

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

Reserved on: 19.09.2022

Date of decision: 10.10.2022

+ **CS(COMM) 369/2019 & IAs 9861/2019, 9863/2019, 3714/2022 & 13801/2022**

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

versus

HTTPS://TAMILROCKERS.WS & ORS. Defendants
Through: Mr.Kirtiman Singh, CGSC with
Ms.Vidhi Jain, Adv. for D-26 and
D-27.

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

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

“52. 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. 1-16 (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. 16-25, 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. 1-16 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 Website, 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. 26 and 27, to issue a notification calling upon the various internet and telecom service providers registered under it to block access to the Defendant Nos. 1-16 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 Plaintiff 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 the motion picture '*Argo*' in the year 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 to 16 and 51 to 237 (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. 17 to 25 and the concerned departments of the Government of India as the defendant nos. 26 and 27.

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 cease-and-desist notice, the rogue websites continue to infringe the copyright of the plaintiff in its original content.

8. The learned counsel for the plaintiff presses only for prayers in terms of paragraph nos. 52(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. 13801 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. The said application was listed before the Court on 30.08.2022, wherein the Court

recorded that the service and pleadings are complete in regard to all the defendants and that the rogue websites have neither appeared nor have filed their written statements in the present suit proceedings till date. Further, the Court directed the suit to proceed *ex-parte qua* the rogue websites, that is, the defendant nos. 1 to 16 and 51 to 237.

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. 17, 22, 24, 26 and 27 have entered appearance before this Court.
- b. That the defendant nos. 1 to 16 and 51 to 237 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 the defendant nos. 1 to 16 and 51 to 237 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 to 16 and 51 to 237 and in any event, in the absence of any challenge or opposition to the factual allegations made in the plaint, in view

of the 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 the 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 in the table below-

	Particulars	Court File Pagination along with Volume Number
1.	Print of Contact Details of various websites as available on WHOIS (primary domains):	
	1)TamilRockers.ws (Defendant No. 1)	Pg. 447- 451 Folder IV (Vol. 3)
	2)TamilRockers.co (Defendant No.1)	Pg.489- 492 Folder IV (Vol.3)
	3)TamilRockers.ch (Defendant No. 1)	Pg.497-499 Folder IV (Vol.3)
	4) TamilRockers.ph (Defendant No. 1)	Pg.502- 506 Folder IV (Vol.3)

5) TamilRockers.pl (Defendant No. 1)	Pg.509-511 Folder IV (Vol.3)
6) TamilRockerss.bz (Defendant No. 1)	Pg. 514 -516 Folder IV (Vol. 3)
7) TamilRockers.bz (Defendant No. 1)	Pg.519-521 Folder IV (Vol. 3)
8) TamilRockers.cl (Defendant No. 1)	524-527 Folder IV (Vol. 3)
9) TamilRockers.cr (Defendant No. 1)	Pg.530-532 Folder IV (Vol. 3)
10)TamilRockers.al (Defendant No. 1)	Pg.535-537 Folder IV (Vol. 3)
11) TamilRockers.ci (Defendant No.1)	Pg.540- 544 Folder IV (Vol. 3)
12) TamilRockers.la (Defendant No. 1)	Pg.545-549 Folder IV (Vol. 4)
13) TamilRockers.cc (Defendant No. 1)	Pg.552-556 Folder IV (Vol.4)
14) TamilRockers.tv (Defendant No. 1)	Pg.559-563 Folder IV (Vol. 4)
15) TamilRockers.mu (Defendant No.1)	Pg. 566-568 Folder IV (Vol.4)
16) TamilRockers.at (Defendant No.1)	Pg.571-572 Folder IV(Vol.4)
17) TamilRockers.vc (Defendant No.1)	Pg. 575-577 Folder IV (Vol. 4)
18)TamilRockers.info (Defendant No.1)	Pg.580-582 Folder IV (Vol.4)

19) TamilRockers.mx (Defendant No. 1)	Pg.585- 590 Folder IV (Vol. 4)
20) TamilRockers.be (Defendant No. 1)	Pg.593-597 Folder IV (Vol. 4)
21) TamilRockers.fi (Defendant No. 1)	Pg.600-602 Folder IV (Vol. 4)
22) TamilRockers.net (Defendant No. 1)	Pg.613-615 Folder IV (Vol. 4)
23) TamilRockers.com (Defendant No. 1)	Pg.620-622 Folder IV (Vol. 4)
24) HdTamilRockerSs.co (Defendant No.1)	Pg.644-647 Folder IV (Vol. 4)
25) TamilRockers-A.in (Defendant No. 1)	Pg.668-670 Folder IV (Vol. 4)
26) TamilMv.cz (Defendant No. 2)	Pg.695-697 Folder IV (Vol. 4)
27) TamilMv.biz (Defendant No.2)	Pg.698-701 Folder IV (Vol.4)
28) TamilYogi.vip (Defendant No.3)	Pg.806- 809 Folder IV (Vol. 5)
29) TamilYogi.cc (Defendant No.3)	Pg.815- 818 Folder IV (Vol. 5)
30) TamilYogi.nu (Defendant No 3)	Pg.821-823 Folder IV (Vol. 5)
31) TamilYogi.fm (Defendant No. 3)	Pg 826-828 Folder IV (Vol. 5)
32) IsAiDubs.net (Defendant No. 4)	Pg.840- 843 Folder IV (Vol. 5)

33) IsAiDubs.com (Defendant No. 4)	Pg. 844-847 Folder IV (Vol. 5)
34) TorrentDownload.ch (Defendant No. 5)	865- 868 Folder IV (Vol. 5)
35) EZTV.re (Defendant No.6)	Pg.924-927 Folder IV (Vol.6)
36) EZTV.ag (Defendant No.6)	Pg.930- 933 Folder IV (Vol. 6)
37) EZTV.ch (Defendant No. 6)	Pg.936-937 Folder IV (Vol. 6)
38) EzRss.it (Defendant No.6)	Pg.940-943 Folder IV (Vol. 6)
39) IStole.it (Defendant No.6)	Pg.946- 949 Folder IV (Vol. 6)
40) ZoInk.it (Defendant No.6)	Pg.951-954 Folder IV (Vol. 6)
41) UnblockAll.org (Defendant No. 6)	Pg.957- 960 Folder IV (Vol. 6)
42) Unblocked.cat (Defendant No.6)	Pg.963-966 Folder IV (Vol. 6)
43) Unblocker.cc (Defendant No. 6)	Pg.969- 972 Folder IV (Vol. 6)
44) UnblockProject.info (Defendant No.6)	Pg.995- 997 Folder IV (Vol. 6)
45) UnblockProject.xyz (Defendant No.6)	Pg.998-1000 Folder IV (Vol.6)
46) UnblockProject.live (Defendant No.6)	Pg.1003- 1006 Folder IV (Vol. 6)

