No.89)	Pg. 386-388(Vol.2)
138)123MoviesFree.sc (Defendant No.90)	I.A. No. 8547/2020 Pg. 408- 410(Vol.2)
139)Go123Movies.co (Defendant No.91)	I.A. No. 8547/2020 Pg. 417-419(Vol.3)
140)Video123Movies.co (Defendant No.92)	I.A. No. 8547/2020 Pg. 546-549(Vol.3)
141)WatchSeries.cn (Defendant No.93)	I.A. No. 8547/2020 Pg. 554-556(Vol.3)
142)FullMaza.nl (Defendant No.94)	I.A. No. 8547/2020 Pg. 584-586(Vol.3)
143)FullMaza.blog (Defendant No.95)	I.A. No. 8547/2020 Pg. 589-591(Vol.3)
144)FullMaza.bz (Defendant No.96)	I.A. No. 8547/2020 Pg. 594- 596(Vol.3)
145)FullMaza.info (Defendant No.97)	I.A. No. 8547/2020 Pg. 599-601(Vol.3)
146)LordHd.in (Defendant No.98)	I.A. No. 8547/2020 Pg. 633- 635(Vol.3)
147)MkvHub.net (Defendant No.99)	I.A. No. 8547/2020 Pg. 656-658(Vol.4)
148)MkvHero.com (Defendant No.100)	I.A. No. 8547/2020 Pg. 675-678(Vol.4)



149)MkvHub.org (Defendant No.101)	I.A. No. 8547/2020 Pg. 681-683 (Vol.4)
150)MkvKing.com (Defendant No.102)	I.A. No. 8547/2020 Pg. 740-744(Vol.4)
151)MkvFlix.fun (Defendant No.103)	I.A No. 8547/2020 Pg. 777-779(Vol.4)
152)MkvFlix.live (Defendant No.104)	I.A No. 8547/2020 Pg. 782-785(Vol.4)
153)MkVmAd.cc (Defendant No.105)	I.A No. 8547/2020 Pg. 810-813(Vol.4)
154)MkVmAd.net (Defendant No.106)	I.A No. 8547/2020 Pg. 816- 818(Vol.4)
155)mkv4u.co (Defendant No.107)	I.A No. 8547/2020 Pg. 836-838 (Vol.4)
156)mKvMovieSpout.net (Defendant No.108)	I.A No. 8547/2020 Pg. 851-854 (Vol.4)
157)mKvMovieSpout.asia (Defendant No.109)	I.A No. 8547/2020 Pg. 857-859 (Vol.4)
158)mKvMovieSpout.in.net (Defendant No.110)	I.A No. 8547/2020 Pg. 862- 864(Vol.4)



159)MkvFullMovies.com (Defendant No.111)	I.A No. 8547/2020 Pg. 870-873(Vol.5)
160)MkVmOviesking.com (Defendant No.112)	I.A No. 8547/2020 Pg. 883-886(Vol.5)
161)MoviesFlix.buzz (Defendant No.113)	I.A No. 8547/2020 Pg.906-908(Vol.5)
162)MoviesFlixPro.org (Defendant No.114)	I.A No. 8547/2020 Pg.934-938(Vol.5)
163)MoviesFlix.in (Defendant No.115)	I.A No. 8547/2020 Pg.941-945(Vol.5)
164)PsaRips.xyz (Defendant No.116)	I.A No. 8547/2020 Pg.1020-1024 (Vol.5)
165)Series.movie (Defendant No.117)	I.A No. 8547/2020 Pg.1034-1038(Vol.5)
166)GoWatchSeries.io (Defendant No.118)	I.A No. 8547/2020 Pg.1041-1044(Vol.5)
167)KickAssTorrents.cr (Defendant No.119)	I.A. No. 12343/2020 Pg. 110-113(Vol.1)
168)TheKickAssTorrents.to (Defendant No.120)	I.A. 12343/ 2020 Pg. 118-119(Vol.1)
169)WatchSeriesHd.tv (Defendant No.121)	I.A. 12343/ 2020 Pg. 149-153(Vol.1)
170)WatchSeriesHd.co (Defendant No.122)	I.A. 12343/ 2020 Pg. 164-167(Vol.1)



171)Watchseries.video (Defendant No.123)	I.A. 12343/ 2020 Pg.181-184 (Vol.1)
172)123MoviesFreeGo.com (Defendant No.124)	I.A. 12343/ 2020 Pg. 198-200(Vol.1)
173)123MoviesFree.ws (Defendant No.125)	I.A. 12343/ 2020 Pg. 207-208(Vol.2)
174)123Movie.uk (Defendant No.126)	I.A. 12343/ 2020 Pg. 211-212(Vol.2)
175)Movies123.click (Defendant No.127)	I.A. 12343/ 2020 Pg. 244- 246(Vol.2)
176)123Moviesfree.ltd (Defendant No.128)	I.A. 12343/ 2020 Pg. 249-251(Vol.2)
177)PsaRips.uk (Defendant No.129)	I.A. 12343/ 2020 Pg. 291-292(Vol.2)
178)PsaRips.one (Defendant No.130)	I.A. 12343/ 2020 Pg. 295-297(Vol.2)
179)123moviesfun.is (Defendant No.131)	I.A. No.7068/2021 Pg. 101-103(Vol. 1)
180)123-Movies.club (Defendant No.132)	I.A. No.7068/2021 Pg. 107-111(Vol.1)
181)123MoviesFree.net (Defendant No.133)	I.A. No.7068/2021 Pg. 117-120(Vol.1)
182)123movie.cc (Defendant No.134)	I.A. No.7068/2021



