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

+ **CS(COMM) 275/2020**

DISNEY ENTERPRISES, INC. & ORS.Plaintiffs
Through Mr. Saikrishna Rajagopal with Mr.
Sidharth Chopra, Ms. Sneha Jain and
Ms. Disha Sharma, Ms. Snehima
Jauhari and Ms. Surabhi Pande, Advs.
Versus

KIMCARTOON.TO & ORS.Defendants
Through None.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

27.07.2020

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[Court hearing convened *via* video-conferencing on account of COVID-19]

I.A. No.6090/2020

1. Allowed, subject to the plaintiffs curing the deficiencies referred to in the captioned applications within five days of the lockdown *qua* this Court being lifted.

I.A. No.6091/2020

2. This is an application filed under Section 80 read with Section 151 of the CPC. *Via* this application, the plaintiffs seek an exemption from serving notice on defendant nos. 47 and 48.

3. To be noted, defendant no. 47 is the Department of Telecommunications (DoT) while defendant no. 48 is the Ministry of Electronics and Information Technology (MEITY).

3.1 Ordinarily, the Union of India ought to have been sued, *albeit*,

through DOT and MEITY.

4. However, this is an error of description and not intent and, hence, need not detain me so as to proceed further in the matter.

5. Accordingly, the prayer made in the application is allowed for the reasons given therein.

CS(COMM) No. 275/2020 & I.A. No.6089/2020

6. Issue summons in the suit and notice in the captioned application *via* all means including email.

7. The plaintiffs constitute companies, which are incorporated in various states of the United States of America.

7.1 The plaintiffs are *inter alia* in the business of creation, production and distribution of motion pictures/cinematograph films.

7.2 The plaintiffs are aggrieved by the fact that certain rogue websites are enabling the down-streaming of their creative work which includes films and other entertainment programmes, *albeit*, without requisite licenses. The plaintiffs aver that they have the copyright in the content of their creative works and, hence, need to be protected.

7.3 The rogue websites are arrayed as defendant nos. 1 to 37. The details of these websites, as set forth in the plaint, are extracted hereafter:

S.No.	Domain Name	URL	IP Address
	Defendant No. 1		
1.	Kimcartoon.to	https://kimcartoon.to/	104.26.4.133 104.26.5.133
2.	kisscartoon.me	http://kisscartoon.me	104.27.190.129 104.27.191.129
3.	kisscartoon.se	http://kisscartoon.se	104.28.20.225 104.28.21.225
4.	kisscartoon.com	http://kisscartoon.com	192.64.119.34
5.	kisscartoon.nl	https://kisscartoon.nl/	104.24.122.185

			104.24.123.185
6.	kisscartoon.ac	http://kisscartoon.ac	104.27.146.195 104.27.147.195
7.	kisscartoon.is	http://kisscartoon.is	104.26.8.56 104.26.9.56
8.	kisscartoon.eu	http://kisscartoon.eu/	104.24.104.204 104.24.105.204
9.	kisscartoon.es	http://kisscartoon.es/	104.28.10.40 104.28.11.40
10.	kisscartoon.bz	http://kisscartoon.bz/	78.142.29.4
11.	kisscartoon.xyz	https://www16.kisscartoon.xyz/	104.28.14.4 104.28.15.4
12.	kisscartoons.co	http://kisscartoons.co/	104.18.58.148 104.18.59.148
13.	kisscartoon.ro	https://kisscartoon.ro/	104.18.56.11 104.18.57.11
14.	kisscartoon.love	https://www1.kisscartoon.love/	104.31.80.60 104.31.81.60
15.	kisscartoon.info	https://kisscartoon.info/	104.18.38.113 104.18.39.113
	Defendant No. 2		
16.	Tv.xgomovies.com	https://tv.xgomovies.com/	160.153.208.136
17.	xgomovies.com	https://xgomovies.com/	160.153.208.136
	Defendant No. 3		
18.	Europixhd.io	https://europixhd.io	104.24.104.153 104.24.105.153
19.	europixhd.net	http://europixhd.net	104.31.76.231 104.31.77.231
20.	europix.biz	https://europix.biz/	104.27.138.15 104.27.139.15
21.	topeuropix.com	https://topeuropix.com/	104.27.164.14 104.27.165.14
	Defendant No. 4		
22.	Lookmovie.ag	https://lookmovie.ag	104.31.0.179 104.31.1.179
23.	lookmovie.ch	https://lookmovie.ch/	104.18.50.223 104.18.51.223
24.	lookmovie.co	https://lookmovie.co/	104.18.56.6 104.18.57.6
	Defendant No. 5		
25.	lookmovie.pro	https://lookmovie.pro/	207.180.251.37
	Defendant No. 6		