47) Unblocked.Ic (Defendant No. 6)	Pg.1028-1030 Folder IV (Vol. 6)
48) EZTV.yt (Defendant No.6)	Pg.1050- 1053 Folder IV (Vol. 6)
49) Unblocked.is (Defendant No.6)	Pg.1086- 1088 Folder IV (Vol.6)
50) EZTV.tf (Defendant No. 6)	Pg.1110- 1113 Folder IV (Vol. 7)
51) Unblocked.win (Defendant No.7)	Pg.1262- 1265 Folder IV (Vol. 7)
52)NoCensor.xyz (Defendant No.7)	Pg.1268-1270 Folder IV (Vol.7)
53)ProX4You.ice (Defendant No.7)	Pg.1273-1275 Folder IV (Vol.7)
54)MrUnlock.run (Defendant No.7)	Pg.1278-1281 Folder IV (Vol.7)
55)MrUnlock.fun (Defendant No.7)	Pg.1284-1286 Folder IV (Vol.7)
56)Unblocked.ink (Defendant No.7)	Pg.1288-1290 Folder IV (Vol.7)
57)Unblocked.at (Defendant No.7)	Pg.1293-1295 Folder IV (Vol.8)
58)Unblocked.live (Defendant No.7)	Pg.1298-1300 Folder IV (Vol.8)
59)Unblocked.one (Defendant No.7)	Pg.1304-1307 Folder IV (Vol.8)
60)Unblocked.tw (Defendant No.7)	Pg.1310-1312 Folder IV (Vol.8)

61)NoCensor.bid (Defendant No.7)	Pg.1315-1318 Folder IV (Vol.8)
62)Prox4You.fun (Defendant No.7)	Pg.1321-1323 Folder IV (Vol.8)
63)Unblocked.cam (Defendant No.7)	Pg.1326-1328 Folder IV (Vol.8)
64)NoCensor.pro (Defendant No.7)	Pg.1331-1333 Folder IV (Vol.8)
65)ProX4You.pw (Defendant No.7)	Pg.1336-1338 Folder IV (Vol.8)
66)123Unblock.xyz (Defendant No.7)	Pg.1341-1343 Folder IV (Vol.8)
67)123Unblock.info (Defendant No.7)	Pg.1344-1346 Folder IV (Vol.8)
68)NoCensor.icu (Defendant No.7)	Pg.1349-1351 Folder IV (Vol.8)
69)ProX4You.xyz (Defendant No.7)	Pg.1354-1456 Folder IV (Vol.8)
70)Unblocked.pet (Defendant No.7)	Pg.1359-1361 Folder IV (Vol.8)
71)Unblocked.cat (DEfenadnt No.7)	Pg.1364-1367 Folder IV (Vol.8)
72)Unblocked.la (Defendant No.7)	Pg.1370-1373 Folder IV (Vol.8)
73)Unblocked.srl (Defendant No.7)	Pg.1376-1379 Folder IV (Vol.8)
74)MrUnlock.ice (Defendant No.7)	Pg.1382-1384 Folder IV (Vol.8)

75)UnlockProject.icu (Defendant No.7)	Pg.1389-1391 Folder IV (Vol.8)
76) Torrents.me (Defendant No. 7)	Pg.1239- 1242 Folder IV (Vol. 7)
77)Torrents.io (Defendant No.8)	Pg.1409-1411 Folder IV (Vol.8)
78) TorrentDownloads.me (Defendant No. 8)	Pg. 1427- 1431 Folder IV (Vol. 8)
79) ZooqLe.com (Defendant No.9)	Pg. 1454- 1458 Folder IV (Vol. 8)
80) Unblocked.Ic (Defendant No. 9)	Pg. 1549- 1551 Folder IV (Vol. 9)
81) Unblocked.win (Defendant No. 9)	Pg. No. 1632- 1635 Folder IV (Vol. 9)
82) Unblocked.krd (Defendant No. 9)	Pg. No. 1638- 1641 Folder IV (Vol. 9)
83) 2MovieRulz.ac (Defendant No. 10)	Pg. No. 1661-1663 Folder IV (Vol. 10)
84) MovieRulz.best (Defendant No. 10)	Pg. No. 1701- 1703 Folder IV (Vol. 10)
85)MoviesRulz18.desi (Defendant No.10)	Pg.1740-1742 Folder IV (Vol.10)
86)MovieRulz18.in (Defendant No.10)	Pg.1745-1747 Folder IV (Vol.10)
87)MovieRulz.ht (Defendant No.10)	Pg.1750-1753 Folder IV (Vol.10)
88) 2MovieRulz.ms (Defendant No. 10)	Pg. No. 1756- 1758 Folder IV (Vol. 10)

89) MovieRulz.pl (Defendant No. 10)	Pg. No. 1761- 1763 Folder IV (Vol. 10)
90) MovieRulz.st (Defendant No. 10)	Pg. No. 1766- 1768 Folder IV (Vol. 10)
91) MovieRulz19.com (Defendant No. 10)	Pg. No. 1783- 1786 Folder IV (Vol. 10)
92) 2MovieRulz.mx (Defendant No. 10)	Pg. No. 1789- 1791 Folder IV (Vol. 10)
93) LimeTorrents.info (Defendant No. 11)	Pg. No. 1819- 1821 Folder IV (Vol. 10)
94) LimeTorrents.cc (Defendant No. 11)	Pg. No. 1832- 1835 Folder IV (Vol. 10)
95) BolLy4u.site (Defendant No. 12)	Pg. No. 1879- 1882 Folder IV (Vol. 11)
96) BolLy4u.wiki (Defendant No. 12)	Pg. No. 1898- 1900 Folder IV (Vol. 11)
97) BolLy4u.biz (Defendant No. 12)	Pg. No. 1903- 1906 Folder IV (Vol. 11)
98) BolLy4u.org (Defendant No. 12)	Pg. No. 1909- 1911 Folder IV (Vol. 11)
99) BolLy4u.pro (Defendant No. 12)	Pg. No. 1914- 1916 Folder IV (Vol. 11)
100) BolLy4u.trade (Defendant No.12)	Pg. No. 1919- 1922 Folder IV (Vol. 11)
101) Goo.gl (Defendant No. 12)	Pg. No. 1925- 1928 Folder IV (Vol. 11)
102) BolLy4u.click (Defendant No. 12)	Pg. No. 1964- 1966 Folder IV (Vol. 11)