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138)123moviesgo.tv (Defendant No.139)	I.A. No.7068/2021 Pg. 198-201(Vol.1)
139)Real-123movies.best (Defendant No.140)	I.A. No.7068/2021 Pg. 208-213(Vol.1)
140)123moviesca.com (Defendant No.141)	I.A. No.7068/2021 Pg. 217-220(Vol.1)
141)123movies.codes (Defendant No.142)	I.A. No.7068/2021 Pg. 225-227(Vol.1)



142)1-2-3movies.com (Defendant No.145)	I.A. No.7068/2021 Pg. 248-250(Vol.2)
143)123movies.coffee (Defendant No.146)	I.A. No.7068/2021 Pg. 257-259(Vol.2)
144)123Movies.online (Defendant No.150)	I.A. No.7068/2021 Pg. 292-294(Vol.2)
145)123movies-official.site (Defendant No.151)	I.A. No.7068/2021 Pg. 300-303 (Vol.2)
146)Gowatchseries.bz (Defendant No.153)	I.A. No.7068/2021 Pg. 338-343 (Vol.2)
147)Watchseries.co (Defendant No.155)	I.A. No.7068/2021 Pg. 347-349(Vol.2)
148)WatchSeriesFree.co (Defendant No.157)	I.A. No.7068/2021 Pg. 360-364(Vol.3)
149)katmoviehd.sk (Defendant No.158)	I.A. No.12726/2021 Pg.86-89(Vol.1)
150)katmoviehd.sx (Defendant No.159)	I.A. No.12726/2021 Pg.90-93(Vol.1)



151)ettvcentral.com (Defendant No.163)	I.A. No.12726/2021 Pg.149-152(Vol.1)
152)mkvking.net (Defendant No.164)	I.A. No.12726/2021 Pg.170-179(Vol.1)
153)pahe.ph (Defendant No.165)	I.A. No.12726/2021 Pg.215-220(Vol.2)
154)unblockninja.com (Defendant No.166)	I.A. No.12726/2021 Pg.252-255(Vol.2)
155)123movies.vu (Defendant No.167)	I.A. No.12726/2021 Pg.262-268(Vol.2)
156)swatchseries.ru (Defendant No.169)	I.A. No.12726/2021 Pg.280-286(Vol.2)
157)themoviesflix.co.com (Defendant No.170)	I.A. No.12726/2021 Pg.304-311(Vol.2)
158)Mkvcinemas.pl (Defendant No.175)	I.A. 17180 of 2021 Pg 103-107(Vol.1)
159)Hdmoviesflix.com.co (Defendant No.180)	I.A. 17180 of 2021 Pg 206-211(Vol.1)



160)123moviesgo.ws (Defendant No.177)	I.A. 17180 of 2021 Pg 94 (Vol.1)
161)La123movies.com (Defendant No.178)	I.A. 17180 of 2021 Pg 94 (Vol.1)
162)La123movies.com (Defendant No.179)	I.A. 17180 of 2021 Pg 95 (Vol.1)
163)123series9.online (Defendant No.180)	I.A. 17180 of 2021 Pg 95 (Vol.1)
164)123movies.as (Defendant No.181)	I.A. 17180 of 2021 Pg 249 - 252 (Vol.2)
165)123-movies.as (Defendant No.182)	I.A. 17180 of 2021 Pg 102 (Vol.2)
166)123movies-one.com (Defendant No.189)	I.A. 17180 of 2021 Pg 100 (Vol.2)
167)123moviess.sc (Defendant No.188)	I.A. 17180 of 2021 Pg 377-380 (Vol.2)
168)123movies.eu (Defendant No.187)	I.A. 17180 of 2021 Pg 355 – 359(Vol.2)



169)123movies.com (Defendant No.186)	I.A. 17180 of 2021 Pg 342-346(Vol.2)
170)123movie-one.com (Defendant No.189)	I.A. 17180 of 2021 Pg 468 – 470(Vol.3)
171)123moviesday.com (Defendant No.190)	I.A. 17180 of 2021 Pg 507-508 (Vol.3)
172)123movies-officI.A.. site (Defendant No.192)	I.A. 17180 of 2021 Pg 557 – 562(Vol.3)
173)123moviesfree.love (Defendant No.194)	I.A. 17180 of 2021 Pg 586 – 593(Vol.3)
174)123ssgm.cc (Defendant No.195)	I.A. 17180 of 2021 Pg 615-624(Vol.3)
175)123kmmg.click (Defendant No.196)	I.A. 17180 of 2021 Pg 683 – 692(Vol.4)
176)123moviesonline.online (Defendant No.197)	I.A. 17180 of 2021 Pg 753 – 762(Vol.3)
177)123db.xyz (Defendant No.198)	I.A. 17180 of 2021 Pg 820 – 828(Vol.4)