26.	123movieshub.vip	https://123movieshub.vip	104.18.58.193 104.18.59.193
27.	123movieshub1.com	https://123movieshub1.com/	104.28.26.197 104.28.27.197
28.	123movieshub.one	https://ww.123movieshub.one/ /	104.27.172.121 104.27.173.121
29.	123movieshub.town	https://123movieshub.town/	104.27.134.61 104.27.135.61
30.	123movieshub.eu	https://123movieshub.eu/	104.27.132.58 104.27.133.58
Defendant No. 7			
31.	cinebloom.pro	https://cinebloom.pro/	207.180.216.107
32.	cinebloom.biz	https://cinebloom.biz/	104.28.30.93 104.28.31.93
Defendant No. 8			
33.	Cinebloom.org	https://www.cinebloom.org	104.28.4.203
Defendant No. 9			
34.	m.wcostream.com	https://m.wcostream.com	192.162.136.33
35.	wcostream.com	https://www.wcostream.com	192.162.136.33
36.	watchcartoononline.io	http://watchcartoononline.io	104.28.16.39 104.28.17.39
37.	thewatchcartoononline.tv	https://www.thewatchcartoon online.tv/	192.162.136.33 192.162.137.229
38.	wco.tv	https://www.wco.tv/	91.215.159.214
Defendant No. 10			
39.	Moviesjoy.net	https://www1.moviesjoy.net	104.31.68.53 104.31.69.53
40.	moviesjoys.in	https://moviesjoys.in/	104.28.30.186 104.28.31.186
Defendant No. 11			
41.	moviesjoy.pro	https://moviesjoy.pro/	207.180.216.107
Defendant No. 12			
42.	afdah.info	https://afdah.info	104.31.6.165 104.31.7.165
43.	afdah.site	https://afdah.site/	104.27.184.207 104.27.185.207
44.	afdah.email	https://afdah.email/	104.24.122.252 104.24.123.252
45.	afdah.surf	https://afdah.surf/	104.27.168.127 104.27.169.127
Defendant No. 13			
46.	P30download.com	https://p30download.com/	5.144.130.116

	Defendant No. 14		
47.	kiss-anime.ws	https://www.kiss-anime.ws	104.26.4.69 104.26.5.69
48.	kiss-anime.me	http://kiss-anime.me	104.31.66.23 104.31.67.23
49.	kissanime.monster	https://kissanime.monster/	104.18.36.32 104.18.37.32
50.	kissanime.pro	https://kissanime.pro/	104.24.118.210 104.24.119.210
51.	kissanime.fm	https://kissanime.fm/	104.24.106.34 104.24.107.34
52.	kissanime.nz	https://kissanime.nz	104.26.12.106 104.26.13.106
	Defendant No. 15		
53.	Proxyof.com	http://proxyof.com	104.18.36.49 104.18.37.49
	Defendant No. 16		
54.	Yeshollywood.org	https://yeshollywood.org	104.31.76.41 104.31.77.41
	Defendant No. 17		
55.	moviesonlinewatch.com.pk	http://moviesonlinewatch.com.pk	104.28.4.149 104.28.5.149
56.	movieswatch.com.pk	http://www.movieswatch.com.pk/	104.26.6.6 104.26.7.6
	Defendant No. 18		
57.	Watchfriendsonline.net	http://watchfriendsonline.net	104.24.112.58 104.24.113.58
58.	watchfriendsonline.eu	https://watchfriendsonline.eu/	104.24.100.47 104.24.101.47
59.	iwatchfriends.net	https://iwatchfriends.net/	104.27.168.9 104.27.169.9
	Defendant No. 19		
60.	Nyaa.si	https://nyaa.si	185.178.208.182
	Defendant No. 20		
61.	Horriblesubs.info	https://horriblesubs.info	104.24.108.17 104.24.109.17
	Defendant No. 21		
62.	Gogoanime.video	https://gogoanime.video	104.31.70.253 104.31.71.253
63.	gogoanime.in	http://gogoanime.in	104.27.136.219 104.27.137.219
64.	gogoanime.tv	http://gogoanime.tv	104.28.2.206

