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

\# **CNR No. DLHC010427842026**

\+ CS(COMM) 989/2026

SPORTA TECHNOLOGIES PVT. LTD. .....Plaintiff

Through: Mr. Ritwik Marwaha, Advocates.

versus

JOHN DOE AND ORS. .....Defendants

Through: None.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

O R D E R

% 01.10.2026

I.A. 27375/2026 (under Order XXXIX Rule 1 and 2 of the Code of Civil Procedure, 1908)

1. The present application has been filed on behalf of the plaintiff under Order XXXIX Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, 1908 ('CPC'), seeking the following reliefs:

> *"(i) Grant the reliefs sought in paragraph no. 27 (f) of LA. No. 24819 of 2026 in favour of the Plaintiff;*
> *(ii) Pass an order in the nature of a 'dynamic+' injunction permitting the Plaintiff to notify to Defendant Nos. 6 to 24, without the necessity of filing a fresh application on each occasion, any further website, mirror, redirect, alphanumeric variant, sub-domain or URL which is found to be making available to the public any of the events falling within the agreements set out at paragraph 4 of the present application, whereupon Defendant Nos. 6 to 9 shall suspend and/or de¬ register, and Defendant Nos. 10 to 22 shall disable access to, the said websites or URLs, on real time basis and Defendant Nos. 23 and 24 shall issue the corresponding notification within 36 hours, subject to the Plaintiff filing an affidavit in*

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support of each such notification;"

2. The plaintiff has instituted the present suit seeking a decree of permanent injunction restraining infringement of broadcast reproduction rights, infringement of trade marks, passing off, damages and costs. The plaintiff owns and operates the digital streaming platform 'FanCode', comprising the FanCode mobile application and website, on which it streams live sporting events on the basis of licensing arrangements with various sporting bodies and agencies.

3. The plaintiff claims exclusive broadcasting rights for the territory of India under seven agreements, which stand noticed in paragraph 24 of the order dated 10.09.2026 passed in I.A. 24819/2026. These seven agreements are hereinafter collectively referred to as 'the Agreements', and the events covered thereunder as 'the Sporting Events'.

4. Defendant Nos. 1 to 4 are websites which, according to the plaintiff, were found on 04.09.2026 to be making available to the public in India Practice 1 of the Formula 1 Pirelli Gran Premio d'Italia 2026, an event covered under the F1 Agreement. Defendant No. 2 operates nine sub-domains of the domain 'pages.dev', several of which bear variants of the plaintiff's registered 'FANCODE' trade mark. Defendant No. 5 comprises unknown persons arrayed as 'John Doe'.

5. Defendant Nos. 6 to 9 are the entities with whom the domain names and sub-domains of Defendant Nos. 1 to 4 are registered or hosted, Defendant No. 6 being IncogNET LLC and Defendant No. 7 being Cloudflare, Inc., which operates the 'pages.dev' domain as part of its 'Cloudflare Pages' service. Defendant Nos. 10 to 22 are Internet Service

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Providers ('ISPs'), and Defendant Nos. 23 and 24 are the authorities which have been directed to issue notifications to the ISPs registered under them.

6. By order dated 10.09.2026, this Court, upon finding that the plaintiff had made out a *prima facie* case, that the balance of convenience lay in its favour and that it was likely to suffer irreparable harm, granted an *ex parte* ad interim injunction in the following terms:

> *"43. Accordingly, till the next date of hearing, Defendant Nos. 1 to 4 and Defendant No.5/other John Does, their proprietors, partners, officers, servants, employees and all others acting for and on their behalf are restrained from making available to the public, any content which results in an infringement of Plaintiff's broadcast reproduction rights in the ongoing and forthcoming events under the F1 Agreement, the SPL Agreement, the ACB Agreement, the Copa del Rey Agreement, the ATP Agreement, the Masters Agreement and the USGA Agreement as also all other rights acquired from the agreements mentioned in paragraph 8 of the plaint, on their websites or in any other manner.*
>
> *44. Defendant Nos. 1 to 5, their proprietors, partners, officers, servants, employees and all others acting for and on their behalf are restrained from using the FANCODE marks or any other deceptively similar variant of Plaintiff's registered FANCODE trademarks as part of their domain names, URL paths, websites, promotional material (either digitally or otherwise) or in any other manner, which amounts to infringement of Plaintiff's FANCODE trademarks and/or passing off their services as those of Plaintiff.*
>
> *45. Defendant Nos. 6/IncogNET LLC shall suspend and lock the domain westreamf1.st of Defendant No.1 and Defendants No. 7 shall suspend and lock domains speedsters-fc.pages.dev, speedsters.pages.dev, faancode.pages.dev, fancodeallrounder.pages.dev, fankode.pages.dev, cricinsider1.pages.dev, football-fc.pages.dev, run-machine.pages.dev, crictos99.pages.dev of Defendant No.2. Defendant No.8 shall suspend and lock domain istreameast.cx of Defendant No.3 and Defendant No.9 shall suspend and lock domain livetv903.me of Defendant No. 4. Necessary action will be taken within 24 hours from the date of receipt of copy of this order. Defendant Nos. 6 to 9 shall disclose to the Plaintiff and to this Court the complete registrant, subscriber, contact, billing and payment particulars, the know-your-customer documents and the IP address and access logs in their possession, power, custody or control in relation to the domains and sub-domains referred to above, within 6 weeks from today, in password protected documents and preserve the same pending the final*