178)123paidvideos.me (Defendant No.199)	I.A. 17180 of 2021 Pg 886 – 894(Vol.5)
179)123moviesclub.cc (Defendant No.200)	I.A. 17180 of 2021 Pg 954 – 960(Vol.5)
180)123series9.online (Defendant No.201)	I.A. 17180 of 2021 Pg 1019 – 1027(Vol.5)
181)La123movies.live (Defendant No.202)	I.A. 17180 of 2021 Pg 1087 – 1089(Vol.5)
182)La123movies.com (Defendant No.203)	I.A. 17180 of 2021 Pg 1098 – 1101(Vol.5)
183)d123movies.to (Defendant No.204)	I.A. 17180 of 2021 Pg 1111 – 1113(Vol.5)
184)Mkvking.me (Defendant No.205)	I.A. 17180 of 2021 Pg 1133 – 1142(Vol.5)
185)Hdmoviearea.live (Defendant No.206)	I.A. 17180 of 2021 Pg 1202 – 1229(Vol.5)
186)Hdmoviearea.club (Defendant No.207)	I.A. 17180 of 2021 Pg 1229 – 1229(Vol.5)



187)123moviesgo.ws (Defendant No.209)	I.A. 17180 of 2021 Pg 1308 – 1312(Vol.5)
188)Mkvking.com (Defendant no. 213)	IA 3659/2022 Pg 102 – 110(Vol.1)
189)Gowatchseries.online (Defendant no. 214)	IA 3659/2022 Pg 151 – 154(Vol.1)
190)123movies.tips (Defendant no. 215)	IA 3659/2022 Pg 182 – 185(Vol.1)
191)123moviesfree.vc (Defendant no. 216)	IA 3659/2022 Pg 193 – 197(Vol.1)
192)Movies123.studio (Defendant no. 218)	IA 3659/2022 Pg 223 – 227(Vol.2)
193)123moviesd.com (Defendant no. 219)	IA 3659/2022 Pg 237 - 240(Vol.2)
194)123moviesgo.club (Defendant no. 220)	IA 3659/2022 Pg 251 – 253(Vol.2)
195)Hdpopcorns.wiki (Defendant no. 221)	IA 3659/2022 Pg 262 – 268(Vol.2)



	196)Watchmovie.cc (Defendant no. 222)	IA 3659/2022 Pg 289-291(Vol.2)
	197)Watchmovie.net (Defendant no. 223)	IA 3659/2022 Pg 318 -320(Vol.2)
	198)Watchseries.pub (Defendant no. 224)	IA 3659/2022 Pg 345 – 350(Vol.2)
4.	Printout of proof of infringement by websites (primary domains):	
	1)MoviesFlixHub.com (Defendant No. 1)	Pg.783-790 Folder IV
	2) MoviesFlixHub.net (Defendant No.1)	Pg.868-885 Folder IV
	3) HdMoviearea.com (Defendant No.1)	Pg.954-959 Folder IV
	4) Dailydrivelink.me (Defendant No.1)	Pg.1039-1049 Folder IV
	5) Psarips.org (Defendant No.2)	Pg.1295-1349 Folder IV



6) World4uFree.store (Defendant No.3)	Pg.1400-1415 Folder IV
7) Moviebaba.in (Defendant No.4)	Pg.1471-1485 Folder IV
8) 123movies (Defendant No.5)	Pg.1504-1570 Folder IV
9) 123moviesback.org (Defendant No.5)	Pg.1609-1620 Folder IV
10) 123movies.gdn (Defendant No.5)	Pg.1646-1655 Folder IV
11) 123MoviesLa.com (Defendant No.5)	Pg.1685-1692 Folder IV
12) 123moviesz.pro (Defendant No.5)	Pg.1711-1715 Folder IV
13)123movies.site (Defendant No.5)	Pg.1749-1760 Folder IV
14) 123moviesHq.org (Defendant No.5)	Pg.1791-1801 Folder IV



15) 123movies.st (Defendant No.5)	Pg.1819-1828 Folder IV
16) 123movies.la (Defendant No.5)	Pg.1871-1892 Folder IV
17) 123movie.uk (Defendant No.5)	Pg.1933-1944 Folder IV
18)Go123Movies.io (Defendant No.5)	Pg.1990-2007 Folder IV
19) Gostream.site (Defendant No.5)	Pg.2202-2208 Folder IV
20) Gostream.site (Defendant No.5)	Pg.2202-2208 Folder IV
21) Gostream.nu (Defendant No.5)	Pg.2265-2270 Folder IV
22) mkcinemas.eu (Defendant No.6)	Pg.2286-2309 Folder IV
23)MkvCage.fun (Defendant No.6)	Pg.2410-2422 Folder IV



24)MkvCage.com (Defendant No.6)	Pg.2456-2465 Folder IV
25) MkvHub.com (Defendant No.6)	Pg.2493-2504 Folder IV
26) MkvRips.com (Defendant No.6)	Pg.2541-2551 Folder IV
27)480Mkv.net (Defendant No.6)	Pg.2598-2615 Folder IV
28) 480Mkv.com (Defendant No.6)	Pg.2672-2689 Folder IV
29) MkvCinemas.be (Defendant No.6)	Pg.2699-2706 Folder IV
30)Pahe.in (Defendant No.7)	Pg.2795-2802 Folder IV
31) Ettv.to (Defendant No.8)	Pg.2828-2839 Folder IV
32) Katcr.co (Defendant No.8)	Pg.2853-2860 Folder IV