103) KatMovieHd.it (Defendant No. 13)	Pg. No. 2006- 2008 Folder IV (Vol. 11)
104) KatMovieHd.eu (Defendant No. 13)	Pg. No. 2054- 2056 Folder IV (Vol. 11)
105) KatMovieHd.pw (Defendant No. 13)	Pg. No. 2059- 2061 Folder IV (Vol. 11)
106) KatMovieHd.tv (Defendant No. 13)	Pg. No. 2064- 2066 Folder IV (Vol. 11)
107) WorldFree4u.wiki (Defendant No. 14)	Pg. No. 2126- 2128 Folder IV (Vol. 12)
108) WorldFree4u.club (Defendant No. 14)	Pg. No. 2142- 2147 Folder IV (Vol. 12)
109) WorldFree4u.is (Defendant No. 14)	Pg. No. 2207- 2211 Folder IV (Vol. 12)
110) WorldFree4u.lol (Defendant No.14)	Pg. No. 2214- 2219 Folder IV (Vol. 12)
111) Monova.to (Defendant N.15)	Pg. No. 2281- 2282 Folder IV (Vol. 13)
112) 9xmovies.ind.in (Defendant No. 16)	Pg. No. 2466-2467 Folder IV (Vol. 13)
113) 9xProxy.in (Defendant No. 16)	Pg. No. 2512- 2514 Folder IV (Vol. 14)
114) 9xMovies.cc (Defendant No. 16)	Pg. No. 2515- 2517 Folder IV (Vol. 14)
115) 9xMovies.co.in (Defendant No. 16)	Pg. No. 2520- 2522 Folder IV (Vol. 14)
116) 9xMovies.org (Defendant No. 16)	Pg. No. 2525- 2528 Folder IV (Vol. 14)

117)9xMovies.to (DefendantNo.16)	Pg. No. 2529- 2530 Folder IV (Vol. 14)
118) 9xProxy.info (Defendant No. 16)	Pg. No. 2538- 2539 Folder IV (Vol. 14)
119) 9xProxy.live (Defendant No. 16)	Pg. No. 2533- 2535 Folder IV (Vol. 14)
120) 9xMovies.wiki (Defendant No. 16)	Pg. No. 2542- 2543 Folder IV (Vol. 14)
121) 9xMovies.top (Defendant No 16)	Pg. No. 2546- 2548 Folder IV (Vol. 14)
122) 9xMovies.info (Defendant No. 16)	Pg. No. 2551- 2552 Folder IV (Vol. 14)
123) NoCensor.casa (Defendant No.51)	I.A. No. 12069/2019 Pg. No. 80-83 (Vol. 1)
124) NoCensor.icu (Defendant No. 52)	I.A. No. 12069/2019 Pg. No. 84-86
125) MrUnlock.space (Defendant No. 53)	I.A. No. 12069/2019 Pg. No. 94-96
126) ProX4You.pro (Defendant No.54)	I.A. No. 12069/2019 Pg. No.102-104
127) ProX4You.xyz (Defendant No. 55)	I.A. No. 12069/2019 Pg. No. 105- 107
128) UnblockProject.icu (Defendant No. 56)	I.A. No. 12069/2019 Pg. No. 115- 117
129) UnblockProject.live (Defendant No. 57)	I.A. No. 12069/2019 Pg. No. 118- 120
130) 123Unblock.fun (Defendant No. 58)	I.A. No. 12069/2019 Pg. No. 128- 130

131) 123Unblock.info (Defendant No. 59)	I.A. No. 12069/2019 Pg. No. 131- 133(Vol.1)
132) TamilMy.bid (Defendant No. 60)	I.A. No. 12069/2019 Pg. No. 146- 148 (Vol.1)
133) TamilRockesRss.ws (Defendant No. 61)	I.A. No. 12069/2019 Pg. No. 149- 150 (Vol.1)
134) TamilRockers.net (Defendant No. 62)	I.A. No. 12069/2019 Pg. 153- 157 (Vol.1)
135) TamilRockers.gr (Defendant No. 63)	I.A. No. 12069/2019 Pg. 160-161 (Vol.1)
136)TamilRocker.com (DefendantNo.64)	I.A. No. 12069/2019 Pg.164-168
137)BolLy4u.click (Defendant No.65)	I.A. No. 12069/2019 Pg.184-187
138)BolLy4u.run (Defendant No.66)	I.A. No. 12069/2019 Pg.181-183
139) 2019- TamilRockers.co (Defendant No. 68)	I.A. No. 18428/2019 Pg.230- 232
140) TamilMv.win (Defendant No. 69)	I.A. No. 18428/2019 Pg.233- 239
141) TamilRoclers2.co (Defendant No. 70)	I.A. No. 18428/2019 Pg.240- 243
142) ScanUnit.co.uk (Defendant No. 71)	I.A. No. 18428/2019 Pg.375- 377
143) HegeHundeTrener.com (Defendant No. 72)	I.A. No. 18428/2019 Pg.378-381
144) ipUreiPure.com	I.A. No. 18428/2019

(Defendant No. 73)	Pg.382- 385
145) ChickenCottages.com (Defendant No. 74)	I.A. No. 18428/2019 Pg.386- 389
146) wXYwz.com (Defendant No. 75)	I.A. No. 18428/2019 Pg. 390- 392
147) RealBahis10.com (Defendant No. 76)	I.A. No. 18428/2019 Pg.393- 395
148) Co7.in (Defendant No. 77)	I.A. No. 18428/2019 Pg498- 500
149) 9xMovies.ind.in (Defendant No. 78)	I.A. No. 18428/2019 Pg.501- 504
150) 9xMovies.trade (Defendant No. 79)	I.A. No. 18428/2019 Pg.505- 509
151) 9xMovies.fit (Defendant No. 80)	I.A. No. 18428/2019 Pg.510- 513
152) 9xMovies.beer (Defendant No. 81)	I.A. No. 18428/2019 Pg.514- 517
153) 9xMovies.bz (Defendant No. 82)	I.A. No. 18428/2019 Pg.518- 520
154) 9xMovies.live (Defendant No. 83)	I.A. No. 18428/2019 Pg.521- 524
155) 9xMovies.one (Defendant No. 84)	I.A. No. 18428/2019 Pg.525- 528
156) 9xMovies.pink (Defendant No. 85)	I.A. No. 18428/2019 Pg.529- 531
157) 9xMovies.press (Defendant No. 86)	I.A. No. 18428/2019 Pg. 532- 534
158) 9XMovies.pw	I.A. No. 18428/2019