			104.28.3.206
65.	gogoanime.io	https://www15.gogoanime.io	94.242.62.229
66.	gogoanime.se	http://gogoanime.se	104.24.98.74
			104.24.99.74
67.	gogoanimes.co	http://gogoanimes.co	104.27.146.10
			104.27.147.10
68.	gogoanimehub.tv	https://www4.gogoanimehub.tv	104.18.32.30
			104.18.33.30
69.	gogoanimehub.com	https://www11.gogoanimehub.com	104.27.142.246
			104.27.143.246
70.	gogoanime.pro	https://gogoanime.pro/	104.28.18.241
			104.28.19.241
71.	gogoanime-io.net	http://gogoanime-io.net/	104.27.164.86
			104.27.165.86
72.	gogoanime.cool	https://gogoanime.cool/	104.18.36.96
			104.18.37.96
	Defendant No. 22		
73.	9anime.to	https://9anime.to	104.24.104.31
			104.24.105.31
74.	9anime.ru	https://9anime.ru	104.27.156.26
			104.27.157.26
75.	9anime.nl	https://9anime.nl	104.31.68.79
			104.31.69.79
76.	9anime.live	https://9anime.live	104.28.8.134
			104.28.9.134
77.	9anime.life	https://9anime.life	104.18.42.83
			104.18.43.83
78.	9anime.one	https://9anime.one	104.27.170.68
			104.27.171.68
79.	9anime.page	https://9anime.page	104.27.186.190
			104.27.187.190
80.	9anime.video	https://9anime.video	104.27.132.234
			104.27.133.234
81.	9animes.net	https://ww.9animes.net/	104.27.188.240
			104.27.189.240
	Defendant No. 23		
82.	Animedao.com	https://animedao.com	104.18.54.81
			104.18.55.81

	Defendant No. 24		
83.	Hdmovies.club	https://hdmovieshub.club/	104.27.132.62 104.27.133.62
84.	hdmovieshub.cc	https://hdmovieshub.cc/	104.28.4.3 104.28.5.3
85.	hubflixhd.in	http://hubflixhd.in	104.24.106.81 104.24.107.81
	Defendant No. 25		
86.	movies123.pics	https://movies123.pics	104.27.184.67 104.27.185.67
87.	Movies123.pro	http://movies123.pro	104.18.56.188 104.18.57.188
88.	movies123.top	https://movies123.top	104.28.24.36 104.28.25.36
	Defendant No. 26		
89.	Animeram.cc	https://ww2.animeram.cc	104.18.52.81 104.18.53.81
	Defendant No. 27		
90.	Iptorrents.com	https://iptorrents.com	104.20.222.73 104.20.223.73
91.	ipt-update.com	http://ipt-update.com	104.28.4.103 104.28.5.103
92.	iptorrents.us	http://iptorrents.us	104.18.62.146 104.18.63.146
93.	ipt.lol	https://ipt.lol	104.31.94.99 104.31.95.99
94.	ipt.beelyrics.net	https://ipt.beelyrics.net	104.31.92.247 104.31.93.247
95.	ipt.findnemo.net	https://ipt.findnemo.net	104.18.44.247 104.18.45.247
96.	ipt.getcrazy.me	https://ipt.getcrazy.me	104.24.96.186 104.24.97.186
97.	ipt.venom.global	https://ipt.venom.global	104.27.136.53 104.27.137.53
98.	ipt.workisboring.net	https://ipt.workisboring.net	104.24.126.216 104.24.127.216
99.	iptorrents.eu	https://iptorrents.eu/	104.25.150.17 104.25.151.17
100.	nemo.iptorrents.com	https://nemo.iptorrents.com/	104.20.222.73 104.20.223.73
	Defendant No. 28		
101.	Torrentdownload.info	https://www.torrentdownload.	104.18.50.86