33) Kickass1.to (Defendant No.8)	Pg.2880-2889 Folder IV
34) Kickass.sx (Defendant No.8)	Pg.2938-2949 Folder IV
35) Kickass.to (Defendant No.8)	Pg.2970-2981 Folder IV
36) Kat.sx (Defendant No.8)	Pg.3002-3008 Folder IV
37) Fullmaza.ch (Defendant No.9)	Pg.3026-3036 Folder IV
38) Watchseries.fm (Defendant No.10)	Pg.3080-3099 Folder IV
39) WatchSeriesNet.net (Defendant No.10)	Pg.3149-3152 Folder IV
40) MyWatchseries.stream (Defendant No.10)	Pg.3162-3174 Folder IV
41) Swatchseries.to (Defendant No.10)	Pg.3223-3227 Folder IV



	42) GoWatchSeries.tv (Defendant No.10)	Pg.3308-3314 Folder IV
	43) Watchseries.to (Defendant No.10)	Pg.3379-3382 Folder IV
	44)hdPopcorns.me (Defendant No.11)	Pg.3441-3444 Folder IV
	45) Hdpopcorns.online (Defendant No.11)	Pg.3545-3548 Folder IV
	46) Lordhd.com (Defendant No.12)	Pg.3629-3636 Folder IV
	47) Moviesak47.pro (Defendant No.13)	Pg.3665-3671 Folder IV
	48) Subzmovies.nz (Defendant No.14)	Pg.3729-3733 Folder IV
	49)Mkvking.com (Defendant no. 6)	IA 3659/2022 Pg 114 - 116
5.	Printouts of the DMCA, FAQ, etc. pages, evidencing infringing nature of the Defendant Websites:	



1) MoviesFlixHub.com (Defendant No. 1) DMCA	Pg. 772-773 Folder IV
2) MoviesFlixHub.com (Defendant No. 1) Contact us	Pg.774-775 Folder IV
3) MoviesFlixHub.net (Defendant No. 1) DMCA	Pg.827-828 Folder IV
4) MoviesFlixHub.net (Defendant No. 1) Contact us	Pg.829-831 Folder IV
5) HdMoviearea.com (Defendant No.1) DMCA	Pg.926-927 Folder IV
6) HdMoviearea.com (Defendant No.1) Contact Us	Pg.928-930 Folder IV
7) Dailydrivelink.me (Defendant No.1) DMCA	Pg.992-995 Folder IV
8) Dailydrivelink.me (Defendant No.1)	Pg.996-997 Folder IV



Contact Us	
9) Psarips.org (Defendant No.2) Contact Us	Pg.1115-1117 Folder IV
10) Moviebaba.in (Defendant No.4) DMCA	Pg.1462-1463 Folder IV
11) Moviebaba.in (Defendant No.4)	Pg.1464-1465 Folder IV
12) 123movies (Defendant No.5) DMCA	Pg.1502-1503 Folder IV
13) 123moviesz.pro (Defendant No.5) DMCA	Pg.1710 Folder IV
14) 123moviesHq.org (Defendant No.5) Contact Us	Pg.1786-1788 Folder IV
15) 123movies.la (Defendant No.5) DMCA	Pg.1867-1868 Folder IV
16) 123movie.uk (Defendant No.5)	Pg.1911-1914 Folder IV



	DMCA	
	17) Gostream.nu (Defendant No.5) DMCA	Pg.2260-2262 Folder IV
	18) MkvCage.fun (Defendant No.6) DMCA	Pg.2406-2407 Folder IV
	19) MkvCage.fun (Defendant No.6)Contact Us	Pg.2408-2409 Folder IV
	20) MkvCage.com (Defendant No.6) DMCA	Pg.2440-2441 Folder IV
	21) MkvHub.com (Defendant No.6) DMCA	Pg.2485-2487 Folder IV
	22) MkvHub.com (Defendant No.6) Contact Us	Pg.2488-2490 Folder IV
	23) Mkvrips.com (Defendant No.6) DMCA	Pg.2527-2528 Folder IV
	24) MkvRips.com (Defendant No.6)	Pg.2529-2530 Folder IV



Contact Us	
25) Ettv.to (Defendant No.8) DMCA	Pg.2810-2811 Folder IV
26) Katcr.co (Defendant No.8) Contact Us	Pg.2848-2849 Folder IV
27) WatchSeriesNet.net (Defendant No.10) DMCA	Pg.3146 Folder IV
28) WatchSeriesNet.net (Defendant No.10) Contact Us	Pg.3147 Folder IV
29) Swatchseries.to (Defendant No.10) DMCA	Pg.3210-3211 Folder IV
30) Swatchseries.to (Defendant No.10) Contact Us	Pg.3212-3213 Folder IV
31) GoWatchSeries.tv (Defendant No.10) DMCA	Pg.3302-3303 Folder IV
32) GoWatchSeries.tv	Pg.3304-3305



(Defendant No.10) Contact Us	Folder IV
33) Watchseries.to (Defendant No.10) DMCA	Pg.3366-3367 Folder IV
34) Watchseries.to (Defendant No.10) Contact Us	Pg.3368-3369 Folder IV
35) Moviesak47.pro (Defendant No.13) DMCA	Pg.3657-3658 Folder IV
36) Moviesak47.pro (Defendant No.13) Contact Us	Pg.3659-3660 Folder IV
37)KatMovieHd.nu (Defendant No.79) Contact Us	I.A. No. 8547/2020 Pg.74-76(Vol.1)
38)KatMovieHd.nu (Defendant No.79) DMCA	I.A. No. 8547/2020 Pg. 77-79 (Vol.1)
39)katmoviehd.sx (Defendant No.159) DMCA	I.A. No.12726/2021 Pg.94-96(Vol.1)