(Defendant No. 87)	Pg.535- 537
159) 9XMovies.run (Defendant No. 88)	I.A. No. 18428/2019 Pg. 538- 540
160) 9XMovies.date (Defendant no. 89)	I.A. No. 18428/2019 Pg.541-544
161) UnblockAll.org (Defendant No. 90)	I.A. No. 18428/2019 Pg 551- 554
162) Unblocked.bet (Defendant No. 91)	I.A. No. 18428/2019 Pg.555- 557
163) TorrentDownloads.net (Defendant No. 92)	I.A. No. 18428/2019 Pg.558- 562
164) BolLy4u.guru (Defendant No. 93)	I.A. No. 18428/2019 Pg. 586- 589
165) BolLy4u.me (Defendant No. 94)	I.A. No. 18428/2019 Pg.590- 592
166) BolLy4u.cc (Defendant No. 95)	I.A. No. 18428/2019 Pg.593- 596
167) UnblockIt.xyz (Defendant No. 96)	I.A. No. 18428/2019 Pg.815- 817
168) d4.re (Defendant No. 97)	I.A. No. 18428/2019 Pg.818- 821
169) NoCensor.best (Defendant No. 98)	I.A. No. 18428/2019 Pg 822- 824
170) NoCensor.casa (Defendant No. 99)	I.A. No. 18428/2019 Pg.825- 828
171) t0r.fun (Defendant No. 100)	I.A. No. 18428/2019 Pg. 829- 831
172) Free-Mirror.fun	I.A. No. 18428/2019

(Defendant No. 101)	Pg.832- 834
173) LimeTorrents2019.xyz (Defendant No 102)	I.A. No. 18428/2019 Pg 844- 846
174) Lime Torrents .com (Defendant No.103)	I.A. No. 18428/2019 Pg. 847- 850
175) LimeTorrents.zone (Defendant No. 104)	I.A. No. 18428/2019 Pg. 851- 854
176) 3MovieRulz.mx (Defendant No. 105)	I.A. No. 18428/2019 Pg.995-999
177) 1MovieRulz.be (Defendant No. 106)	I.A. No. 18428/2019 Pg.1000- 1002
178) 1MovieRulz.ch (Defendant No. 107)	I.A. No. 18428/2019 Pg.1003- 1004
179) 1MovieRulz.com (Defendant No. 108)	I.A. No. 18428/2019 Pg. 1005- 1009
180) 1MovieRulz.tv (Defendant No. 109)	I.A. No. 18428/2019 Pg.1010- 1013
181) 2MovieRulz.be (Defendant No. 110)	I.A. No. 18428/2019 Pg. 1014- 1016
182) 2MovieRulz.ch (Defendant No. 111)	I.A. No. 18428/2019 Pg.1017-1018
183) 2MovieRulz.com (Defendant No. 112)	I.A. No. 18428/2019 Pg.1019- 1022
184) 2MovieRulz.gs (Defendant No. 113)	I.A. No. 18428/2019 Pg.1023- 1026
185) 2MovieRulz.tv (Defendant No. 114)	I.A. No. 18428/2019 Pg.1027- 1029
186) 2MovieRulz.vc	I.A. No. 18428/2019

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95) 9Xmovies.fyi (Defendant No.166)	I.A. No. 8217/2020 Pg. 336- 345 (Vol.2)
96) BoLy4u1.com (Defendant No. 175)	I.A. No. 8217/2020 Pg. 496- 505 (Vol.3)

97) IsAiDubb.com (Defendant No. 176)	I.A. No. 8217/2020 Pg. 555- 557 (Vol.3)
98) LimeTorrents.co (Defendant No. 177)	I.A. No. 8217/2020 Pg. 64- 566 (Vol.3)
99) LimeTorrents.at (Defendant No. 178)	I.A. No. 8217/2020 Pg. 575- 577 (Vol.3)
100) Monova.org (Defendant No. 179)	I.A. No. 8217/2020 Pg584 (Vol.3)
101) TamilYogi.cool (Defendant No. 180)	I.A. No. 8217/2020 Pg. 595- 597 (Vol.3)
102) 1TamilMv.info (Defendant No. 181)	I.A. No. 8217/2020 Pg. 610- 614 (Vol.3)
103) WorlfFree4u1.com (Defendant No. 185)	I.A. No. 8217/2020 Pg.643-662 (Vol.3)
104) WorldFree.top (Defendant No. 187)	I.A. No. 8217/2020 Pg. 692- 702 (Vol.3)
105) g2g.casa (Defendant No. 189)	I.A. No. 8217/2020 Pg. 740- 763 (Vol.4)
106) MoviesDas.me (Defendant No. 190)	I.A. No. 8217/2020 Pg. 907- 909 (Vol.4)
107) LimeTorrent.ws (Defendant No. 194)	I.A. No. 7064/2022 Pg.108-111
108) IsAiDubb.co (Defendant No. 196)	I.A. No.7064/2021 Pg.121- 124
109) 9XMovies.pizza (Defendant No.197)	I.A. No. 12506/2021 Pg. 120- 129 (Vol.1)
110) 9Xmovies.quest 9Defendant No. 203)	I.A. No. 12506/2021 Pg. 201- 418 (Vol.2)

	111)9XMovies.page (Defendant No. 204)	I.A. No. 12506/2021 Pg. 438- 453 (Vol.2)
	112)1TamilMv.sbs (Defendant No. 206)	I.A. No.12506/2021 Pg. 496-563 (Vol.3)
	113) KatMovieHd.Ltd (Defendant No.212)	I.A. No.16619/2021 Pg.117-140 (Vol.1)
	114) 9XMovies.plus (Defendant No.217)	I.A. No. 16619/2021 Pg.419-472 (Vol. 3)
	115) 1TamilMv.bar (Defendant No. 221)	I.A. No. 16619/2021 Pg.502-536 (Vol. 3)
	116) IsAiDub7.com (Defendant No. 226)	I.A. No. 16619/2021 Pg.680-682 (Vol. 3)
	117) TamilYogis.net (Defendant No. 227)	I.A. No. 16619/2021 Pg.698-699 (Vol. 3)
	118) TamilBlasters.cam (Defendant No. 229)	I.A. No. 3714/2022 Pg. 117- 139 (Vol.1)
	119) TamilBlasters.top (Defendant No.228)	I.A. No. 16619/2021 Pg. 315- 319
	120) 1TamilMv.email (Defendant No. 234)	I.A. No. 3714/2022 Pg. 348- 382 (Vol.2)
	121) TamilYogi.best (Defendant No. 237)	I.A. No.3714/2022 Pg. 538- 539 (Vol.3)
4.	Printout of proof of infringement by websites (primary domains):	
	1) TamilRockers.ws (Defendant No. 1)	Pg.436- 446 Folder IV (Vol. 3)
	2) TamilRockers.net (Defendant No.1)	Pg.607-612 Folder IV (Vol. 4)