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disposal of the suit.

46. Defendant Nos. 10 to 22 (Internet Service Providers) are directed to block access to the websites westreamf1.st, speedsters-fc.pages.dev, speedsters.pages.dev, faancode.pages.dev, fancodeallrounder.pages.dev, fankode.pages.dev, cricinsider1.pages.dev, football-fc.pages.dev, run-machine.pages.dev, crictos99.pages.dev, istreameast.cx and livetv903.me pertaining to Defendant Nos. 1 to 4 and/or any mirror, redirect, alphanumeric variant, found to be making available to the public any of the events falling within the agreements set out at paragraph 8 of the plaint. The access will be blocked within 24 hours from the date of receipt of copy of this order.

47. Defendant Nos. 23 and 24 are directed to issue notifications calling upon the concerned Internet Service Providers registered under them to block access to the websites westreamf1.st, speedsters-fc.pages.dev, speedsters.pages.dev, faancode.pages.dev, fancodeallrounder.pages.dev, fankode.pages.dev, cricinsider1.pages.dev, football-fc.pages.dev, run-machine.pages.dev, crictos99.pages.dev, istreameast.cx and livetv903.me of Defendant Nos. 1 to 4 within 36 hours from the date of receipt of copy of this order."

7. It is pertinent to note that the request for a 'dynamic+' injunction was specifically pressed before this Court and stands recorded in paragraph 38 of the order dated 10.09.2026, in the following words:

"38. … In light of the past conduct and current operations of Defendants No. 1 to 4, Plaintiff apprehends that their illegal activities are likely to continue even after passing of an injunction order and therefore, seeks a 'dynamic+' injunction covering all future websites and URLs that may emerge to mimic their modus operandi. Owing to the speed at which pirated content becomes accessible without the identity of the pirate being known and the value of a live event being short-lived, learned counsel seeks suspension and/or blocking of infringing websites/URLs on a real-time basis, as and when instances of piracy comes to Plaintiff's attention, consistent with the international 'John Doe' practice and orders passed by this Court, from time and again."

8. This Court also referred to the decision in ***Universal City Studios LLC. and Others v. Dotmovies Baby and Others,***[1] in paragraph 41 of the said order. However, a reading of the operative portion shows that paragraph

[1]2023 SCC OnLine Del 4955.

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46 extends the blocking direction against the ISPs to 'any mirror, redirect, alphanumeric variant' of the injuncted websites, but no corresponding extension finds place in paragraph 45 *qua* the domain name registrars and hosting entities, or in paragraph 47 *qua* Defendant Nos. 23 and 24.

9. The order also does not provide for the manner in which a newly discovered website is to be brought to the notice of the concerned defendants, or how the Court is to be kept informed of the same. The relief sought in paragraph 27(f) of I.A. 24819/2026 was, thus, not dealt with in the operative directions. It is in this backdrop that the present application has been moved.

10. Mr. Ritwik Marwaha, learned counsel appearing on behalf of the plaintiff, submits that, in view of the past conduct and the current operations of defendant nos. 1 to 4, their infringing activities are likely to continue notwithstanding the ad interim injunction, through mirror websites, redirects, alphanumeric variants, sub-domains and URLs which can be created within minutes. He submits that the commercial value of a live sporting event is exhausted within the duration of the event itself. If the plaintiff were required to file an application for impleadment on each occasion, by the time such application is listed and orders are passed, the rogue operator would have migrated to yet another online location, and the event in question would have concluded. This, according to him, would defeat the very purpose of the ad interim injunction.