40)ettvcentral.com (Defendant No.163) DMCA	I.A. No.12726/2021 Pg.153-155(Vol.1)
41)mkvking.net (Defendant No.164) DMCA	I.A. No.12726/2021 Pg.181-183(Vol.1)
42)123movies.eu (Defendant No.187) DMCA	I.A. No. 17180 of 2021 Pg 361 – 362(Vol.2)
43)123movies.eu (Defendant No.187) Contact Us	I.A. No. 17180 of 2021 Pg 359 – 360(Vol.2)
44)123moviesfree.love (Defendant No.194) DMCA	I.A. No. 17180 of 2021 Pg 590 – 591(Vol.3)
45)Mkvking.me (Defendant No.205) DMCA	I.A. No. 17180 of 2021 Pg 1143 – 1145(Vol.5)
46)Hdmoviearea.live (Defendant No.206) Contact Us	I.A. No. 17180 of 2021 Pg 1230 – 1231(Vol.5)
47)Hdmoviearea.live (Defendant No.206)	I.A. No. 17180 of 2021 Pg 1232 – 1234(Vol.5)



	DMCA	
	48)123moviesgo.ws (Defendant No.209) Contact Us	I.A. No. 17180 of 2021 Pg 1313 (Vol.5)
	49)123moviesgo.ws (Defendant No.209) DMCA	I.A. No. 17180 of 2021 Pg 1316 – 1317(Vol.5)
	50)Mkvking.com (Defendant no. 213) DMCA	I.A. No. 3659/2022 Pg 111 – 113 (Vol.1)
	51)Gowatchseries.online (Defendant no. 214) DMCA	I.A. No.3659/2022 Pg 157 – 158 (Vol.1)
	52)Gowatchseries.online (Defendant no. 214) Contact Us	I.A. No. 3659/2022 Pg 155 – 156 (Vol.1)
	53)Watchmovie.net (Defendant no. 223) Contact Us	IA 3659/2022 Pg 323 -324 (Vol.2)

14. I have heard the learned counsel for the plaintiff.

15. In *UTV Software (supra)*, this Court, as far as the rogue websites are concerned, identified the following illustrative factors to be



considered in determining whether a particular website falls within that class:

“59. In the opinion of this Court, some of the factors to be considered for determining whether the website complained of is a FIOI/Rogue Website are:-

- a. whether the primary purpose of the website is to commit or facilitate copyright infringement;*
- b. the flagrancy of the infringement, or the flagrancy of the facilitation of the infringement;*
- c. Whether the detail of the registrant is masked and no personal or traceable detail is available either of the Registrant or of the user.*
- d. Whether there is silence or inaction by such website after receipt of take down notices pertaining to copyright infringement.*
- e. Whether the online location makes available or contains directories, indexes or categories of the means to infringe, or facilitate an infringement of, copyright;*
- f. Whether the owner or operator of the online location demonstrates a disregard for copyright generally;*
- g. Whether access to the online location has been disabled by orders from any court of another country or territory on the ground of or related to copyright infringement;*
- h. whether the website contains guides or instructions to circumvent measures, or any order of any court, that disables access to the website on the ground of or related to copyright infringement; and i. the volume of traffic at or frequency of access to the website;*
- j. Any other relevant matter.*

60. This Court clarifies that the aforementioned factors are illustrative and not exhaustive and do not apply to intermediaries as they are governed by IT Act, having statutory immunity and function in a wholly different manner.

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69. Consequently, the real test for examining whether a website is a Rogue Website is a



qualitative approach and not a quantitative one.”

16. This Court, in *UTV Software (supra)* further held as under:

“29. It is important to realise that piracy reduces jobs, exports and overall competitiveness in addition to standards of living for a nation and its citizens. More directly, online piracy harms the artists and creators, both the struggling as well as the rich and famous, who create content, as well as the technicians-sound engineers, editors, set designers, software and game designers-who produce it and those who support its marketing, distribution and end sales. Consequently, online piracy has had a very real and tangible impact on the film industry and rights of the owners.

30. The Indian Copyright Act, 1957 (“the Copyright Act”) confers a bundle of exclusive rights on the owner of a “work” and provides for remedies in case the copyright is infringed.

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34. The above definitions make it clear that making any work available for being seen or heard by the public whether simultaneously or at places chosen individually, regardless of whether the public actually sees the film, will constitute communication of the film to the public. The intent was to include digital copies of works, which would include within its scope digital copies of works being made available online (as opposed to the physical world). Communication can be by various means such as directly or by display or diffusion. In this context, definition of “broadcast” is also relevant which identifies communication to public by wireless diffusion or by wire. Thus, making available of a film for streaming or downloads in the form of digital copies on the internet is within the scope of “communication to the public”.

35. It is pertinent to note that the definition of “communication to the public” was first added in the Copyright Act by the 1983 Amendment and was as follows:-



“Communication to the public” means communication to the public in whatever manner, including communication through satellite”.

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53. Also should an infringer of the copyright on the Internet be treated differently from an infringer in the physical world? If the view of the aforesaid Internet exceptionalists school of thought is accepted, then all infringers would shift to the e-world and claim immunity!