3) HdTamilRockerSs.co (Defendant No.1)	Pg.630-643 Folder IV (Vol. 4)
4)TamilRockers-A.in (Defendant No.1)	Pg.655- 667 Folder IV (Vol. 4)
5) TamilYogi.vip (Defendant No.3)	Pg.794-805 Folder IV (Vol.5)
6) TamilMv.cz (Defendant No. 2)	Pg.682-694 Folder IV (Vol.5)
7) isAiDubs.net (Defendant No. 4)	Pg.835-839 Folder IV (Vol.5)
8) TorrentDownload.ch (Defendant No.5)	Pg.858-864 Folder IV (Vol. 5)
9) EZTV.re (Defendant No.6)	Pg. 882- 888 Folder IV (Vol. 5)
10) UnblockProject.info (Defendant No. 6)	Pg.990-994 Folder IV (Vol. 6)
11) Unblocked.Ic (Defendant No. 6)	Pg.1022-1027 Folder IV (Vol.6)
12) EZTV.yt (Defendant No. 6)	Pg.1044-1049 Folder IV (Vol. 6)
13) EZTV.tf (Defendant No.6)	Pg. 1104-1109 Folder IV (Vol. 7)
14) Torrentdownloads.123unblock (Defendant No.7)	Pg.1160-1167 Folder IV (Vol.7)
15) MrUnblock.run (Defendant No.7)	Pg. 1174- 1180 Folder IV (Vol.7)

16)Torrentdownloads.nocensor.bid (Defendant No.7)	Pg.1187-1193 Folder IV (Vol.7)
17)Torrentdownloads.prox4you.info (Defendant No.7)	Pg.1200-1206 Folder IV (Vol.7)
18)Torrents.me (Defendant No. 8)	Pg.1230-1238 Folder IV (Vol.7)
19) Torrents.io (Defendant No.8)	Pg.1403-1408 Folder IV (Vol. 8)
20) ZooqLe.com (Defendant No. 9)	Pg.1445-1453 Folder IV (Vol. 8)
21) Unblocked.Ic (Defendant No. 9)	Pg.1544- 1548 Folder IV (Vol. 8)
22)2MovieRulz.ac (Defendant No. 10)	Pg.1654-1660 Folder IV (Vol.9)
23) MovieRulz.best (Defendant No. 10)	Pg.1690- 1700 Folder IV (Vol. 10)
24) MovieRulz19.com (Defendant No. 10)	Pg. 1776- 1782 Folder IV (Vol. 10)
25) LimeTorrents.info (Defendant No. 11)	Pg.1806- 1818 Folder IV (Vol. 10)
26) BolLy4u.site (Defendant No. 12)	Pg. 1848- 1860 Folder IV (Vol. 11)
27) BolLy4u.click (Defendant No.12)	Pg.1950-1963 Folder IV (Vol.11)
28) KatMovieHd.it (Defendant No. 13)	Pg.1992- 2001 Folder IV (Vol. 11)

29) KatMovieHd.eu (Defendant No. 13)	Pg. 2046- 2053 Folder IV (Vol. 11)
30) WorldFree4u.wiki (Defendant No. 14)	Pg.2119- 2125 Folder IV (Vol. 12)
31) WorldFree4u.is (Defendant No 14)	Pg.2201- 2206 Folder IV (Vol. 12)
32) Monova.to (Defendant No.15)	Pg.2259- 2280 Folder IV (Vol.12 & 13)
33) 9xmovies.ind.in (Defendant No. 16)	Pg.2458-2465 Folder IV (Vol.13)
34) 9xProxy.in (Defendant No.111)	Pg.2494 -2511 Folder IV (Vol.14)
35) southFreak.cc (Defendant No. 12)	Pg.2925- 2939 Folder IV (Vol. 14)
36) torrentfunk.unbocked.dk (Defendant No. 13)	Pg.2990-2998 Folder IV (Vol. 15)
37) TodayPkfree.com (Defendant No. 14)	Pg.3088- 3100 Folder IV (Vol. 15)
38) MovieEater.org (Defendant No. 15)	Pg.3119- 3127 Folder IV (Vol. 15)
39) NovaMovie.net (Defendant No. 16)	Pg.3167- 3179 Folder IV (Vol. 15)
40) HollyMovieHd.com (Defendant No. 17)	Pg.3234-3256 Folder IV (Vol.16)
41) CiNevoOd.live (Defendant No. 18)	Pg.3272- 3281 Folder IV (Vol. 16)

	42) FreeMoviesWatchOnline.cc (Defendant No. 19)	Pg.3323- 3326 Folder IV (Vol. 16)
5.	Printouts of the DMCA, FAQ, etc. pages, evidencing infringing nature of the Defendant Websites:	
	1)2MovieRulz.ac (Defendant No.10) DMCA	Pg.1650-1651 Folder IV (Vol.9)
	2)2MovieRulz.ac (Defendant No.10) Contact Us	Pg.1652-1653 Folder IV (Vol.9)
	3) LimeTorrents.info (Defendant No. 11) FAQ	Pg.1801-1803 Folder IV (Vol.10)
	4) LimeTorrents.info (Defendant No. 11) Contact Us	Pg.1804-1805 Folder IV (Vol.10)
	5) BolLy4u.site (Defendant No. 12) DMCA	Pg.1861-1862 Folder IV (Vol.11)
	6) BolLy4u.site (Defendant No. 12) Contact Us	Pg.1863-1865 Folder IV (Vol.11)
	7) KatMovieHd.it (Defendant No 13)	Pg.1987-1988 Folder IV (Vol.11)
	8) KatMovieHd.it (Defendant No 13)	Pg.1985-1986 Folder IV (Vol.11)
	10) KatMovieHd.eu (Defendant No. 13) Contact Us	Pg.2033-2034 Folder IV (Vol.11)

