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

+ **CS(COMM) 470/2025 & I.A. 12176/2025**

THE FOOTBALL ASSOCIATION PREMIER LEAGUE LIMITED

.....Plaintiff

Through: Ms. Suhasini Raina and Mr. Pushpit Ghosh, Advocates.

versus

SPORTSHUB.STREAM & ORS.

.....Defendants

Through: Mr. Rohit Rattu, Advocate for D-27.
Mr. Mrinal Ojha, Mr. Debarshi Dutta,
Mr. Nikhil Gupta and Mr. Yogesh Singh, Advocates for D-28.
Ms. Shweta Sahu and Ms. Deeksha Pokhriyal, Advocates for D-31.
Mr. Vikram Jetly, CGSC with Ms. Shreya Jetly, Advocate for UOI.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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10.04.2026

1. Heard Ms. Suhasini Raina, learned counsel appearing on behalf of the plaintiff and Mr. Rohit Rattu, learned counsel appearing on behalf of defendant no.27/Tucows Domains Inc.
2. Since none was appearing for defendant no.41 and 42 i.e. Department of Telecommunication, Ministry of Communication and Information Technology, Government of India (hereinafter referred to as 'DoT') and Ministry of Electronics and Information Technology, Government of India (hereinafter referred to 'MeITY'), on the request of this Court, Mr. Jetly, learned CGSC, has entered appearance and accepts notice. Ms. Raina is requested to furnish the entire set of suit and pleadings as on date to Mr. Jatly, during the course of the day.

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3. This Court, *vide* order dated 14.05.2025, in particular para 33, passed certain directions on an application seeking *ex-parte ad interim* injunction. As per the said order and directions contained in para 33(b), the Internet Service Providers (hereinafter referred to as 'ISPs') and Domain Name Registrars (hereinafter referred to as 'DNRs') one of which was defendant no.27/Tucows Domains Inc. were to block certain URLs which were carrying infringing material on which the suit is based.

4. Despite the passage of many months, the defendant no.27/Tucows Domains Inc. has not complied with such directions.

5. It was in this background, on 24.02.2026, this Court requested Mr. Rohit Rattu, learned counsel appearing for defendant no.27/Tucows Domains Inc. to take appropriate instructions as to why the compliances contained in para 33 of order dated 14.05.2025 were not complied with.

6. On 30.03.2026, Mr. Rattu, learned counsel appearing for the defendant no.27, stated that defendant no.27 would indeed comply with the orders of this Court within one week. Even thereafter, till date, the compliances have not been effected by defendant no.27.

7. In the aforesaid backdrop, Ms. Raina seeking to assist this Court, has referred to the order dated 09.11.2022 passed by the Co-ordinate Bench in ***Star India Pvt. Ltd. & Anr. vs. MHDTV.WORLD & Ors.*** in CS(COMM) 567/2022, whereby, certain directions were passed against the DNRs. It was specifically noted in para 3 of the said order that out of the five DNRs, one of whom was defendant no.27/Tucows Domains Inc. have not complied with the order of the Court.

8. In the same order, the learned Single Judge had also directed the DoT and MeITY, which are defendants herein, to immediately take action within one week against the DNRs for non-compliance of the orders passed by the Court.



9. Learned counsel for the DoT and MeITY therein was directed to file a status report as to what action has been taken by it against such non-compliant DNRs.

10. Consequent thereto, *vide* the order dated 20.03.2023, the learned Single Judge in the same suit after having perused the two status reports filed by the MeITY on 06.03.2023 and 14.03.2023 held as under:

“7. In compliance with the directions contained in the aforeextracted para 11 of the order dated 9th November 2022, two status reports have been filed by the MeITY, on 6th March 2023 and on 14th March 2023.

8. In the status report dated 6th March 2023, the MeITY has observed that it had no powers to take action against non-compliant DNRs but that, if the Court so ordered, infringing websites and email IDs could be blocked, the power in relation to which vested with the DoT through the Internet Service Providers (ISPs). It was also noted, in the said order, that the MeITY had already lodged a complaint about the non-compliant DNRs through the ICANN’s contractual compliance mechanism.

9. A further status report dated 14th March 2023 of the MeITY, records that, on 10th March 2023, the MeITY directed the matter pertaining to the aforesaid non-compliant DNRs to be forwarded to the designated officers under the Information Technology (Procedure and Safeguards for Blocking for access of Information by Public) Rules 2009 (“The IT Blocking Rules”), reiterating the direction to block access to the websites and URLs of the aforesaid five offending DNRs. Based on the said communication, the DoT issued order dated 10th March 2023 to the various ISPs to block access to the websites URLs of the afore-noted five offending DNRs. In view thereof, it was submitted that the directions issued by this Court in its order dated 9th November 2022, concerning the aforesaid five non-compliant DNRs stood complied with.

