

CS (Comm.) No.706/2025: Karl Edward Rice Also Known as Karl Rock V/s  
Mr.Adam El-Megrisi Also Known As VidBrew & Ors.: DOD: 13.05.2026

**IN THE COURT OF VINOD YADAV:**  
**DISTRICT JUDGE (COMMERCIAL COURT)-02:**  
**NORTH-WEST DISTRICT: ROHINI COURTS: NEW DELHI**

**CNR No.DLNW01-010941-2025**

**Civil Suit (Comm.) No.706/2025**

**In the matter of:**

**Karl Edward Rice also known as Karl Rock,**  
A-91, Mangolpuri Industrial Area Phase I,  
Mangolpuri, Delhi, 110034,  
Email: [karl@karlriceme](mailto:karl@karlriceme)

**.....Plaintiff**

**Versus**

- 1. Mr. Adam El-Megrisi also known as VidBrew,**  
41 Rutten Lane,  
Oxford, Oxfordshire, OX5 1LN, United Kingdom,  
Email: [thestoryexplained0@gmail.com](mailto:thestoryexplained0@gmail.com)

**.....Defendant No.1**

**(Proceeded ex-parte vide order dated 11.02.2026)**

- 2. Google LLC, D/B/A YouTube.**  
901 Cherry Ave  
San Bruno, CA 94066, USA.  
Email: [legal@support.youtube.com](mailto:legal@support.youtube.com)  
[copyright@youtube.com](mailto:copyright@youtube.com)

**.....Defendant No.2**

**(Proceeded ex-parte vide order dated 11.02.2026)**

- 3. Google LLC - India Liaison Office**  
Unit No. 26  
The Executive Center, Level 8, DLF Centre,  
Sansad Marg, Connaught Place, New Delhi — 110001  
Email: [support-in@google.com](mailto:support-in@google.com)

**..... Defendant No.3**

**(Proceeded ex-parte vide order dated 06.02.2026)**

- 4. John Doe(s) /Ashok Kumar(s)**

**.....Defendant No.4**

|  |            |
|--|------------|
| (a) Date of institution of suit                                      | 13.10.2025 |
| (b) Date of allowing of application under Order XXXIX Rule 1 & 2 CPC | 12.02.2026 |
| (c) Date of filing of Application U/o XIII-A CPC by the plaintiff    | 08.04.2026 |
| (d) Date of hearing arguments on application under Order XIII-A CPC  | 13.05.2026 |
| (f) Date of Judgment under Order XIII-A CPC                          | 13.05.2026 |

**SUIT FOR PERMANENT INJUNCTION, RESTRAINING INFRINGEMENT OF COPYRIGHTED WORKS, PASSING OFF, DAMAGES, RENDITION OF ACCOUNTS OF PROFIT, DELIVERY UP AND OTHER RELIEFS ETC.**

**13.05.2026:**

**JUDGMENT IN TERMS OF ORDER XIII-A CPC**

1. This is an application filed by plaintiff under Order XIII-A CPC, *inter alia* seeking passing of summary judgment in the matter.
2. The facts of the case in brief, required for the purpose of disposal of application under Order XIII-A CPC are that plaintiff has filed the instant suit in respect of infringement of his literary work/cinematographic work by defendant No.1 and some other unknown persons on electronic media under the aegis of You Tube and other platforms, being run by defendants No.2 to 4 and other unknown persons.

3. It has been stated that plaintiff/Karl Edward Rice, known as Karl Rock, is a renowned blogger, YouTuber and influencer based in India and known for his blogs, and vlogs, that are recorded and published on various social media platforms, including YouTube, which is claimed to be owned and operated by defendants No.2 and 3 herein.

4. (i) It has been averred that plaintiff is the sole and exclusive owner of the copyright that vests and subsists in these vlogs, which is original content, including and not limited to all videos, audio, images, text, and other original materials, which he publishes on various platforms (TikTok, Instagram, Facebook, his own website etc.) including and predominantly on defendant Nos. 2 & 3's platform, YouTube.

(ii) It has been further averred that at the time of filing the present suit, plaintiff has created Eight Hundred And Twenty-Nine videos (829) and counting, most of which highlight the beauty, diversity and cultural heritage offered by India as a travel destination. It has been claimed that plaintiff also regularly exposes scam operations and operators around the world through which the general public as well as law enforcement authorities remain alert and abreast and owing to the immense recognition and popularity amongst the general public, he has amassed approximately Thirty-One Lakhs and Thirty Thousand (31,30,000) subscribers, and counting, on YouTube alone. It has been stated that the vlogs that plaintiff creates have also garnered a Hundred and Eighteen Crores Thirty-Six

Lakhs Twenty-Five Thousand and Four Hundred and Thirty-One (1,18,36,25,431) views, and counting, on YouTube alone, which are his main source of livelihood, enabling him to eke out a living. A screenshot of the YouTube channel of the plaintiff has been annexed as **Document 1** with the plaint (**from page Nos.154 to 158 of the documents filed by plaintiff on record**).

5. It has been stated that the plaintiff's works have been first published in India and as such, by virtue of Section 13 of the Copyright Act, 1957, copyright in the said works subsists in India and by virtue of Section 17 of the Copyright Act, 1957, the plaintiff claims himself to be the First Owner of the works in question.

6. It has been contended that plaintiff's channel description on YouTube contains clear, relevant and an appropriate copyright declaration [©] with respect to each legitimate copy of the works being posted on his channel and as a consequence of said declaration, every person who accesses or uses any of the plaintiff's works is necessarily and immediately constructively notified and/or is deemed notified of the plaintiff's exclusive legal rights residing in these original works of which the plaintiff is the first author.

**About Defendants & Details of Infringing activities of Defendant No.1:**

7. (i) Defendant No.1, Mr. Adam El-Megrisi, is stated to be a resident of the United Kingdom, and operating a channel/digital platform/page/account named “**VidBrew**”.

(ii) It has been claimed that on or about 08.05.2025, while uploading a video, shockingly plaintiff came across three videos or shorts (short form videos which are 30 seconds or longer) of defendant No.1 which were blatantly culled from the original works of the plaintiff. It has been emphasized that through his channel/digital platform/page/account named “**VidBrew**”, defendant No.1 has wilfully and without authorization published, distributed, and monetized the content of popular content creators, including that of plaintiff’s copyrighted works on the platform, YouTube, which is owned and operated by defendant Nos. 2 and 3.