54. A world without law is a lawless world. In fact, this Court is of the view that there is no logical reason why a crime in the physical world is not a crime in the digital world especially when the Copyright Act does not make any such distinction.

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80. In the opinion of this Court, while blocking is antithetical to efforts to preserve a “free and open” Internet, it does not mean that every website should be freely accessible. Even the most vocal supporters of Internet freedom recognize that it is legitimate to remove or limit access to some materials online, such as sites that facilitate child pornography and terrorism. Undoubtedly, there is a serious concern associated with blocking orders that it may prevent access to legitimate content. There is need for a balance in approach and policies to avoid unnecessary cost or impact on other interests and rights. Consequently, the onus is on the right holders to prove to the satisfaction of the Court that each website they want to block is primarily facilitating wide spread copyright infringement.

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82. One can easily see the appeal in passing a URL blocking order, which adequately addresses over-blocking. A URL specific order need not affect the remainder of the website. However, right-holders claim that approaching the Court or the ISPs again and again is cumbersome, particularly in the case of websites promoting rampant piracy.



83. This Court is of the view that to ask the plaintiffs to identify individual infringing URLs would not be proportionate or practicable as it would require the plaintiffs to expend considerable effort and cost in notifying long lists of URLs to ISPs on a daily basis. The position might have been different if defendants' websites had a substantial proportion of non-infringing content, but that is not the case.

84. This Court is of the view that while passing a website blocking injunction order, it would have to also consider whether disabling access to the online location is in the public interest and a proportionate response in the circumstances and the impact on any person or class of persons likely to be affected by the grant of injunction. The Court order must be effective, proportionate and dissuasive, but must not create barriers to legitimate trade. The measures must also be fair and not excessively costly (See: Loreal v. Ebay, [Case C 324/09]).

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86. Consequently, website blocking in the case of rogue websites, like the defendant-websites, strikes a balance between preserving the benefits of a free and open Internet and efforts to stop crimes such as digital piracy.

87. This Court is also of the opinion that it has the power to order ISPs and the DoT as well as MEITY to take measures to stop current infringements as well as if justified by the circumstances prevent future ones.”

17. It is notable that the plaintiff, in a similar batch of suits, including **Warner Bros. Entertainment Inc. v. Otorrents.Com &Ors.**, 2022 SCC OnLine Del 1738, wherein judgement was pronounced on 08.09.2022, had filed an application under Order XIII-A of the CPC, as applicable to commercial disputes, wherein this Court, relying on the judgement in



UTV Software (supra), has passed a Summary Judgment and decreed the suits in favour of the plaintiff.

18. In the present Suit as well, vide order dated 26.08.2019, this Court had granted an *ex-parte ad-interim* injunction against the Defendant Nos. 1-14 (and such other domains/domain owners/website operators/entities which are discovered during the course of the proceedings to have been engaging in infringing the Plaintiff's exclusive rights), their owners, partners, proprietors, officers, servants, employees, and all others in capacity of principal or agent acting for and on their behalf, or anyone claiming through, by or under it, restraining them from, hosting, streaming, reproducing, distributing, making available to the public and/or communicating to the public, or facilitating the same, in any manner, on their websites, through the internet any cinematograph work/content/programme/ show in relation to which plaintiff has copyright.

19. This Court had further directed the defendant Nos. 15 to 23 to block the domain names and its URLs as mentioned in the table below:-

S.No	Domains	URLs	IP Addresses	
1.	moviesflix.net	https://moviesflix.net/	104.27.15 8.101	104.27.15 9.101
	moviesflixhub.net	https://moviesflixhub.net/	104.31.82. 218	104.31.83. 218
	moviesflixhub.com	www.moviesflixhub.com	104.18.34. 197	104.18.35. 197
	hdmoviearea.com	https://hdmoviearea.com/	104.31.66. 64	104.31.67. 64



	dailydrivelink.net	http://dailydrivelink.net	104.27.14 0.106	104.27.14 1.106
	dailydrivelink.in	http://dailydrivelink.in	104.28.6.2 22	104.28.7.2 22
	dailydrivelink.me	https://dailydrivelink.me/	104.24.12 0.188	104.24.12 1.188
2.	psarips.org	https://psarips.org/	93.174.89.4	
	psarips.com	https://psarips.com		
	psarips.in	https://psarips.in		
	psarips.net	https://psarips.net		
3.	world4ufree.best	https://world4ufree.best/	104.27.18 4.87	104.27.18 5.87
	world4ufree.com.co	https://world4ufree.com.co	104.18.32. 222	104.18.33. 222
	world4ufree.store	https://world4ufree.store	192.124.2 49.159	
	world4ufree.fun	https://world4ufree.fun	104.27.14 4.38	104.27.14 5.38
	world4ufree.cool	https://world4ufree.cool	104.28.28. 199	104.28.29. 199
4.	moviebaba.in	http://moviebaba.in/	104.27.18 6.85	104.27.18 7.85
5.	123movies.domains	https://ww1.123movies.domains/	104.31.68. 37	104.31.69. 37
	123movies.la	https://www3.123movies.la/	104.25.10 7.102	104.25.10 8.102
	123moviesback.org	https://www.123moviesback.org/	104.27.16 6.24	104.27.16 7.24