11) WorldFree4u.wiki (Defendant No. 14) Contact Us	Pg.2095-2099 Folder IV (Vol.12)
12) 9XMovies.pizza (Defendant No.197) DMCA	I.A. No. 8217/2020 Pg.135-139 (Vol.1)
13) 9Xmovies.cash (Defendant No. 162) DMCA	I.A. No. 8217/2020 Pg.258-264 (Vol.2)
14)9Xmovies.fyi (Defendant No.166) DMCA	I.A. No. 8217/2020 Pg.346-352 (Vol.2)
15)9XMovies.pizza (Defendant No.197) Contact Us	I.A. No. 12506/2021 Pg.130-134 (Vol.1)

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

15. In *UTV Software (supra)*, this Court, as far as 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 FIOL/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. TAMILROCKERMovies.COM &Ors.**, 2022 SCC OnLine Del 1742, wherein judgment was pronounced on 01.06.2022, had filed an application under Order XIII-A of the CPC, as applicable to commercial disputes, wherein this Court relying on the judgment 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 24.07.2019, this Court had granted an *ex-parte ad-interim* injunction against the defendant nos. 1 to 16 (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/shows in relation to which the plaintiff has copyright.

19. This Court had further directed the defendant nos. 17 to 25 to block the domain names and its URLs as mentioned in the table below-

LIST OF WEBSITES

S.NO.	DOMAIN NAME	URL	IP ADDRESS
DEFENDANT NO. 1			
1.	<u>tamilrockers.w</u> <u>s</u>	http://tamilrockers.ws	104.18.40.62 104.18.41.62
2.	<u>tamilrockerrs.c</u> <u>o</u>	http://tamilrockerrs.co	104.27.156.106 104.27.157.106
3.	<u>tamilrockerss.c</u> <u>h</u>	http://tamilrockerss.ch	104.28.22.77 104.28.23.77
4.	<u>tamilrockers.p</u> <u>h</u>	http://tamilrockers.ph	104.24.104.54 104.24.105.54
5.	<u>tamilrockerrs.p</u> <u>l</u>	http://tamilrockerrs.pl	104.18.58.244 104.18.59.244
6.	<u>tamilrockerss.b</u> <u>z</u>		104.27.154.92

		http://tamilrockerss.bz	104.27.155.92
7.	tamilrockers.b z	http://tamilrockers.bz	104.31.74.72 104.31.75.72
8.	tamilrockers.cl	http://tamilrockers.cl	104.31.94.73 104.31.95.73
9.	tamilrockers.cr	http://tamilrockers.cr	104.28.12.228 104.28.13.228
10.	tamilrockers.al	http://tamilrockers.al	104.27.182.95 104.27.183.95
11.	tamilrockers.ci	http://tamilrockers.ci	104.27.176.28 104.27.177.28
12.	tamilrockers.la	http://tamilrockers.la	46.166.189.98
13.	tamilrockers.cc	http://tamilrockers.cc	46.166.189.98
14.	tamilrockers.tv	http://tamilrockers.tv	104.31.92.61 104.31.93.61
15.	tamilrockers.m u	http://tamilrockers.mu	104.24.104.10 104.24.105.10
16.	tamilrockers.at	http://tamilrockers.at	104.27.152.122 104.27.153.122

17.	tamilrockers.v c	http://tamilrockers.vc	104.31.72.14 104.31.73.14
18.	tamilrockers.in fo	http://tamilrockers.info	104.31.72.14 104.31.73.14
19.	tamilrockers.m x	http://tamilrockers.mx	104.28.16.219 104.28.17.219
20.	tamilrockers.b e	http://tamilrockers.be	46.166.189.98
21.	<u>tamilrockers.fi</u>	http://tamilrockers.fi	104.18.36.132 104.18.37.132
22.	<u>2019- tamilrockers.c om</u>	http://2019-tamilrockers.com	104.24.98.96 104.24.99.96
23.	hdtamilrockers s.co	http://hdtamilrockerss.co	104.18.40.178 104.18.41.178
24.	<u>tamilrockers- a.in</u>	http://tamilrockers-a.in	104.31.92.37 104.31.93.37
DEFENDANT NO. 2			
25.	<u>tamilmv.cz</u>	https://www.tamilmv.cz	104.27.140.203 104.27.141.203

26.	tamilmv.biz	https://www.tamilmv.biz	104.18.56.5 104.18.57.5
DEFENDANT NO. 3			
27.	familyogi.vip	http://familyogi.vip	104.24.96.80 104.24.97.80
28.	familyogi.cc	http://familyogi.cc	104.18.36.36 104.18.37.36
29.	familyogi.nu	http://familyogi.nu	104.28.10.117 104.28.11.117
30.	familyogi.fm	http://familyogi.fm	104.27.178.164 104.27.179.164
DEFENDANT NO. 4			
31.	isaidubs.com	http://isaidubs.com	104.27.158.174 104.27.159.174
32.	isaidub.net	http://isaidub.net	104.18.52.152 104.18.53.152
33.	isaidubs.net/	http://isaidubs.net/	
DEFENDANT NO. 5			

34.	torrentdownload.ch	https://www.torrentdownload.ch	104.31.18.30 104.31.19.30
DEFENDANT NO. 6			
35.	eztv.io	https://eztv.io	104.27.216.28 104.27.217.28
36.	eztv.re	https://eztv.re	104.31.70.60 104.31.71.60
37.	eztv.ag	http://eztv.ag	104.31.18.30 104.31.19.30
38.	eztv.ch	http://eztv.ch	104.31.16.3 104.31.17.3
39.	ezrss.it	http://ezrss.it	104.31.16.3 104.31.17.3
40.	istole.it	http://istole.it	185.206.180.124 46.166.184.104
41.	zoink.it	http://zoink.it	104.31.16.3 104.31.17.3
42.	eztv.unblocked.cat	http://eztv.unblocked.cat	104.24.98.208 104.24.99.208