(iii) It has been contended that defendant No.1 is in the business of culling and presenting portions of the original works of others in order to divert traffic, garner views and monetise the shorts that he creates from such culling of original content of others, including that of the plaintiff and the said acts of defendant No.1 violate the copyright that vests in such original works and there is no transformation of such original works in any manner.

(iv) It has been next contended that by way of these unauthorized acts and by free riding on the goodwill garnered through the publishing of copyrighted works, defendant No.1 had himself acquired Forty-One

Thousand Five hundred (41,500) subscribers, which have thereby attracted Ten Crores Two Lakhs Thirty-Eight Thousand and Fifty-Six (10,02,38,056) views, thus far. An extract of Defendant No.1's YouTube channel has been annexed as **Document 2** with the plaint (**page 159 of the documents filed by plaintiff**).

8. The plaintiff has provided an infringement analysis and comparison of the Original and Infringing videos, which for ready reference is provided hereunder:

**Infringement Analysis And Comparison Of The Original And Infringing Videos**  
**Video Set 1**

**Original Video: The DIRTIEST Scam in India 🤡👤**  
**(<https://youtu.be/iKJoMO0vJ5c>)**

**Engagement: 10,647,492 views • 243,000 likes • 30,687 comments**

**Infringing Video: Indian Scammer Exposed #india**  
**(<https://youtu.be/k6cTvszS4jg>)**

**Engagement: 1,464,971 views • 58,000 likes • 914 comments**

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| <u>Timestamp of the portions culled from the Original Video</u> | <u>Description of Sequence in the Original Video</u> | <u>Timestamp of the culled portions of the Original Video utilised in the Infringing Video</u> | <u>Description of Sequence in the Infringing Video</u> | <u>Legal Note</u>              | <u>Market Impact</u>              |
|---|--|--|--|--------------------------------|-----------------------------------|
| 00:19–00:31   | Poo-squirt demonstration                             | 00:00–00:12  | Exact repurposed clip                                  | Direct copy; no transformation | Diverts traffic (1,464,971 views) |
| 01:42–02:10   | Scammer targets friend                               | 00:13–00:41  | Same visuals/audio                                     | Direct copy; no transformation | Diverts traffic (1,464,971 views) |
| 04:07–04:30   | Interaction with British couple                      | 00:42–01:05  | Identical segment                                      | Direct copy; no transformation | Diverts traffic (1,464,971 views) |

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### Video Set 2

**Original Video: Why Are These Scammers Everywhere in Italy?  
(AVOID This Tourist Trap!) (<https://youtu.be/G1-PPrI5pmc>)  
Engagement: 730,647 views • 12,000 likes • 5,442 comments**

**Infringing Video: African Scammers in Milan #milan #scammer  
([https://youtu.be/C2VSdC\\_rfuI](https://youtu.be/C2VSdC_rfuI))  
Engagement: 1,183,249 views • 34,000 likes • 748 comments**



Original Frame @ 00:12



Infringing Frame @ 00:00.7

| <u>Timestamp of the portions culled from the Original Video</u> | <u>Description of Sequence in the Original Video</u> | <u>Timestamp of the culled portions of the Original Video utilised in the Infringing Video</u> | <u>Description of Sequence in the Infringing Video</u> | <u>Legal Note</u>              | <u>Market Impact</u>              |
|---|--|--|--|--------------------------------|-----------------------------------|
| 00:35–00:49   | Bracelet scam explanation                            | 00:00–00:14  | Direct clip reuse                                      | Direct copy; no transformation | Diverts traffic (1,183,249 views) |
| 02:03–02:14   | Street footage of scam                               | 00:15–00:26  | Verbatim footage                                       | Direct copy; no transformation | Diverts traffic (1,183,249 views) |

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Video Set 3

**Original Video: SAVED FROM A SCAMMER in India (Beggar Scam Exposed)**

<https://youtu.be/d0njuYFGeO0>

**Engagement: 24,354,441 views • 483,000 likes • 58,676 comments**

**Infringing Video: Beg and Resell Scammers Exposed #scammer**

<https://youtu.be/vhPX-ysM-AI>

**Engagement: 13 views • 0 likes • 0 comments**



| <u>Timestamp of the portions</u> | <u>Description of Sequence</u> | <u>Timestamp of the culled</u> | <u>Description of Sequence</u> | <u>Legal Note</u> | <u>Market Impact</u> |
|----------------------------------|--------------------------------|--------------------------------|--------------------------------|-------------------|----------------------|
|----------------------------------|--------------------------------|--------------------------------|--------------------------------|-------------------|----------------------|

| <u>culled from the Original Video</u> | <u>in the Original Video</u> | <u>portions of the Original Video utilised in the Infringing Video</u> | <u>in the Infringing Video</u> |                                |                            |
|---------------------------------------|------------------------------|--|--------------------------------|--------------------------------|----------------------------|
| 00:52–<br>01:07                       | Beggar family approach       | 00:00–<br>00:15  | Same footage reused            | Direct copy; no transformation | Diverts traffic (13 views) |
| 02:33–<br>02:50                       | Nun intervenes               | 00:16–<br>00:33  | Identical sequence             | Direct copy; no transformation | Diverts traffic (13 views) |