11. Learned counsel further submits that the plaintiff has arrayed unknown infringers as 'John Doe' (Defendant No. 5), as it is not possible to furnish particulars of such persons in advance. He submits that this Court, in exercise of its inherent powers under Section 151 of the CPC, may evolve a

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fair procedure to meet such exigencies. He also submits that the protection ought not to be confined to conventional websites alone and should extend to mobile applications/APKs, IPTV operators, user interfaces and such other online locations which may bear no nomenclatural resemblance to the injuncted websites but are identifiable from their branding, the identity of the operator, the source of content or the reproduction of the plaintiff's own feed.

12. Learned counsel lastly submits that a similar real-time mechanism has been granted to the plaintiff by this Court in ***Sporta Technologies Pvt. Ltd. v. John Doe & Ors.***, CS(COMM) 807/2025, wherein the plaintiff was permitted to communicate details of subsequently discovered rogue websites directly to the concerned intermediaries and authorities, with a requirement to place the evidence before the Court on affidavit thereafter. He submits that the plaintiff seeks only a substantially similar mechanism, confined to the rights forming the subject matter of the present suit, and that no prejudice would be caused to any of the defendants.

13. None appears on behalf of the defendants.

14. At the outset, it is to be noted that the existence of a *prima facie* case in favour of the plaintiff, the balance of convenience, and the likelihood of irreparable harm have already been considered by this Court in the order dated 10.09.2026. The present application does not call for a re-examination of those aspects. The limited question is whether, in aid of the ad interim injunction already granted, the plaintiff ought to be permitted to notify further infringing websites and URLs directly to defendant nos. 6 to 24 for real-time action, without filing a fresh application on each occasion, and, if so, subject to what safeguards.

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15. An injunction is granted to protect a right in a real and effective manner. If the order can be circumvented by the infringer simply by moving the same unlawful activity to a new address on the internet, the injunction would remain only on paper. This Court, in ***UTV Software Communication Ltd. & Ors. v. 1337X.To & Ors.***,[2] recognised the power of the Court to prevent not only current but also future infringements, and held as under:

> *"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."*

16. In the same decision, the Court laid down the following factors for determining whether a website is a flagrantly infringing online location or a 'rogue website':

> *"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;*

[2]2019 SCC OnLine Del 8002.

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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."

17. While decreeing the suits, the Court in ***UTV Software*** (supra) permitted the plaintiffs to implead mirror, redirect and alphanumeric websites, by observing as under:

"107. … A decree is also passed directing the ISPs to block access to the said defendant-websites. DoT and MEITY are directed to issue a notification calling upon the various internet and telecom service providers registered under it to block access to the said defendant-websites. The plaintiffs are permitted to implead the mirror/redirect/alphanumeric websites under Order I Rule 10 CPC in the event they merely provide new means of accessing the same primary infringing websites that have been injuncted. …"

18. The concept was carried further in ***Universal City Studios*** (supra), where the Court took note of the ease with which rogue websites resurface, and observed as under:

"12. In UTV Software Communication Ltd. (Supra), the ld. Single Judge of this Court took note of the dynamic nature in which the duplication of websites can happen, especially because mirror websites can spring up within a matter of a few minutes. Several other orders have also been passed by this Court with respect to rogue websites, such as in CS(COMM) 157/2022 titled Star India Pvt. Ltd v. Live Flixhub.Net, CS(COMM) 471/2019 titled Star India Pvt. Ltd. Vs. Moviemad.biz & Ors, and CS(COMM) 195/2019 titled Star India Pvt. Ltd. Vs. Extramovies.host & Ors. These orders have clearly established that these websites surface frequently, and on a periodic basis, as domain names can be registered with minor modifications, and the content of the website can be very easily moved from one website to the other.

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17. Any injunction granted by a Court of law ought to be effective in nature. The injunction ought to also not merely extend to content which is past content created prior to the filing of the suit but also to content which may be generated on a day-to-day basis by the Plaintiffs. …

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> *19. As innovation in technology continues, remedies to be granted also ought to be calibrated by Courts. This is not to say that in every case, an injunction qua future works can be granted. Such grant of an injunction would depend on the fact situation that arises and is placed before the Court.*
>
> *20. … To keep pace with the dynamic nature of the infringement that is undertaken by hydra-headed websites, this Court has deemed it appropriate to issue this 'Dynamic+ injunction' to protect copyrighted works as soon as they are created, to ensure that no irreparable loss is caused to the authors and owners of copyrighted works, as there is an imminent possibility of works being uploaded on rogue websites or their newer versions immediately upon the films/shows/series etc. …"*

19. In ***Dotmovies*** (supra), the extension of the injunction to newly discovered websites was still to operate upon an application before the learned Registrar, supported by an affidavit with sufficient evidence. Such a mechanism may serve the purpose where the content in question is a cinematograph film or a series, which retains its commercial value over a period of time. It does not, however, answer the difficulty of a live sporting event, the value of which is concentrated in the few hours during which the event is played.