10. The status report also notes, apropos the query from the Court as to whether the DNRs ought to be permitted to continue to offer their goods and services in India, that the maximum possible action which could be taken by the DoT/MeITY, which was for blocking access to the websites URLs of the said five DNRs, which had already been taken pursuant to the directions issued by this Court read with Rule 10 of the IT Blocking Rules.”

11. It appears that, on account of having blocked the access to the websites of the URLs of the said five DNRs, which included defendant no.27/Tucows Domains Inc., the said defendant had filed an application seeking unblocking.



In the order dated 23.05.2023, the learned Single Judge had noted that the Tucows Domains Inc. had effected only a single direction contained in the para 20 of the order dated 22.08.2022, however, had directed the Tucows Domains Inc. to file an affidavit within one week undertaking to complete all the directions (b), (c) and (d) in para 20 of the order dated 22.08.2022, subject whereto MeITY was directed to unblock the domain name 'www.tucows.com'.

12. It is strange to note that even after having undergone an adverse order with drastic measures having been undertaken on the orders of this Court, and having subsequently complied with it, in the present suit, the defendant no.27/Tucows Domains Inc. is resisting compliance of similar orders. No explanation has been tendered by them. Even Mr. Rattu, learned counsel appearing for the Tucows Domains Inc. submits that though the past orders have been furnished to the said defendant, no instructions as to whether any compliance has been completed or not is not forthcoming.

13. It appears that the defendant no.27/Tucows Domains Inc. has scant regard to the orders of this Court.

14. To compound the above, it appears that the defendant no.27/Tucows Domains Inc. had responded to the e-mail issued by the plaintiff's counsel *vide* its reply e-mail dated 30.09.2025 stating, *inter-alia*, that it would not be able to take action without a valid Court order domesticated in Canada, Germany, Denmark or in the United States which directs it to take such action.

15. This is unpalatable and unacceptable and appears to be clear defiance of the orders of this Court as also the previous orders passed by this Court, which were complied with after coercive measures were undertaken by this Court. This cannot be countenanced.

16. At this stage, it is noted that this Court in a batch of matters with the lead matter being CS(COMM) 135/2022 titled ***Dabur India Ltd vs. Ashok Kumar & Ors.*** 03.08.2022 and 13/14.09.2022, reiterated the *prima facie* view that the



DNRs have to abide by and give effect to orders passed by competent Courts, Government authorities, etc. It is also noted that the DNRs, including the Tucows Domains Inc., are offering their services and products in India and are undoubtedly bound by the Information and Technology (Intermediary Guidelines and Digital Media Ethics Codes) Rules, 2021. It is also imperative to note that the said DNRs are obligated to appoint Grievance Officers to ensure compliance of the orders passed by the Courts.

17. It is apparent that the defendant no.27/Tucows Domains Inc. is clearly violating such mandatory orders. Even the Internet Corporation for Assign Names and Numbers (ICANN) Agreement governs the relationship between registry operators, DNRs and the domain name registrars. The agreements executed, *inter-se*, also impose obligations upon, the DNRs to comply with all applicable laws, Court orders. The relevant portions of the order dated 03.08.2022 in CS(COMM) 135/2022 is extracted hereunder:

“31. ... Considering the large sums of money that are being fraudulently obtained from various unsuspecting customers, all due to the lack of an active mechanism identification of such fraudulent parties, it is clear to the Court that the following aspects need to be addressed in these matters:

(i) The manner in which the details of the domain name registrants, can be verified by the DNRs, at the time of registration of domain names;

(ii) The manner in which the privacy protect feature and proxy servers are made available: whether it is only upon a specific registrant choosing the said option, rather than as a standard feature as part of a ‘bundle’;

(iii) If the owner of a well-known brand or a trademark contacts any DNR, the manner in which the data related to the registrant can be provided, without the intervention of a Court, or any governmental agency;

(iv) Whether the identity of the owner of a domain name, which consists of a registered trademark or a known brand can be verified at the time of registration itself;

(v) If a specific link could be provided by the CGPTDM, covering a list of well-known marks, maintained by the Registrar of the



Trademarks, or declared by any Court of law, which can then be used for expedited blocking of domain names consisting of such marks;

(vi) If there can be any agency that can be identified in India, such as NIXI, who can be made a repository of the data concerning the registrant, or an agency through which the data could be transmitted by the DNR, upon verification by NIXI, in case a trademark owner has a grievance against a specific domain name;

(vii) If any directions are issued to the DNRs, and the same are not implemented, the manner in which the implementation of the said orders can be ensured;

(viii) Since almost all domain names are registered only after payments are made through credit card, or other online payment methods or apps, is it possible, upon request by any identified agency, to provide the information relating to the person who has made the payment, to the trademark owners. This should be discussed in the aforementioned meeting to be held on 30th August, 2022.”