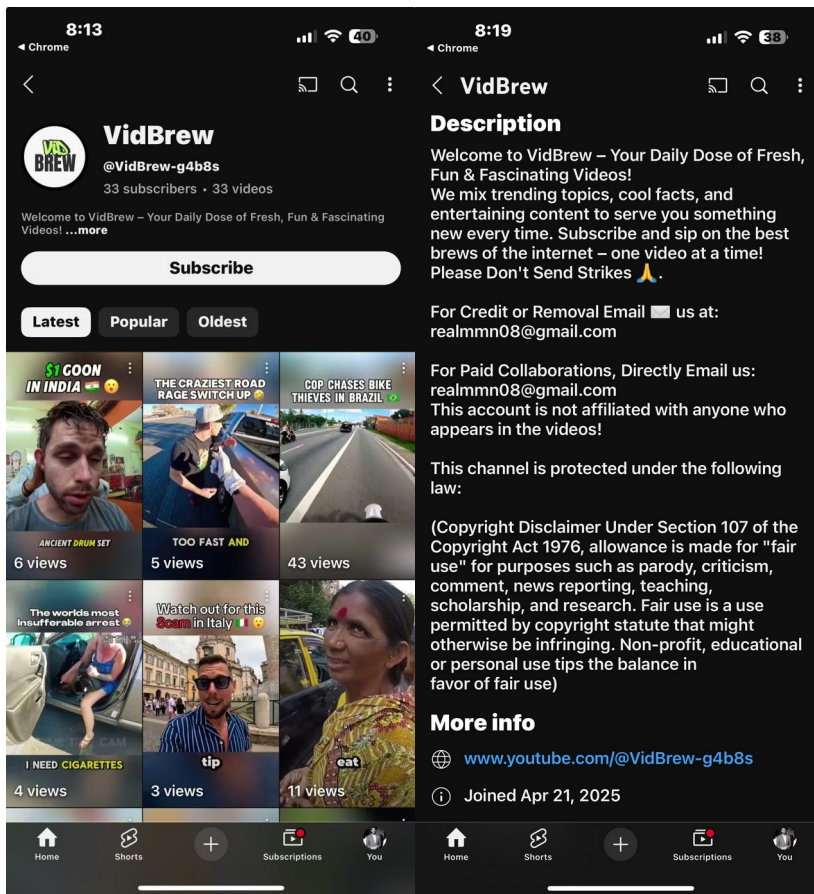
9. (i) As such, it has been emphasized that conduct of defendant No.1 demonstrates a calculated and malafide attempt to evade the due process of law, the infringing video no.1 has been made inaccessible, at present.

(ii) It has been claimed that plaintiff discovered that defendant No.1 is not an isolated infringer but part of a growing trend wherein bad-faith actors use AI, automated editing tools, and shorts-format platforms to extract, manipulate, and upload segments from copyrighted content, including that of the plaintiff, with the intent to monetize others' work. It has been further claimed that in the present case, defendant No.1 has admitted in his TikTok profile and public communications that his model is based on "content curation" of third-party videos, and has further launched

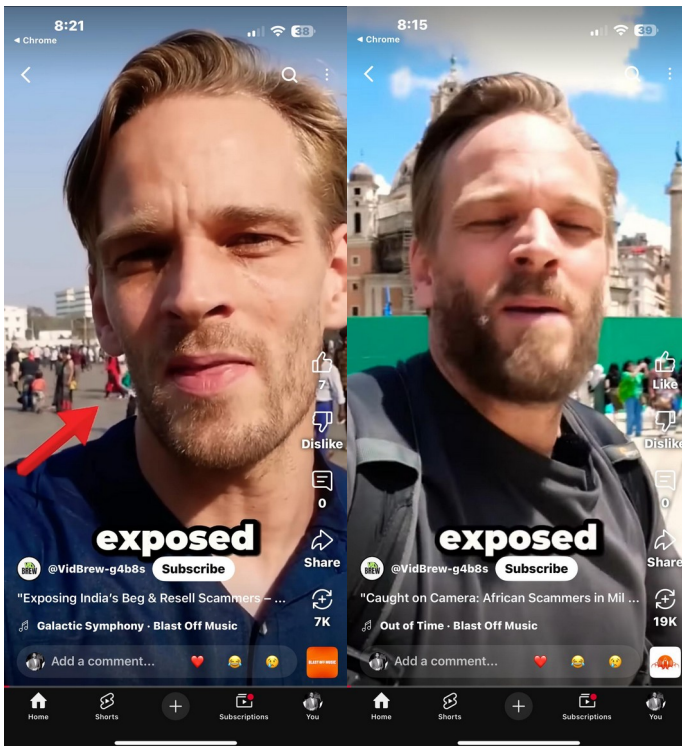
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a course promising to teach users how to generate revenue by “repurposing” existing videos, which in turn constitutes a wilful inducement of copyright infringement.

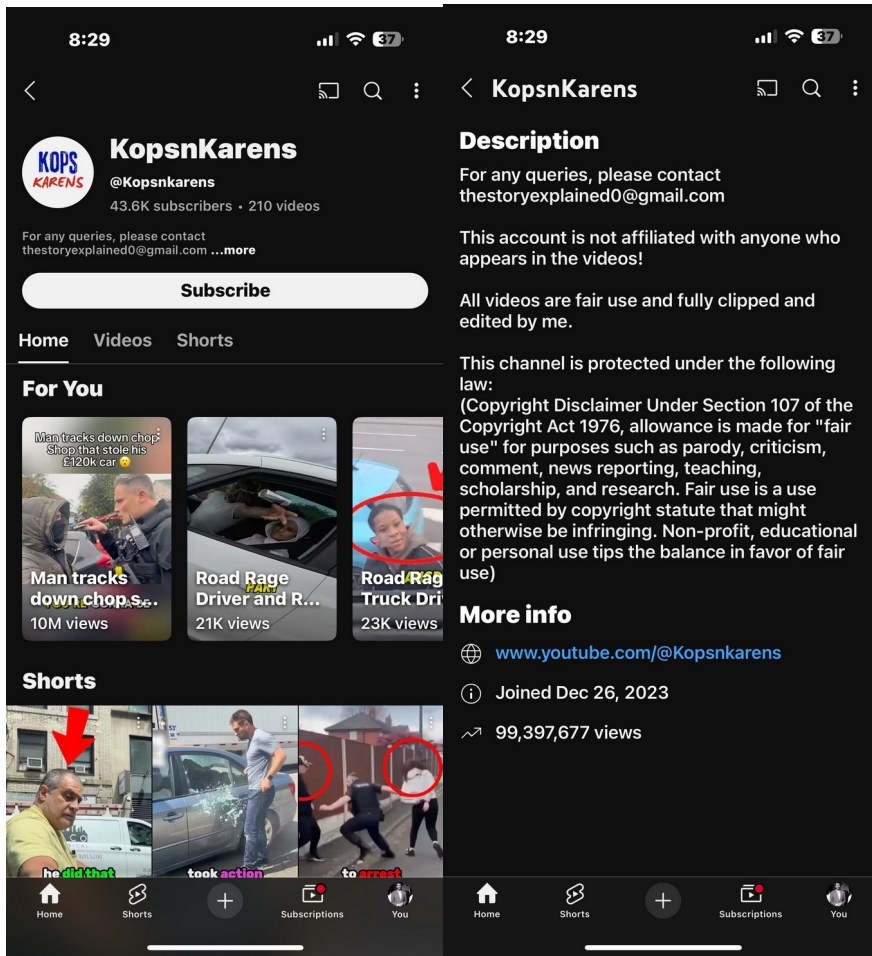
(iii) It has been next claimed that through screenshots (which are re-produced hereinbelow), it came to fore that defendant No.1 has deleted or disabled his earlier channel(s)/account(s) and created fresh accounts to continue his infringing activities:



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(iv) It has been emphasized that the newly created channels demonstrate the same modus operandi of culling substantial portions of the plaintiff's original works (including likeness and voice), creating shorts

and other videos designed to divert online traffic and monetize the same. It is contended that multiple channels and accounts can be linked to a single Google AdSense account for monetization, as acknowledged by Defendant Nos. 2's and 3's own policies that can be found here - <https://support.google.com/youtube/search?q=Can+multiple+channels+be+added+to+an+AdSense+account%3F#zippy=%2Ccan-you-link-multiple-youtube-accounts-to-one-google-ads-account>. It has been claimed that unless the AdSense account itself is deactivated, Defendant No.1 and similarly placed infringers will continue to profit from such unlawful activities.

(v) It has been further emphasized that acts of defendant No.1 also amounts to passing off, as by reproducing substantial portions of the plaintiff's original works, incorporating the plaintiff's likeness, and disseminating such content without authorization, defendant No.1 has been misrepresenting to the viewing public that such content originates from or is associated with the plaintiff.

10. (i) As such, the plaintiff filed the instant suit in respect of infringement of his literary work/cinematographic work by defendant No.1 and some other unknown persons on electronic media under the aegis of You Tube and other platforms, being run by defendants No.2 to 4 and other unknown persons.

(ii) It is pertinent to mention here that alongwith the plaint, plaintiff preferred an application under Order XXXIX Rule 1 & 2 CPC, *inter alia* praying as under:

- a) Passing an order of interim injunction restraining Defendants, and any person acting under his authority or in concert with him, from reproducing, uploading, sharing, distributing, monetizing, or facilitating unauthorized exploitation of the Plaintiff's copyrighted content;
- b) Passing an interim order restraining Defendant No.1 from offering, advertising, marketing, or conducting any course, webinar, or similar activity that instructs third parties on methods to monetize or exploit copyrighted content of others without authorization;
- c) Passing an ad-interim injunction restraining the Defendants, their agents, servants, affiliates, or any person acting for and, on their behalf, from misappropriating the Plaintiff's likeness, persona, and copyrighted works in a manner that amounts to passing off or misrepresentation of origin.
- d) Directing Defendant Nos. 2 and 3 to immediately remove and disable access to the infringing content identified in the plaint and Documents, and restrain them from reinstating or enabling access to such content during the pendency of the present proceedings;
- e) Directing Defendant Nos.2 and 3 to forthwith deactivate the AdSense account(s) associated with Defendant No.1 and other infringers impleaded in this Suit, and to ensure that such infringers are restrained from creating new AdSense accounts in future;
- f) Directing Defendant Nos.2 and 3 to disclose all associated channels/accounts linked to the said AdSense accounts and prevent

their use for monetization of infringing content;

g) Directing Defendant Nos.2 and 3 to enforce their own published copyright and account termination policies ([Copyright](#), [Repeat Infringer](#), [Reused Content](#), [Monetization](#), [Termination](#)) with respect to Defendant No.1;

h) Directing all Defendants to preserve server logs, analytics data, metadata, source files, communications, and any other evidence relating to the infringing uploads, including data on views and monetization, until disposal of the suit;

i) Directing Defendant Nos.1 and 4 to furnish interim disclosure of records relating to monetization (e.g., ad-revenue statements) of the infringing content in a sealed manner to the Court, for the purpose of preserving the Plaintiff's right to claim accounts of profits at final hearing;

j) Directing Defendant Nos. 2 and 3 to refrain from compelling genuine copyright holders to approach courts where prima facie ownership and infringement have been demonstrated, and instead implement a fair, transparent, and efficient grievance redressal mechanism in consonance with Rule 3 (2) (b) of the IT Rules, 2021 and Sections 55 and 63 of the Copyright Act, 1957;

k) Award costs of this interim application and pendente lite expenses, including costs incurred for preservation of evidence, in favour of the Plaintiff;

l) The interim orders for removal, disablement, preservation, and disclosure shall be complied with within 48 hours (or such shorter period as this Court may direct) from service of this order.

m) Pass such other and further ad-interim orders as this Court may deem fit and proper in the facts and circumstances of the present case.

n) Pass an order restraining Defendant Nos.1 and 4, and all other infringers that are impleaded in the Suit, from uploading, reproducing, modifying, or monetising any content that is copied from or derivative of the Plaintiff's original works.

o) Pass an order granting liberty to the Plaintiff to implead further infringers discovered during the pendency of the Suit and to seek appropriate interim reliefs against such parties.

p) Directing YouTube, TikTok, Instagram and any other concerned platform operator to disclose the subscriber details, IP logs, monetisation records, account activity logs (including for de-listed or private videos), and any reinstatement history pertaining to the accounts of Defendant No.1 and other infringers listed in Para 42.

q) Directing Defendant Nos. 1 and 2 to take down the infringing content detailed in Para 42 of the Suit forthwith, and to prevent the re-uploading of the same or substantially similar content by the infringers.