	123moviesback.com	https://www.123moviesback.com	104.31.84.11	104.31.85.11
	123movies.gdn	https://www.123movies.gdn/	104.25.88.28	104.25.89.28
	123moviesla.com	https://www.123moviesla.com	104.24.104.218	104.24.105.218
	123movie.uk	https://w3.123movie.uk/	199.188.201.159	
	gostream.nu	https://gostream.nu	104.31.94.223	104.31.95.223
	123moviesz.pro	https://www.123moviesz.pro/	104.24.124.223	104.24.125.223
	is123movies.site	https://is123movies.site/	104.28.22.9	104.28.23.9
	123movies2019.com	https://www.123movies2019.com	104.27.146.147	104.27.147.147
	gostream.site	https://gostream.site	104.18.60.72	104.18.61.72
	go123movies.io	https://www2.go123movies.io/	104.27.142.213	104.27.143.213
	123movieshq.org	https://123movieshq.org/	104.18.42.58	104.18.43.58
	123movies.st	https://www6.123movies.st/	104.31.114.13	104.31.115.13
6.	mkvcinemas.pro	https://www.mkvcinemas.pro/	104.27.188.121	104.27.189.121
	mkvcinemas.cz	https://www.mkvcinemas.cz	104.28.24.84	104.28.25.84
	mkvcinemas.eu	https://www.mkvcinemas.eu	104.27.18	104.27.18



		mas.eu/	8.153	9.153
	mkvcinemas.pw	https://mkvcinemas.pw	104.28.8.69	104.28.9.69
	mkvcinemas.com	https://mkvcinemas.com	104.31.78.10	104.31.79.10
	mkvcinemas.live	https://mkvcinemas.live/	104.27.148.32	104.27.149.32
	mkvcinemas.be	https://www.mkvcinemas.be/	104.18.58.198	104.18.59.198
	mkvhub.com	https://www.mkvhub.com/	104.31.64.69	104.31.65.69
	mkvcage.com	https://www.mkvcage.com/	104.24.98.153	104.24.99.153
	mkvcage.fun	https://www.mkvcage.fun/	104.27.172.131	104.27.173.131
	480mkv.net	https://480mkv.net/	104.27.172.131	104.24.117.158
	480mkv.com	https://480mkv.com	104.31.80.82	104.31.81.82
	mkvrips.com	https://mkvrips.com/	104.18.62.90	104.18.63.90
7.	pahe.in	https://pahe.in/	104.27.132.141	104.27.133.141
8.	etv.to	https://www.etv.to/	104.25.158.33	104.25.159.33
	katcr.co	https://katcr.co/	192.64.119.34	91.212.150.157



	kickass1.to	https://kickass1.to/	104.31.18.30	104.31.19.30
	kikass.to	https://kikass.to/	104.27.150.245	104.27.151.245
	kat.sx	https://kat.sx/	104.31.16.3	104.31.17.3
	kickass.sx	https://kickass.sx/	104.31.18.30	104.31.19.30
	kat.ag	https://kat.ag	104.31.18.30	104.31.19.30
9.	fullmaza.vip	https://fullmaza.vip/	104.27.176.218	104.27.177.218
	fullmaza.ch	https://fullmaza.ch/	104.27.174.146	104.27.175.146
	fullmaza.org	https://fullmaza.org	104.27.190.251	104.27.191.251
10.	swatchseries.to	https://www1.swatchseries.to/	104.31.18.30	104.31.19.30
	dwatchseries.to	https://dwatchseries.to/	104.31.18.30	104.31.19.30
	watch-series.ac	https://watch-series.ac	104.18.58.170	104.18.59.170
	watch-series.co	https://ww6.watch-series.co/	104.25.206.11	104.25.207.11
	watchseries.fm	https://watchseries.fm/	172.64.104.16	172.64.105.16
	watch-series.live	https://www4.watch-series.live/	104.26.4.194	104.26.5.194
	Watch-series.cc	Watch-series.cc	185.38.15.	



			148	
	Watch-series.ru	Watch-series.ru	104.31.92.31	104.31.93.31
	mywatchseries.stream	https://on.mywatchseries.stream	104.28.28.173	104.28.29.173
	mywatchseries.stream	https://get.mywatchseries.stream/	104.28.28.173	104.28.29.173
	watchseries.to	https://ww1.watchseries.to/	104.31.64.104	104.31.65.104
	watchseriesnet.net	http://www5.watchseriesnet.net	104.31.72.66	104.31.73.66
	mywatchseries.stream	https://mywatchseries.stream	104.28.28.173	104.28.29.173
	gowatchseries.tv	https://www2.gowatchseries.tv/	104.26.6.88	104.26.7.88
	gowatchseries.co	https://ww5.gowatchseries.co	104.26.14.159	104.26.15.159
11.	hdpopcorns.online	https://hdpopcorns.online/	104.24.102.92	104.24.103.92
	hdpopcorns.me	https://www.hdpopcorns.me	104.24.106.249	104.24.107.249
12.	lordhd.com	https://lordhd.com/	104.28.30.228	104.28.31.228
13.	moviesak47.pro	https://moviesak47.pro	104.27.184.104	104.27.185.104
	moviesak47.in	https://www.moviesak47.in	104.28.16.163	104.28.17.163



14.	subsmovies.nz	http://www1.subsmovies.nz	104.27.15 2.183	104.27.15 3.183

20. This Court further directed the defendant Nos. 24 and 25 to suspend the above-mentioned domain name registration of the Defendant Nos. 1-14 and issue requisite notifications calling upon various ISPs and telecom service providers registered under them to block the aforementioned website identified by the plaintiff.