20. Recognising this distinction, this Court has, in matters relating to live sporting events, permitted the right holder to communicate newly discovered rogue websites directly to the intermediaries and the authorities for real-time blocking, with the obligation to place the details on affidavit before the Court thereafter. In ***Star India Private Limited & Anr. v. Jiolive.tv & Ors.***,[3] concerning the ICC Men's Cricket World Cup 2023, the Court directed as under:

> *"40. During the currency of the world cup matches, if any further websites are discovered which are illegally streaming and communicating content*

[3]CS(COMM) 688/2023, order dated 27.09.2023.

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over which the Plaintiffs have rights, the Plaintiffs are given liberty to communicate the details of these websites to both DoT and MeitY for issuance of blocking orders and simultaneously to the ISPs for blocking the said websites so as to ensure that these websites can be blocked on a real time basis there is no considerable delay. Upon receiving the said intimation from the Plaintiffs, the ISPs shall take steps to immediately block the rogue websites in question.

41. The DoT and MeitY shall also issue blocking orders immediately upon the Plaintiffs communicating the details of the websites which are illegally streaming the ICC World Cup Cricket matches.

42. After communicating the details of the rogue websites, Plaintiffs shall continue to file affidavits with the Court in order to ensure that the Court is fully informed of the websites in respect of which blocking orders are sought.

43. If any website, which is not primarily an infringing website, is blocked in pursuance of the present order, it is permitted to approach the Court by giving an undertaking that it does not intend to do any illegal dissemination of the ICC World Cup of the content over which the Plaintiffs have rights and the Court would consider modifying the injunction accordingly.

44. Such a relief is called for in the present matter, especially, in view of the fact that these are one day international matches. Any delay in blocking the rogue websites would, in fact, result in considerable pecuniary loss to the Plaintiffs and result in irreparable violation of the Broadcast reproduction rights of the Plaintiffs."

21. The efficacy of the said mechanism is evident from the subsequent judgment dated 29.10.2024 in the same suit, which records that, in light of the aforesaid directions, approximately 406 rogue websites illegally streaming the World Cup matches came to be blocked.

22. A similar mechanism was adopted in ***Star India Pvt. Ltd. & Ors. v. Terrimeridooriyan.com & Ors.***,[4] with an additional safeguard, as follows:

"f. It is further directed that if any other mirror websites/ alphanumeric websites/ similar websites are found to be directly or indirectly infringing the plaintiffs' rights, the plaintiffs will be at liberty to communicate in writing/email to the DNRs, ISPs, DoT, MEITY. The said defendants shall ensure that the directions given above shall be extended to those websites

[4]CS(COMM) 163/2024, order dated 23.02.2024.

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as well. If any of these defendants have a reservation, they will be at liberty to address a written communication/email to the plaintiffs stating the reasons for the same. The plaintiffs are at liberty to approach this Court for any relief they may seek pursuant to the same. Plaintiffs shall also file within 24 hours of sending any such communication, an affidavit before this Court giving the list of the websites they have communicated to the said defendants, as well as supporting documentation in relation to the same. The plaintiffs shall be held to their affidavit and in the event any assertion by the plaintiff, of a website being a rogue website, is found to be incorrect or false, it may necessitate strictures/directions from this Court."

23. Likewise, in ***Home Box Office Inc v. Moviebox.ph & Ors***.,[5] the Court directed as under:

"iv. If any further websites are discovered during the course of the proceedings, which are found to be unauthorizedly streaming, communicating, hosting or making available content over which the plaintiff has exclusive copyright in respect of the Series – Euphoria: Season 1, Euphoria: Season 2 and/or the upcoming season of the same – Euphoria: Season 3, the plaintiff is at liberty to communicate the details of such websites, domain names, URLs to defendant nos.21 to 31/DNRs and defendant nos.32 to 40/Internet Service Providers (ISPs). Upon receiving such intimation from the plaintiff alongwith supporting evidence, defendant nos.21 to 31/DNRs are directed to forthwith lock or suspend the domain name registrations of such newly discovered infringing websites and defendant nos.32 to 40/ISPs are directed to immediately block access to the said websites;

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30. The plaintiff shall continue to file affidavits providing details of the newly discovered websites, their domain names and the URLs, which are communicated and blocked to ensure that this Court is fully informed of the websites in respect of which blocking orders are sought.