11. Pursuant to presentation of the suit and after hearing learned counsel for the plaintiff, vide order dated 03.11.2025, this Court was of the *prima facie* view that cinematographic work of the plaintiff was being being infringed through following URLs:

(a) **Video Set 1:**

**Original Video:** The DIRTIEST Scam in India @

<https://youtu.be/iKJoMOOvJISc>

Engagement: 10,647,492 views 243,000 likes \* 30,687 comments

**Infringing Video:** Indian Scammer Exposed #india

<https://youtu.be/k6cTvszS4jg>

(b) **Video Set 2:**

**Original Video:** Why Are These Scammers Everywhere in Italy?

(AVOID This Tourist Trap!) (<https://youtu.be/GI-PPrI5pmc>)

Engagement: 730,647 views 12,000 likes \* 5,442 comments

**Infringing Video:** African Scammers in Milan #milan #scammer

<https://youtu.be/C2VSdC rIuI>

Engagement: 1,183,249 views 34,000 likes 748 comments

(c) **Video Set 3:**

**Original Video:** SAVED FROM A SCAMMER

in India (Beggar Scam Exposed) (<https://youtu.be/dOnjuYFGGeOO0>)

Engagement: 24,354,441 views \* 483,000 likes \* 58,676 comments

**Infringing Video:** Beg and Resell Scammers Exposed #scammer

(<https://youtu.be/vhPX-ysM-AI>)

Engagement: 13 views 0 likes \* 0 comments

(d)

| Srl. | Original Video of Plaintiff   | Infringing Video  |
|------|---|---|
| 1)   | <a href="https://www.youtube.com/watch?v=onhe6zQMwL0">https://www.youtube.com/watch?v=onhe6zQMwL0</a> | <a href="https://www.youtube.com/watch?v=kbYz7AuEY5U">https://www.youtube.com/watch?v=kbYz7AuEY5U</a> |
| 2)   | <a href="https://www.youtube.com/watch?v=YrAao7ksxRA">https://www.youtube.com/watch?v=YrAao7ksxRA</a> | <a href="https://www.youtube.com/watch?v=C2PrFBExXQc">https://www.youtube.com/watch?v=C2PrFBExXQc</a> |
| 3)   | <a href="https://www.youtube.com/watch?v=jQJ9PnkUfME">https://www.youtube.com/watch?v=jQJ9PnkUfME</a> | <a href="https://www.youtube.com/watch?v=O4aheVZQsII">https://www.youtube.com/watch?v=O4aheVZQsII</a> |
| 4)   | <a href="https://www.youtube.com/watch?v=onhe6zQMwL0">https://www.youtube.com/watch?v=onhe6zQMwL0</a> | <a href="https://www.youtube.com/watch?v=SavH2Bk0lMs">https://www.youtube.com/watch?v=SavH2Bk0lMs</a> |

12. Consequently, vide order dated 03.11.2025, summons in the suit and notice of application under Order XXXIX Rule 1 & 2 CPC was issued to the defendants. Even ad-interim injunction was passed against defendants No.2 and 3, ***inter alia* directing them to remove/block/disable the aforesaid infringing URLs with weblinks connected to the offending videos for the India domain.**

13. (i) Thereafter, during the course of proceedings, despite being duly served, none of the defendants appeared in Court. Accordingly, vide order dated 06.02.2026 **defendant No.3/Google LLC-India Liaison Office**

was proceeded “**ex-parte**” and the interim order dated 03.11.2025 stood extended to international domain as well.

(ii) Since, defendants No.1 and 2 also did not appear in the Court, despite being duly served, they were accordingly proceeded “**ex-parte**” vide order dated 11.02.2026.

14. Thereafter, vide detailed order dated 12.02.2026, the application filed by plaintiff under Order XXXIX Rule 1 & 2 CPC was allowed/disposed off with following directions, to quote:

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(i) An interim injunction is hereby passed in favour of plaintiff and against the defendant(s) and till further orders, the defendants and any person acting under their authority or in concert with them are hereby restrained from reproducing, uploading, sharing, distributing, monetizing, or facilitating unauthorized exploitation of the plaintiff’s copyrighted content;

(ii) Till further orders, defendant No.1 is hereby restrained from offering, advertising, marketing, or conducting any course, webinar, or similar activity that instructs third parties on methods to monetize or exploit copyrighted content of plaintiff without authorization;

(iii) Till further orders, the defendants, their agents, servants, affiliates, or any person acting for and, on their behalf are hereby restrained from

misappropriating the plaintiff's likeness, persona, and copyrighted works in a manner, amounting to passing off or misrepresentation of origin;

(iv) Defendants No.2 and 3 are directed to immediately take down/ remove/disable all the infringing content/infringing URLs within 48 hours of the receipt of this order by them and they are hereby restrained from reinstating or enabling access to such content till further orders by this Court in this regard; and

(v) The defendants are further directed to preserve server logs, analytics data, metadata, source files, communications, and any other evidence relating to the infringing uploads, including data on views and monetization, until further orders by this Court.

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15. Thereafter, on 19.03.2026, learned counsel for the plaintiff on instructions categorically pointed out before this Court that despite communication of injunction order dated 06.02.2026, defendant No.2/Google had blocked **only the URLs in respect of India**, which was in total **violation of order dated 06.02.2026, whereby the injunction order was extended to international domain as well.**

16. (i) Now, coming to the application filed by plaintiff under Order XIII-A CPC. The learned counsel for the plaintiff has very vehemently argued that despite being duly served, none of the defendants chose to

appear in the Court and as such, vide order dated 06.02.2026, defendant No.3 was proceeded “**ex-parte**”, while vide order dated 11.02.2026 defendants No.1 and 2 were also proceeded “**ex-parte**”. Defendant No.4 has been impleaded on the basis of “**John Doe**” principle in India.

(ii) It has been emphasized that defendants being proceeded “**ex-parte**”, there is no written statement filed in the matter and as such no defence of any nature has been disclosed or asserted by the defendants. It is argued that the frame-by-frame comparisons of original and infringing works, the engagement data, the DMCA correspondence, YouTube’s own policy documents, the email trails, and the six screenshots showcased hereinabove have remain entirely unchallenged. The learned counsel further made a strong pitch that every day the infringing content remains internationally accessible, the plaintiff has been suffering diversion of advertising revenue, subscribers and reputational harm. As such, it has been emphasized that there being no triable issue, no useful purpose would be served asking the plaintiff to lead ex-parte evidence and instead present is a fit case for passing summary judgment under Order XIII-A CPC.

