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O.A.No.734 of 2022  
in C.S.(Comm.Div.)No.227 of 2022

**O.A. No.734 of 2022**

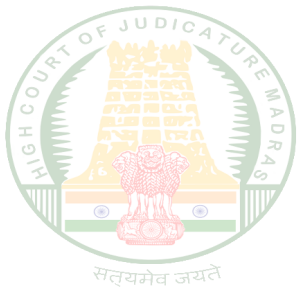
**in**

**C.S.(Comm.Div) No.227 of 2022**

**M.SUNDAR, J.**

The parties in this application are referred to by their respective ranks in the main suit for the sake of convenience and clarity. The applicant in this application is the lone plaintiff in the main suit and 27 respondents herein are defendants 1 to 27 in the main suit.

2. Plaintiff has taken out this application claiming that plaintiff was granted licence by Federation Internationale De Football Association (FIFA) qua FIFA World Cup Qatar 2022. Plaintiff was granted various media rights including exclusive television rights, radio rights, mobile transmission rights and broadband transmission rights for the territories of Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. Plaintiff has exploitation rights including distribution, broadcast, stream the Series/Event within the defined territories. The event has been promoted on the internet all over the World. It has been averred in the captioned application that the event shall be broadcast from 20.11.2022.



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3. It is the further submission of the plaintiff that several cable and internet service providers are involved in illegal activities and unauthorised retransmitting, recording, streaming, audio-visual clips and full sports event that are transmitted by the plaintiff and such activities causes heavy loss, damage and prejudice to the plaintiff.

4. The plaintiff asserts that it has exclusive rights to broadcast the event. The plaintiff further asserts that it has acquired all necessary rights including television rights, broadband transmission rights, mobile transmissions rights and non exclusive radio rights. The plaintiff has invested substantial sums of money in acquiring the license and exclusive rights in the event, is plaintiff's say. To buttress this, attention of this Commercial Division is drawn to a letter dated 09.11.2022 by Federation Internationale De Football Association {plaint document No.2} which is a letter confirming the plaintiff's rights in the FIFA World Cup Qatar 2022.

5. Main suit has been filed inter alia with a prayer to block



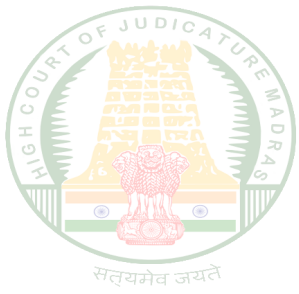
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assess to the plaintiff's rights with regard to the above said event, which is copyright protected in favour of plaintiff is also plaintiff's say.

6. I have heard Mr.A.M.Venkatakrishnan, learned counsel along with Mr.T.Pandian for the plaintiff. It is his specific submission that the list of websites set out in Schedule 'A' consists of Non-compliant websites. To be noted, in Schedule A as many as 12037 websites have been enlisted. It is submitted that these websites have no reporting and take down mechanism in place. It is further submitted that these websites are infringing the copyright of the plaintiff in the sporting event i.e, 'FIFA World Cup 2022.

7. Turning to the prayer in the instant application, the defendants 1 to 27, who are respondents in this application, I am informed are Internet Service Providers. I am also informed that technologically / technically, there is no possibility of blocking that part of the contents alone in the website. This submission is taken on record. I have also been taken through the documents filed in support of the plaint, which have been placed in the form of typed set.

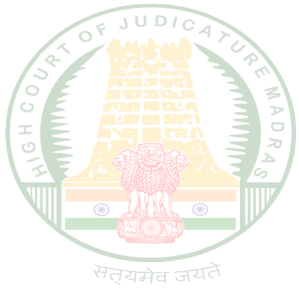


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8. I have examined the aspects of *prima facie* case, balance of convenience and irreparable injury incapable of compensation which are necessary parameters for grant of injunction in cases of this nature. With regard to *prima facie* case, there is no difficulty in accepting *prima facie* that the plaintiff is the owner of the Copyright in the Sporting Event. In terms of balance of convenience, if this interim order is not granted now, it would result in alleged piracy being completed in all and every aspect of the matter. Thereafter, it will lead to an irreversible situation and therefore, irreparable injury incapable of compensation parameter has also been satisfied.

9. Therefore, there shall be an order of interim injunction restraining the respondents herein or any other person or entity from infringing Copyright in the aforesaid Sporting Event 'FIFA World Cup 2022' in any manner so as to prevent copying, transmission, communication, displaying, releasing, showing, hosting, streaming, uploading, downloading, exhibiting, playing and exhibition of the sporting event. For this purpose, if blocking of websites/web pages set out in Schedule herein becomes necessary, respondents herein shall do so.



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10. Other aspects of the prayer contained in the Judge's summons will be considered later, post service.

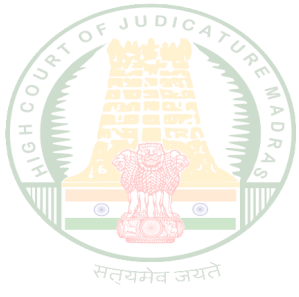
The aforesaid interim injunction shall operate for a period of four weeks, i.e., upto 16.12.2022 on the above terms. Though obvious, the applicant to comply with Order XXXIX Rule 3 of Code of Civil Procedure, 1908.

List the captioned matter along with suit on 16.12.2022.

**18.11.2022**

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***Note: Upload forthwith.***



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**M.SUNDAR.J.,**

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**Dated : 18.11.2022**