31. If any website, which is not primarily an infringing website, is blocked in pursuance of this Order, it is permitted to approach the Court by giving an undertaking that it does not intend to do any illegal dissemination of the content over which the plaintiff has copyright and the Court would consider modifying the injunction if the facts and circumstances so warrant."

24. At the same time, the Court cannot lose sight of the caution expressed

[5]CS(COMM) 358/2026, order dated 06.04.2026.

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by a Coordinate Bench of this Court in ***Home Box Office Inc. & Ors. v. Streamzy.to & Ors.***,[6] wherein, after surveying the varying models adopted in the decisions noted above, it was held as under:

> *"19. At the same time, this court is conscious, that in fashioning relief to address the very real menace of online piracy, care must be taken not to confer upon ISPs, DNRs, or the plaintiffs, powers that they do not otherwise possess in law. An ISP or DNR is, in the ordinary course, a neutral intermediary. It is not the function of such intermediary to determine whether any particular website is a 'rogue website'. Equally, under the guise of a blocking direction, the plaintiffs cannot be permitted to assume unto themselves the authority to identify and disable websites.*
>
> *20. Any mechanism that requires an ISP or DNR to satisfy itself, upon its own assessment, that a subsequently identified website is a 'rogue website' engaged in infringement of the plaintiffs' rights, would effectively cast upon such intermediary an adjudicatory responsibility that it is neither equipped nor authorised in law to discharge. Therefore, the appropriate balance lies in ensuring that while the plaintiffs are not required to approach this court afresh each time a rogue website comes into existence, the ultimate determination of whether such website is liable to be blocked must continue to rest with the court. Such decision cannot be left either to the unilateral assessment of the plaintiffs or to the sole satisfaction of an intermediary.*
>
> *xxx xxx xxx*
>
> *24. It is further clarified that blocking of any such website(s) by an ISP/DNR shall purely be a pro-tem measure and shall be subject to further directions of this court."*

25. The Court in ***Streamzy.to*** (supra) also took note of the position of intermediaries under Section 79 of the Information Technology Act, 2000 and the decision of the Supreme Court in ***Shreya Singhal v. Union of India***,[7] and observed that an intermediary cannot be conferred with any discretion to block websites merely on the asking of a party. Notably, the Court in ***Streamzy.to*** (supra) itself recognised that relief in such matters has been moulded depending on the facts shown, and its directions were framed

[6] 2026:DHC:5967.

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'in the circumstances obtaining in the present case', which concerned cinematograph films and shows.

26. In my considered view, the principle laid down in ***Streamzy.to*** (supra), namely, that the ultimate determination must rest with the Court and that no adjudicatory discretion can be placed upon an intermediary, can be fully preserved in a mechanism tailored to live sporting events.

27. If, on the other hand, the plaintiff is relegated to file an application under Order I Rule 10 of the CPC on each occasion, the infringing stream of a race, a match or a tournament session would, in all likelihood, run its course before the application is even listed. The loss in such a case is not one which can be adequately compensated, since the value of each event, as noticed by the Coordinate Bench, is exhausted within its duration.

28. In view of the aforesaid, the application is allowed, and the following directions are issued in supplementation of the order dated 10.09.2026:

28.1 During the subsistence of the *ex parte* ad interim injunction dated 10.09.2026, and in respect of the Sporting Events under the Agreements for the period of the rights thereunder, the plaintiff is granted liberty to notify to Defendant Nos. 6 to 24, by e-mail, without the necessity of filing a fresh application on each occasion, the details of any further website, mirror, redirect, alphanumeric variant, sub-domain or URL which is found to be making available to the public in India any of the Sporting Events.

28.2 Each such communication shall identify the website/URL, the Sporting Event in question, and the date and time of detection,

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[7](2015) 5 SCC 1.

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and shall be accompanied by the supporting material, including screenshots or recordings of the infringing stream and the IP address, wherever available.

28.3 Upon receipt of such communication, Defendant Nos. 6 to 9 shall suspend, lock and/or de-register the domain names and sub-domains registered with or hosted by them, and Defendant Nos. 10 to 22 shall disable access to the said websites/URLs, on a real-time basis and, in any event, not later than 24 hours from the receipt of the communication. Defendant Nos. 23 and 24 shall issue the corresponding notifications to the ISPs registered under them within 36 hours from the receipt of the communication.

29. With the aforesaid directions, the application stands disposed of.

PURUSHAINDRA KUMAR KAURAV, J

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