17. I have heard learned counsel for the plaintiff and gone through the entire material on record.

18. Amended Order XIII A of CPC, as applicable to commercial disputes, enables the Court to decide a claim or part thereof without

recording oral evidence. Order XIII A of CPC seeks to avoid the long drawn process of leading oral evidence in certain eventualities. Consequently, the said provision enables disposal of commercial disputes in a time bound manner and promotes the object of the Commercial Courts Act, 2015.

19. Rule 3 of Order XIII-A of CPC empowers the Court to grant a summary judgment against a defendant where on an application filed in that regard, the Court considers that the **defendant has no real prospect of successfully defending a claim and there is no other compelling reason as to why the claim should not be disposed of before recording of oral evidence.** Order XIII A (3) of CPC, as applicable to commercial disputes, is reproduced herein below:-

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“3. **Grounds for summary judgment.**—The Court may give a summary judgment against a plaintiff or defendant on a claim if it considers that—

(a) the plaintiff has no real prospect of succeeding on the claim or the defendant has no real prospect of successfully defending the claim, as the case may be; and

(b) there is no other compelling reason why the claim should not be disposed of before recording of oral evidence.”

XXXXX

20. At the outset, the scheme of Order XIII-A of the CPC portrays an adversarial adjudication. It cannot be inquisitorial, meaning that a summary judgment under this Order cannot be upon the inquisition of the Court. It is mandatory to serve the defendant, as elucidated in Rule 2 of this Order.

21. Recently, the Hon'ble Supreme Court of India in case reported as, **“Special Leave Petition (C) No.22100 of 2025”**, titled as, **“Reliance Eminent Trading And Commercial Private Limited V/s Delhi Development Authority”** (DOD: 29.04.2026) has been pleased to lay down following non-exhaustive guidelines while considering an application for summary judgment under Order XIII-A of the CPC. To quote:

XXXXX

59. Therefore, while considering an application for summary judgment under Order XIII-A of the CPC, the following non-exhaustive guidelines have to be complied –

- (i) That the procedural mandate under Order XIII-A, CPC be strictly complied.
- (ii) The Court should consider,
  - (a) Whether Plaintiff has no real prospect of succeeding on the claim or issue; or
  - (b) Whether the defendant has no real prospect of successfully defending the claim or issue; and

(iii) The Court should also consider whether there is no other reason why the case or issue(s) should be allowed to go to trial.

(iv) While ascertaining above, the Court does not have to take everything on the face value, but it must also not conduct a mini trial at the same time.

(v) That the Court has to differentiate between a cause of action/defence respectively, which is real as opposed to fanciful prospect.

(vi) That the Court ought to grasp the nettle, when dealing with the summary judgment applications to decide short points of law and interpretations.

(vii) The Court must take into account not only the evidence before it but also the evidence that can reasonably be expected to be led/available at the trial.

(viii) That the Court's usage of power under Order XIII-A, CPC is exceptional as it cuts short the process of trial and ought to be exercised where oral evidence and full trial is not required.

(ix) In order to ascertain the need for full trial over summary judgment, the Court has to see whether, in the interest of justice, it is more suited to conduct trial to –

- (a) Weigh the evidence,
- (b) Evaluate the credibility of a deponents,
- (c) Draw reasonable inferences from the evidence.

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22. Now, coming back to the facts of the present case. From the material placed on record it is evident that plaintiff is the sole and exclusive first author and owner of copyright in all vlogs on his YouTube channel by virtue of Sections 13 and 17 of the Copyright Act, 1957. The works are original cinematographic works involving substantial creative skill, labour and investment, first published in India. Ownership is established by:

- (a) channel screenshots with the copyright declaration [©] (Document 1 on record);
- (b) **Uncontroverted creation of 920 original videos with 31,70,000 subscribers, 1,229,340,818 aggregate views and counting;**
- (c) publication records and metadata; and
- (d) the complete absence of any ownership challenge by any defendant at any stage of these proceedings (**as the defendants are lying proceeded “ex-parte” and no written statement on their behalf being filed in the matter**).

**Nature, Scale and Wilfulness of Infringement by Defendant No.1:**

23. It is categorically evident from the material placed on record that defendant No. 1, who has been operating a channel/digital platform/page/account named “**VidBrew**” has systematically culled substantial portions of the plaintiff's original works and republished them as YouTube Shorts, without transformation, criticism, commentary, parody

or any other protected purpose, which is also apparent from the order of this Court dated 12.02.2026. A tabulated data of the infringement work, being carried out by defendant No.1 in this regard is re-produced hereunder:

| Set        | Original Work<br>(Plaintiff)  | Infringing Short<br>(Defendant No. 1)  | Method   | Views<br>Diverted |
|------------|---|--|--|-------------------|
| 1          | 'The DIRTIEST Scam in India'<br>10,647,492 views<br>youtu.be/iKJoMO0vJ5c                | 'Indian Scammer Exposed #india'<br><a href="https://www.youtu.be/k6cTvszS4jg">https://www.youtu.be/k6cTvszS4jg</a>   | Direct copy;<br>identical frames &<br>audio; no transformation | 1,464,971         |
| 2          | 'Scammers in Italy (AVOID This Tourist Trap!)'<br>730,647 views<br>youtu.be/Gl-PPrI5pmc | 'African Scammers in Milan'<br><a href="https://www.youtu.be/C2VSdC_rIuI">https://www.youtu.be/C2VSdC_rIuI</a>       | Verbatim footage reuse;<br>no transformation                   | 1,183,249         |
| 3          | 'Saved From A Scammer in India'<br>24,354,441 views<br>youtu.be/d0njuYFGeO0             | 'Beg and Resell Scammers Exposed'<br><a href="https://www.youtu.be/vhPX-ysM-AI">https://www.youtu.be/vhPX-ysM-AI</a> | Identical sequence;<br>same footage                            | 13                |
| Post-order | Multiple original works   | 'He Tricked Indian Scammers...'  | Same modus operandi; post-                                     | Ongoing           |