18. It is also relevant to note that the appointment of the Grievance Officer was also noted in the said suit *vide* order dated 13.09.2022 in CS(COMM) 135/2022 and is extracted hereunder:-

“10. It is also brought to the notice of this Court, that one of the common complaints of Plaintiffs’ who have filed domain name related suits before this Court, is that there is significant difficulty in:

- (1) Serving those DNRs, who do not have offices in India;*
- (2) Seeking implementation of the orders passed including injunction orders against DNRs;*
- (3) Obtaining data related to the registrants of the domain names including e-mail addresses, postal addresses, telephone members, credit cards used forking payments etc.*

11. In this regard, Mr. Chopra, ld. Counsel for one of the Petitioners, highlights that under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (hereinafter referred to as “IT Rules, 2021”), Rule 3 requires appointment of Grievance Officers for the purposes of ensuring that complaints of individuals are duly acknowledged, and orders passed by a Court of competent jurisdiction and authorities, are duly implemented. The said Rule 3(2) reads as under:

“(2) Grievance redressal mechanism of intermediary: (a) The



intermediary shall prominently publish on its website, mobile based application or both, & the case may be, the name of the Grievance Officer and his contact details as well as mechanism by which a user or a victim may make complaint against violation of the provisions of this rule or any other matters pertaining to the computer resources made available by it, and the Grievance Officer shall –

(i) acknowledge the complaint within twenty four hours and dispose off such complaint within a period of fifteen days from the date of its receipt;

(ii) receive and acknowledge any order, notice or direction issued by the Appropriate Government, any competent authority or a court of competent jurisdiction.”

12. The DNRs do not dispute that they are ‘intermediaries’ under the IT Act, 2000. This Court has also noticed that in a large number of domain name matters, even when advance service is done at the email addresses of the DNRs available online, the DNRs are not always represented on the first date of hearing before the Court. In such matters, there is always a need for urgent implementation of orders, in as much as domain names have been registered fraudulently, and large sums of money have been collected by the fraudulent registrants from vulnerable citizens and there is a need for urgent freezing of bank accounts and obtaining details of the persons operating these illegal bank accounts.

*13. In view of this situation, a query has been posed to all the DNRs represented before the Court today, as to whether they have appointed Grievance Officers in terms of the aforementioned IT Rules 2021, and if so, whether such details of the officers are published on their websites. In response, *Id.* Senior Counsels on behalf of various DNRs, submit that they wish to seek instructions in this regard, and revert by tomorrow.*

14. Accordingly, the DNRs who are represented before the Court today, shall revert by tomorrow on the following aspects:

(1) Whether they have appointed Grievance Officers in terms of IT Rules 2021?

(2) If they have done so, details of the said Grievance Officers including the name, designation, postal address, e-mail address and telephone numbers.”

19. Having regard to the above, there is no doubt in the mind of this Court that the DNRs have no choice other than to implement the orders of this Court. Clearly, the defendant no.27/Tucows Domains Inc., by its conduct as also made clear by the e-mail dated 30.09.2025, is being defiant and is clearly indicating that it is unwilling to submit to the jurisdiction of this Court.



20. In view of the above, this Court deems it appropriate and is actually constrained to direct the DoT and MeITY to immediately take action within two weeks against the defendant no.27/Tucows Domains Inc. for non-compliance of the orders passed by this Court, as noted above.

21. The authorities shall also take note of the fact that the DNRs are providing the services and offering their goods and services within the territorial jurisdiction of this country and are earning financial gains on providing such goods and services in this country. It cannot be that the entity offers its goods and services in India and is able to appropriate financial gains and yet remain defiant and not submit to the jurisdiction of this Court.

22. Therefore, the authorities including DoT and MeITY shall also look into the question whether the defendant no.27/Tucows Domains Inc. can be still permitted to continue to offer its goods and services in India while remaining non-compliant with the orders passed by the Indian Courts.

23. Mr. Jetly, learned CGSC is requested to file a status report within two weeks as to the action taken in this regard by DoT and MeITY in respect of the defendant no.27/Tucows Domains Inc.

24. List on 06.05.2026 to enable Mr. Jatly, learned CGSC to place on record the status report of the action taken.

TUSHAR RAO GEDELA, J

APRIL 10, 2026

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