		info/	104.18.51.86
	Defendant No. 29		
102.	All123movies.com	https://ww1.all123movies.com	104.27.186.203 104.27.187.203
	Defendant No. 30		
103.	Cartooncrazy.tv	https://ww1.cartooncrazy.tv	104.26.0.128 104.26.1.128
104.	cartooncrazy.net	http://www.cartooncrazy.net/	104.26.10.72 104.26.11.72
	Defendant No. 31		
105.	Unblockit.red	https://unblockit.red	104.26.8.196 104.26.9.196
	Defendant No. 32		
106.	Vumoo.to	http://vumoo.to	104.27.134.49 104.27.135.49
107.	vumoo.life	https://vumoo.life/	104.24.118.75 104.24.119.75
108.	vumoo.xyz	https://vumoo.xyz/	104.27.186.110 104.27.187.110
	Defendant No. 33		
109.	Yourbittorrent2.com	https://yourbittorrent2.com/	104.31.74.122 104.31.75.122
	Defendant No. 34		
110.	Openloadmovies.ac	https://openloadmovies.ac	104.28.10.209 104.28.11.209
111.	openloadmovies.net	http://openloadmovies.net	104.24.106.76 104.24.107.76
112.	openloadmovies.bz	http://openloadmovies.bz	104.31.72.26 104.31.73.26
113.	openloadmovies.uk	https://openloadmovies.uk/	104.27.130.48 104.27.131.48
114.	openloadmovies.ch	https://openloadmovies.ch/	104.27.188.50 104.27.189.50
	Defendant No. 35		
115.	Solarmovie.id	https://ww1.solarmovie.id	104.27.140.75 104.27.141.75
	Defendant No. 36		
116.	Hdmovie2.com	https://hdmovie2.com/	104.31.76.223 104.31.77.223
	Defendant No. 37		
117.	9kmovies.club	https://9kmovies.club	104.27.146.148 104.27.147.148

118.	9kmovies.red	http://9kmovies.red	104.24.104.67
			104.24.105.67

8. Besides the aforementioned rogue websites, the plaintiffs have also arrayed the Internet Service Providers (ISPs). These ISPs are arrayed as defendant nos. 38 to 46.

8.1 Furthermore, to ensure that the ISPs block access to the aforementioned rogue websites, the plaintiffs have also arrayed the concerned department i.e. DOT and the concerned ministry of the Union of India i.e. MEITY as defendant nos. 47 and 48 respectively.

9. I have heard Mr. Saikrishna Rajagopal in support of the case put forth by the plaintiffs.

10. According to me, the rogue websites which enable streaming of the creative works of the plaintiffs in which they have copyright, *albeit* illegally, is a cause for concern. In sum, it is the plaintiffs' case that the rogue websites are indulging in digital piracy.

10.1 I am of the view that if the plaintiffs are not protected, as prayed for, irreparable damage would be caused to their commercial and statutory interest.

10.2 The balance of convenience, it appears, is also in favour of the plaintiffs.

11. Therefore, I am inclined to issue the following interim directions to protect the interest of the plaintiffs:

- (i) Defendant nos. 1 to 37 are restrained from, in any manner, hosting, streamlining, 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 and show in which the plaintiffs have copyright.

(i)(a) This injunction shall also operate in respect of the mirror/redirect/alphanumeric websites, which are put in play by defendant nos. 1 to 37 to grant access to the websites referred to in paragraph 7.3 hereinabove.

(ii) Defendant nos. 38 to 46 are directed to block access to the websites of defendant nos. 1 to 37 as detailed out in paragraph 7.3 above.

(ii)(a) This direction will also operate *qua* mirror/redirect/alphanumeric websites, which have their roots in the websites of defendant nos. 1 to 37 referred to in paragraph 7.3 above.

(iii) Defendant nos. 47 and 48 shall issue necessary directions/notifications calling upon various ISPs, in general, to block access to the websites of defendant nos. 1 to 37 as also *qua* mirror/redirect/alphanumeric websites of the said defendants, which are referred to in paragraph 7.3 above.

(iv) The plaintiffs are given liberty to file an application under Order I Rule 10 of the CPC to array other rogue websites if the same are discovered after the issuance of the instant interim order. The purpose being that the Court, in these cases, needs to dynamically monitor such egregious illegality and, if necessary, pass interim orders to restrain similar rogue websites from illegally streaming the creative content in which the plaintiffs have a copyright.

12. The plaintiffs will comply with the provision of Order XXXIX Rule 3 of the CPC within five days of the receipt of a copy of this order.

13. Renotify the matter on 01.09.2020.

JULY 27, 2020
pmc/KK

RAJIV SHAKDHER, J

Click here to check corrigendum, if any