| Set         | Original Work<br>(Plaintiff)   | Infringing Short<br>(Defendant No. 1)  | Method                | Views<br>Diverted |
|-------------|--|--|-----------------------|-------------------|
|             |  | <a href="https://www.youtube.com/shorts/2Z1clncLY-I">https://www.youtube.com/shorts/2Z1clncLY-I</a><br>Uploaded AFTER injunction on new channel @VidBrew-g4b8s   | order upload          |                   |
| Sets<br>4-7 | Four further original works uploaded by unknown infringers impleaded as John Does/Ashok Kumars as Defendants Nos.4 (noted in the Order dt. 03.11.2025) | Four further infringing URLs as per court record -<br><a href="https://www.youtube.com/watch?v=kbYz7AuEY5U">https://www.youtube.com/watch?v=kbYz7AuEY5U</a> ;<br><a href="https://www.youtube.com/watch?v=C2PrFBExXQc">https://www.youtube.com/watch?v=C2PrFBExXQc</a> ;<br><a href="https://www.youtube.com/watch?v=O4aheVZQs1I">https://www.youtube.com/watch?v=O4aheVZQs1I</a> ; and<br><a href="https://www.youtube.com/watch?v=SavH2Bk0IMs">https://www.youtube.com/watch?v=SavH2Bk0IMs</a> | Direct copy confirmed | Ongoing           |

24. This Court vide order dated 12.02.2026 has characterized defendant No. 1's conduct as “a calculated and malafide attempt to evade

the due process of law”. Defendant No.1 has publicly admitted on his TikTok profile that his business model is based on 'content curation' of third-party videos. He launched a commercial course teaching subscribers to generate income by 'repurposing' existing videos, thereby constituting **wilful inducement of copyright infringement** under Section 51(a)(ii) read with Section 114 of the Copyright Act, 1957.

25. The learned counsel for the plaintiff has very vehemently argued that the pattern of repeated infringements is documented and complete in as much as:

- (a) Original VidBrew channel infringed;
- (b) Upon notices in May 2025, defendant No.1 filed counter-notifications to reinstate content;
- (c) Pursuant to order of this Court dated 03.11.2025, defendant No.1 created new channel @VidBrew-g4b8s to continue;
- (d) The KopsnKarens channel (email: thestoryexplained0@gmail.com, being the same as original VidBrew) accrued 43.6K subscribers and 99,397,677 views using the identical modus operandi. **The @VidBrew-g4b8s channel now shows a changed contact email: realmmn08@gmail.com**, which appears to be a further attempt to obscure AdSense linkage.

26. (i) It is noted that this Court vide order dated 06.02.2026 had expressly extended the interim injunction to **international domain**. The

learned counsel for the plaintiff has very vociferously contended that despite the aforesaid directions, **YouTube's own e.mail dated 20.02.2026 admits India-only compliance, while the channel remains fully live internationally.** I find substance in the submissions of learned counsel for the simple reason that there is no confirmation from defendants No.2 and 3 that they have removed/blocked/disabled the infringing URLs with weblinks connected to the offending videos to international domain.

(ii) I further find substance in the submissions of learned counsel for the plaintiff that defendants No.2 and 3 have failed to enforce their own published policies on repeat infringers, reused content, and account termination, thereby enabling Defendant No.1's conduct. This demonstrates a clear intent to evade judicial scrutiny and persist in monetizing infringing works through defendant No.1's AdSense account, in direct violation of defendant Nos. 2's and 3's own published Repeat Infringer (<https://support.google.com/legal/answer/11625144?hl=en>), Reused Content (<https://support.google.com/youtube/community-guide/271248162/faq-reused-content-youtube%E2%80%99s-partner-program?hl=en>) and Termination policies (<https://support.google.com/youtube/answer/2802168?hl=en>). This chronology highlights ongoing and repeated infringement that cannot await standard listing timelines.

27. It is evident from the material produced on record that by extracting and republishing the plaintiff's face, voice and persona without authorisation, the defendants have: (a) commercially exploited the Plaintiff's identity and goodwill without consent; (b) misrepresented to the public that the infringing content originates from or is authorized by the plaintiff; and (c) diluted and diverted the plaintiff's audience and revenues.

28. After considering the facts and circumstances of the case in totality, I am of the considered opinion that there is no real prospect of defendants succeeding in the case, as firstly they are lying proceeded "**ex-parte**" and secondly there is no written statement filed on their behalf, meaning thereby that they have no defence to make. Thus, no useful purpose would be served by allowing the proceedings to meander mindlessly in Court and to clog the justice delivery system. Therefore, in my opinion, present is a fit case where the Summary Judgment in terms of Order XIII-A of the CPC, as applicable to commercial disputes, deserves to be passed in favour of the plaintiff and against the defendant. Reference in this regard can be had to the judgment in case reported as, "**2019 SCC OnLine Del 10764**", titled as, "**Su-Kam Power Systems Ltd. V/s Kunwer Sachdev**", wherein the Hon' ble High Court of Delhi has been pleased to observe as under:

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"90. To reiterate, the intent behind incorporating the summary judgment procedure in the Commercial

Court Act, 2015 is to ensure disposal of commercial disputes in a time-bound manner. In fact, the applicability of Order XIII A, CPC to commercial disputes, demonstrates that the trial is no longer the default procedure/norm.

91. Rule 3 of Order XIII A, CPC, as applicable to commercial disputes, empowers the Court to grant a summary judgment against the defendant where the Court considers that the defendant has no real prospects of successfully defending the claim and there is no other compelling reason why the claim should not be disposed of before recording of oral evidence. The expression “real” directs the Court to examine whether there is a “realistic” as opposed to “fanciful” prospects of success. This Court is of the view that the expression “no genuine issue requiring a trial” in Ontario Rules of Civil Procedure and “no other compelling reason.....for trial” in Commercial Courts Act can be read *mutatis mutandis*. Consequently, Order XIII A, CPC would be attracted if the Court, while hearing such an application, can make the necessary finding of fact, apply the law to the facts and the same is a proportionate, more expeditious and less expensive means of achieving a fair and just result.