21. The learned counsel for the plaintiff submits that pursuant to the *ex-parte ad interim* order dated 26.08.2019, the defendant No. 24 has issued the requisite notification. The learned counsel for the plaintiff further states that the defendant Nos. 15 to 23 have blocked the rogue websites i.e., defendant No. 1-14's websites.

22. This Court had also passed the following direction in its order dated 26.08.2019:

18. Further, as held by this court in UTV Software Communication Ltd. (supra), in order for this court to be freed from constant monitoring and adjudicating the issues of mirror/redirect/alphanumeric websites it is directed that as and when Plaintiff file an application under Order I Rule 10 for impleadment of such websites, Plaintiff shall file an affidavit confirming that the newly impleaded website is mirror/redirect/alphanumeric website with sufficient supporting evidence. Such application shall be listed before the Joint



Registrar, who on being satisfied with the material placed on record, shall issue directions to the ISPs to disable access in India to such mirror/redirect/alphanumeric websites”.

23. In light of the aforesaid direction, the plaintiff filed subsequent applications under Order 1 Rule 10 of CPC for impleadment of such mirror/redirect/alphanumeric website with sufficient supporting evidence, which were allowed by this Court and the *ex-parte ad interim* order dated 26.08.2019 was thereby extended to the Impleaded Defendants:

Sr. No.	Impleaded Defendant Nos.	Details of filing the impleadment application	Date of the order by which impleadment was allowed and disposed of
1.	27-78	I.A. No. 17639 of 2019 Filed on 11.12.2019	17.12.2019
2.	79-118	I.A. No.8547 of 2020 Filed on 21.09.2020	30.09.2020
3.	119-130	I.A. No. 12343 of 2020 Filed on 16.12.2020	23.12.2020
4.	131-157	I.A. No. 7068 of 2021 Filed on 31.05.2021	12.07.2021
5.	158-174	I.A. No.12726 of 2021 Filed on 27.09.2021	04.10.2021
6.	175-212	I.A. No.17180 of 2021	07.02.2022



		Filed on 17.12.2021	
7.	213-224	I.A. No. 3659 of 2022 Filed on 04.03.2022	11.03.2022

24. Thereafter, on 01.08.2022, the learned Joint Registrar (Judicial), passed the following order in regard to rogue websites i.e., Defendant Nos. 1-14, 27-224:-

“...All of the contesting defendants against whom substantial relief has been sought by the plaintiff have been served, however they have not preferred to appear to contest this case or to file written statement and affidavit of admission/denial of documents. In this regard law shall take its own course.

Learned counsel for plaintiff submits that there is no document for admission/denial of documents. Hence, pleadings stand complete.

Other defendants who were supposed to comply with interim directions have already complied with.

At request, let the matter be placed before the Hon’ble Court for further directions.”

25. Since the defendant Nos. 1-14 and 27 to 224 are not appearing, despite notice, in my opinion, the suit can be heard and decided summarily. The defendant Nos. 1-14 and 27 to 224 have no real prospect of successfully defending the claim of copyright infringement and have further not chosen to contest the said claim. The present matter is mainly concerned with enforcement of the injunction orders which are passed



against the rogue websites who do not have any defense to the claim of copyright infringement but use the anonymity offered by the internet to engage in illegal activities, such as copyright infringement in the present case. This is a fit case for passing a Summary Judgment invoking the provisions of Order XIII-A of CPC, as applicable to the commercial disputes, read with Rule 27 of the Delhi High Court Intellectual Property Rights Division Rules, 2022.

26. In the present case, applying the test as laid down in *UTV Software* (supra), and considering the documents filed and the averments made in the plaint, which remained uncontroverted, it has to be held that the defendant no. 1-14 and 27-224 are ‘Rogue Websites’, with their primary purpose being to commit and facilitate infringement of the copyright of the plaintiff. The plaintiff is therefore, held entitled to a decree in terms of the prayers made in paragraph 54(i), (ii) and (iii) of the plaint.

27. In *UTV Software* (supra), the Court also examined the issue of grant of dynamic injunctions and permitted subsequent impleadment of mirror/redirect/alphanumeric websites which provide access to the rogue websites, by filing an application under Order I Rule 10 of the CPC before the learned Joint Registrar (Judicial) along with an affidavit with supporting evidence, confirming that the proposed website is mirror/redirect/alphanumeric website of the injuncted defendant websites. At the request of the counsel for the plaintiff, the same directions are liable to be made in this case also.



28. Accordingly, I.A. No. 13799 of 2022 under Order XIII-A, as applicable to commercial disputes, seeking a Summary Judgment is allowed. All the pending applications are also disposed of.

29. The suit is decreed in terms of prayers given in paragraph no.54 (i), (ii) and (iii) of the Plaint. The plaintiff is also permitted to implead any mirror/redirect/alphanumeric websites which provide access to the defendants Nos. 1-14 and 27 to 224 websites by filing an appropriate application under Order I Rule 10 of the CPC, supported by affidavits and evidence as directed in *UTV Software (supra)*. Any website impleaded as a result of such application will be subject to the same decree.

30. Let a decree sheet be drawn up accordingly.

NAVIN CHAWLA, J.

OCTOBER 10, 2022

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