43.	eztv.unblocker. cc	https://eztv.unblocker.cc	104.24.98.208 104.24.99.208
44.	eztv.yt	https://eztv.yt	104.31.16.3 104.31.17.3
45.	eztv.unblockpr oject.xyz	https://eztv.unblockproject.xyz	104.27.188.146 104.27.189.146
46.	eztv.unblockpr oject.info	https://eztv.unblockproject.info	104.28.20.74 104.28.21.74
47.	eztv.unlockpro ject.live	http://eztv.unlockproject.live	104.31.18.30 104.31.19.30
48.	eztv1.unblocke d.is	https://eztv1.unblocked.is	104.18.36.95 104.18.37.95
49.	eztv.unblocked .info	https://eztv.unblocked.info	208.91.197.27
50.	eztv.unblocked .lc	https://eztv.unblocked.lc	104.26.0.27 104.26.1.27
51.	eztv.tf	https://eztv.tf	104.31.16.3 104.31.17.3
DEFENDANT NO. 7			
52.	torrentdownloa ds.me	https://www.torrentdownloads.m e	104.27.212.30 104.27.213.30

53.	torrentdownloads.unblocked.win	https://torrentdownloads.unblocked.win	104.24.120.150 104.24.121.150
54.	torrentdownloads.nocensor.xyz	https://torrentdownloads.nocensor.xyz	104.27.154.171 104.27.155.171
55.	torrentdownloads.prox4you.icu	https://torrentdownloads.prox4you.icu	104.27.150.116 104.27.151.116
56.	torrentdownloads.mrunlock.run	https://torrentdownloads.mrunlock.run	104.27.156.131 104.27.157.131
57.	torrentdownloads.mrunlock.fun	https://torrentdownloads.mrunlock.fun	104.27.138.233 104.27.139.233
58.	torrentdownloads.unblocked.ink	http://torrentdownloads.unblocked.ink	104.31.16.3 104.31.17.3
59.	torrentdownloads.unblocked.at	http://torrentdownloads.unblocked.at	104.28.8.230 104.28.9.230
60.	torrentdownloads.unblocked.live	http://torrentdownloads.unblocked.live	104.18.36.230 104.18.37.230
61.	torrentdownloads.unblocked.one	http://torrentdownloads.unblocked.one	104.27.180.148 104.27.181.148
62.	torrentdownloads.unblocked.tw	http://torrentdownloads.unblocked.tw	104.24.112.62 104.24.113.62
63.	torrentdownloads.nocensor.bid	http://torrentdownloads.nocensor.bid	104.31.18.30

	<u>d</u>		104.31.19.30
64.	<u>torrentdownloa</u> <u>ds.prox4you.fun</u>	<u>http://torrentdownloads.prox4you</u> <u>u.fun</u>	104.31.18.30 104.31.19.30
65.	<u>torrentdownloa</u> <u>ds.unblocked.c</u> <u>am</u>	<u>http://torrentdownloads.unblock</u> <u>ed.cam</u>	104.28.4.69 104.28.5.69
66.	<u>torrentdownloa</u> <u>ds.nocensor.pr</u> <u>o</u>	<u>http://torrentdownloads.nocensor</u> <u>.pro</u>	104.31.18.30 104.31.19.30
67.	<u>torrentdownloa</u> <u>ds.prox4you.p</u> <u>w</u>	<u>http://torrentdownloads.prox4you</u> <u>u.pw</u>	104.31.16.3 104.31.17.3
68.	<u>torrentdownloa</u> <u>ds.123unblock.</u> <u>xyz</u>	<u>http://torrentdownloads.123unbl</u> <u>ock.xyz</u>	104.31.18.30 104.31.19.30
69.	<u>torrentdownloa</u> <u>ds.nocensor.ic</u> <u>u</u>	<u>http://torrentdownloads.nocensor</u> <u>.icu</u>	104.28.26.152 104.28.27.152
70.	<u>torrentdownloa</u> <u>ds.prox4you.x</u> <u>yz</u>	<u>http://torrentdownloads.prox4you</u> <u>u.xyz</u>	104.18.46.223 104.18.47.223
71.	<u>torrentdownloa</u> <u>ds.123unblock.</u> <u>info</u>	<u>http://torrentdownloads.123unbl</u> <u>ock.info</u>	104.31.82.153 104.31.83.153
72.	<u>torrentdownloa</u> <u>ds.unblocked.p</u> <u>et</u>	<u>http://torrentdownloads.unblock</u> <u>ed.pet</u>	104.31.16.3 104.31.17.3
73.	<u>torrentdownloa</u> <u>ds.unblocked.c</u> <u>at</u>	<u>http://torrentdownloads.unblock</u> <u>ed.cat</u>	104.24.98.208 104.24.99.208

74.	torrentdownloads.unblocked.la	http://torrentdownloads.unblocked.la	104.31.16.3 104.31.17.3
75.	torrentdownloads.unblocked.srl	http://torrentdownloads.unblocked.srl	104.24.124.146 104.24.125.146
76.	torrentdownloads.mrunlock.icu	http://torrentdownloads.mrunlock.icu	104.31.18.30 104.31.19.30
77.	torrentdownloads.unlockproject.icu	http://torrentdownloads.unlockproject.icu	104.31.18.30 104.31.19.30
78.	torrentdownloads.unblocked.lc	https://torrentdownloads.unblocked.lc	104.26.0.27 104.26.1.27
79.	torrentdownloads.nocensor.fun/	https://torrentdownloads.nocensor.fun/	104.28.18.53 104.28.19.53
80.	torrentdownloads.prox4you.info/	https://torrentdownloads.prox4you.info/	104.24.126.198 104.24.127.198
81.	torrentdownloads.123unlock.icu/	https://torrentdownloads.123unlock.icu/	104.18.44.139 104.18.45.139
DEFENDANT NO. 8			
82.	torrents.me	https://torrents.me	104.31.18.30 104.31.19.30

83.	torrents.io	http://torrents.io	104.27.212.30 104.27.213.30
DEFENDANT NO. 9			
84.	zooqle.com	https://zooqle.com	104.25.202.13 104.25.203.13
85.	zooqle.unblocked.krd	http://zooqle.unblocked.krd	104.27.142.32 104.27.143.32
86.	zooqle.unblocked.lc/	https://zooqle.unblocked.lc/	104.26.0.27 104.26.1.27
DEFENDANT NO. 10			
87.	2movierulz.ac	https://2movierulz.ac	104.31.78.230 104.31.79.230
88.	movierulz.best	https://movierulz.best	104.31.92.160 104.31.93.160
89.	movierulz18.desi	https://movierulz18.desi	104.31.86.51 104.31.87.51
90.	movierulz18.in	https://movierulz18.in	104.18.34.221