92. Accordingly, unlike ordinary suits, Courts need not hold trial in commercial suits, even if there are disputed questions of fact as held by the Canadian Supreme Court in Robert Hryniak (*supra*), in the event, the Court comes to the conclusion that the defendant lacks a real prospect of successfully defending the claim.”

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29. As regards the damages claimed for by the plaintiff, it is noted that The Delhi High Court Intellectual Property Rights Division Rules, 2022 provide guidance on the manner in which the damages could be calculated in such cases. Rule 20 of the IPD Rules, 2022 is set out below:

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**“20. Damages/Account of profits:**A party seeking damages/account of profits, shall give a reasonable estimate of the amounts claimed and the foundational facts/account statements in respect thereof along with any evidence, documentary and/or oral led by the parties to support such a claim. In addition, the Court shall consider the following factors while determining the quantum of damages:

- (i) Lost profits suffered by the injured party;
- (ii) Profits earned by the infringing party;
  
- (iii) Quantum of income which the injured party may have earned through royalties/license fees, had the use of the subject IPR been duly authorized;
  
- (iv) The duration of the infringement;
  
- (v) Degree of intention/neglect underlying the infringement;
  
- (vi) Conduct of the infringing party to mitigate the damages being incurred by the injured party; In the computation of damages, the Court may take the assistance of an expert as provided for under Rule 31 of these Rules.

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30. Further, on the aspect of damages, in case reported as, “2019:DHC:2185”, tilted as, “**Koninlijke Philips and Ors. V/s Amazestore & Ors.**”, the Hon’ble High Court of Delhi has been pleased to lay down certain standards for grant of damages in following terms:

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“41. Keeping in view the aforesaid, this Court is of the view that the rule of thumb that should be followed while granting damages can be summarized in a chart as under:—

| #     | Degree of malafide conduct  | Proportionate award   |
|-------|---|---|
| (i)   | First time innocent infringer   | Injunction  |
| (ii)  | First-time knowing infringer  | Injunction + partial costs  |
| (iii) | Repeated knowing infringer which causes minor impact to the plaintiff                             | Injunction + costs + partial damages  |
| (iv)  | Repeated knowing infringer which causes major impact to the plaintiff                             | Injunction + costs+ compensatory damages                                    |
| (v)   | Infringement which was deliberate and calculated (gangster/scam/mafia) + wilful contempt of Court | Injunction + Costs + Aggravated damages (compensatory + additional damages) |

42. It is clarified that the above chart is illustrative and is not to be read as a statutory provision. The Courts are free to deviate from the same for good reason.”

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31. Taking a holistic view of the matter vis-a-vis provisions as laid down under **Rule 20 of the IPD Rules, 2022** and applying the ratio of law laid down by Hon’ble High Court of Delhi in case of “**Koninlijke**

**Philips**” (supra), I am of the considered opinion that grant of damages @ Rs.5,00,000/- (Rupees Five Lakhs Only) to the plaintiff would meet the ends of justice. I order accordingly.

32. Thus, suit of the plaintiff is decreed as under:

(i) A decree of permanent injunction is hereby passed in favour of plaintiff and against the defendant(s), including You Tube, jointly and severally and any person acting under their authority or in concert with them are hereby restrained from hosting, copying, reproducing, issuing, uploading, sharing, distributing, or monetizing any unauthorized copies or substantial portions of plaintiff’s works in any manner whatsoever, and from facilitating or authorizing any third-party infringement;.

(ii) A decree of permanent injunction is hereby passed in favour of plaintiff and against the defendant No.1 and defendant No.1 is hereby restrained from offering, advertising, marketing, or conducting any course, webinar, guide or other instructional material or service that teaches or facilitates unauthorized monetization or exploitation of third party copyrighted works, including any platform hosting such materials, failing which it would tantamount to contributory infringement on part of defendant No.1;

(iii) The defendants, their agents, servants, affiliates, or any person acting for and, on their behalf are hereby restrained from misappropriating the plaintiff's likeness, persona, and copyrighted works in a manner, amounting to passing off or misrepresentation of origin.

(iv) Defendants No.2 and 3 are hereby directed to:

(a) Permanently remove or disable access to all infringing content(s) identified in this suit and any future uploads by other defendants or related entities.

(b) To block, de-index or otherwise render inaccessible to users any links or pages hosting defendant No.1's infringing course materials;

(c) Implement and maintain a prompt, fair, and transparent grievance redressal mechanism in accordance with IT (Intermediary Guidelines) Rules, 2021 and the Copyright Act, giving due weight to prima facie evidence and preventing misuse of counter-notification processes;

(d) To de-activate the Google AdSense account(s) associated with defendant No.1 and nay other infringers impleaded in this suit and to take all necessary steps to prevent the creation of new AdSense accounts by such repeat infringers;

(e) To monitor and prevent the re-uploading of infringing content, including through newly created accounts linked to defendant No.1, defendant No.4 (John Does), or other associated persons, and to enforce their own copyright, repeat infringer, reused content, monetization and termination policies.

(v) All such infringers, as listed in para 47 of plaint [para 11(d) of this order/judgment] and any other similarly situated persons/URLs which comes/identified in future are hereby restrained from copying, re-producing, re-uploading, altering, distributing, monetizing, or otherwise exploiting the plaintiff's original works, likeness, persona or any part thereof, in any manner.

(vi) A decree in the sum of Rs.5,00,000/- (Rupees Five Lakhs Only) on account of damages sustained by the plaintiff due to loss of sale, reputation and goodwill as well as dilution of plaintiff's trademark is passed in favour of plaintiff and against the defendants jointly and severally;

(vii) Plaintiff is also entitled to cost of the proceedings, which will include actual cost incurred by the plaintiff and also the counsel's fee [which is quantified as Rs.2,00,000/- (Rupees Two Lakhs Only)].

CS (Comm.) No.706/2025: Karl Edward Rice Also Known as Karl Rock V/s  
Mr.Adam El-Megrissi Also Known As VidBrew & Ors.: DOD: 13.05.2026

33. Decree Sheet be prepared accordingly.
34. File be consigned to Record Room after completion of necessary formalities.

(Vinod Yadav)  
District Judge (Commercial Court)-02  
North-West/Rohini Courts/13.05.2026