			104.18.35.221
91.	movierulz.ht	https://movierulz.ht	104.31.84.254 104.31.85.254
92.	2movierulz.ms	https://2movierulz.ms	104.27.168.76 104.27.169.76
93.	movierulz.pl	https://movierulz.pl	104.27.132.240 104.27.133.240
94.	movierulz.st	https://movierulz.st	104.27.184.163 104.27.185.163
95.	movierulz19.com	https://movierulz19.com	104.28.26.2 104.28.27.2
96.	2movierulz.mx	https://2movierulz.mx	104.24.126.167 104.24.127.167
DEFENDANT NO. 11			
97.	limetorrents.info	https://www.limetorrents.info	104.27.208.30 104.27.209.30
98.	limetorrents.cc	http://limetorrents.cc	104.31.16.3 104.31.17.3

DEFENDANT NO. 12			
99.	bolly4u.wiki	http://bolly4u.wiki	104.31.90.118 104.31.91.118
100.	bolly4u.site	https://bolly4u.site	104.18.60.178 104.18.61.178
101.	bolly4u.biz	https://bolly4u.biz	104.27.132.88 104.27.133.88
102.	bolly4u.org	https://bolly4u.org	104.27.140.125 104.27.141.125
103.	bolly4u.pro	https://bolly4u.pro	104.28.6.214 104.28.7.214
104.	bolly4u.trade	https://bolly4u.trade	104.24.126.124 104.24.127.124
DEFENDANT NO. 13			
105.	katmoviehd.it	https://katmoviehd.it	104.31.84.79 104.31.85.79
106.	katmoviehd.eu	https://katmoviehd.eu	104.27.170.91 104.27.171.91
107.	katmoviehd.pw	https://katmoviehd.pw	104.31.86.243 104.31.87.243

108.	katmoviehd.tv	https://katmoviehd.tv	104.31.78.64 104.31.79.64
DEFENDANT NO. 14			
109.	worldfree4u.wiki	https://worldfree4u.wiki	104.25.25.101 104.25.26.101
110.	worldfree4u.club	https://worldfree4u.club	104.27.190.173 104.27.191.173
111.	worldfree4u.is	https://worldfree4u.is	104.18.42.171 104.18.43.171
112.	worldfree4u.lol	http://worldfree4u.lol	104.27.188.128 104.27.189.128
DEFENDANT NO. 15			
113.	monova.to	https://monova.to	104.31.16.3 104.31.17.3

DEFENDANT NO. 16

114.	9xmovies.cc	https://9xmovies.cc	104.18.36.161 104.18.37.161
115.	9xmovies.co.in	https://9xmovies.co.in	104.28.14.31 104.28.15.31
116.	9xmovies.org	https://9xmovies.org	104.31.78.129 104.31.79.129
117.	9xmovies.to	https://9xmovies.to	104.24.120.104 104.24.121.104
118.	9xproxy.live	https://9xproxy.live	104.31.82.133 104.31.83.133
119.	9xproxy.info	https://9xproxy.info	104.31.82.35 104.31.83.35
120.	9xmovies.wiki	https://9xmovies.wiki	104.28.28.181 104.28.29.181
121.	9xmovies.top	https://9xmovies.top	104.31.94.121 104.31.95.121
122.	9xmovies.info	https://9xmovies.info	104.24.110.9 104.24.111.9
123.	9xmovies.ind.in	https://9xmovies.ind.in	104.27.150.3 104.27.151.3
124.	9xproxy.in	https://9xproxy.in	212.129.43.80

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20. This Court further directed the defendant nos. 26 and 27 to suspend the above-mentioned domain name registration of the defendant nos. 1-16 and issue requisite notifications calling upon various ISPs and telecom service providers registered under them to block the aforementioned rogue websites identified by the plaintiff within five working days.

21. The learned counsel for the plaintiff submits that pursuant to the *ex-parte ad-interim* order dated 24.07.2019, the defendant no. 26 has issued the requisite notification. The learned counsel for the plaintiff further states that the defendant nos. 17 to 25 have blocked the rogue websites, that is, the defendant nos. 1 to 16's websites. This Court had also passed the following direction in its order dated 05.08.2019:

“21. 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”.

22. In light of the aforesaid direction, the plaintiff filed subsequent applications under Order I Rule 10 of CPC for the impleadment of such mirror/redirect/alphanumeric website with sufficient supporting evidence, which were allowed by the Court and the *ex-parte ad-interim* order dated 24.07.2019 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.	51-66	I.A. No. 12069 of 2019 Filed on 31.08.2019	02.09.2019
2.	67-157	I.A. No.18428 of 2019 Filed on 13.12.2019	24.12.2019
3.	158-193	I.A. No. 8217 of 2020 Filed on 14.09.2020	30.09.2020
4.	194-196	I.A. No. 7064 of 2021 Filed on 31.05.2021	12.07.2021
5.	197-211	I.A. No.12506 of 2021 Filed on 22.09.2021	29.09.2021
6.	212-227	I.A. No.16619 of 2021 Filed on 09.12.2021	17.12.2021
7.	228-237	I.A. No. 3714 of 2022 Filed on 05.03.2022	14.03.2022

23. Thereafter, on 01.08.2022, the learned Joint Registrar (Judicial), passed the following order in regard to the rogue websites, that is, the defendant nos. 1 to 16 and 51 to 237:-

“...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."

24. Since the defendant nos. 1 to 16 and 51 to 237 are not appearing, despite notice, in my opinion, the suit can be heard and decided summarily. The defendant nos. 1 to 16 and 51 to 237 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 the enforcement of the injunction orders, which are passed against the rogue websites who do not have any defence 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 the CPC, as applicable to the commercial disputes, read with Rule 27 of the Delhi High Court Intellectual Property Rights Division Rules, 2022.

25. 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 nos. 1 to 16 and 51 to 237 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 prayers made in paragraph no. 52(i), (ii) and (iii) of the plaint.

26. 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 learned counsel for the plaintiff, the same directions are liable to be made in this case also.

27. Accordingly, I.A. No. 13801 of 2022 under Order XIII-A of the CPC, as applicable to commercial disputes, seeking a Summary Judgment is allowed. All the pending applications are also disposed of.

28. The suit is decreed in terms of prayers given in paragraph no. 52 (i), (ii) and (iii) of the plaint. The plaintiff is also permitted to implead any mirror/redirect/alphanumeric websites which provide access to the websites operated by the defendants nos. 1 to 16 and 51 to 237 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.

29. Let the decree sheet be drawn up accordingly.

NAVIN CHAWLA, J.

OCTOBER 10, 2022/AB