

**20 CS (COMM.) 514/25 ANI MEDIA PVT. LTD. Vs. PATHFINDER BY UNACADEMY**

14.07.2025

Present: Ms. Anshika Saxena, ld. counsel for plaintiff.  
Ms. Himani Sachdeva, ld. counsel for defendant no.2  
(VC).

Along with the suit, an application under Order XI Rule 1 (4) r/w Section 151 CPC, 1908 as amended by the Commercial Courts Act, 2015 seeking liberty to file additional documents at the appropriate stage along with supporting affidavit filed on behalf of plaintiff. Same is kept in abeyance.

Another application under Section 151 CPC, 1908 seeking exemption from filing the clear/typed copies of the documents filed along with supporting affidavit. Same be filed within four weeks.

Another application under Section 151 CPC, 1908 r/w Section 12 A (1) of the Commercial Courts Act, 2015 seeking exemption from pre-institution mediation along with supporting affidavit filed.

As this is a commercial suit filed with an urgent application seeking urgent reliefs, application under 151 CPC, 1908 r/w Section 12 A (1) of the Commercial Courts Act, 2015 seeking exemption from pre-institution mediation is hereby allowed and same stands disposed of.

As per the averments made in the plaint, plaintiff is India's leading multimedia news agency providing syndicated news feed across the globe under the brand name 'Asian News International' and 'ANI'.

The defendant no.1 owns and operates a channel hosted on the YouTube platform managed by defendant no.2. Said channel has been used by defendant no.1 to unlawfully reproduce, publish and disseminate the plaintiff's works without obtaining any license, authorization or consent from the plaintiff. The present suit assails defendant no.1's illegal and unauthorized reproduction of three videos comprising the plaintiff's works that were published by the plaintiff on its You Tube Channel as well as on syndicated newsfeed which is exclusively available to its subscribers.

The defendant no.1 owns and operates a Youtube Channel titled, *Pathfinder by Unacademy* which is presented as offering content aimed at individuals appearing for various competitive examinations. The said channel of defendant no.1 hosted on the platform of defendant no.2 has amassed over 1.2 million subscribers. Without obtaining any authorization, licence or permission from plaintiff, defendant no.1 has systematically disseminated content incorporating the plaintiff's works on this channel. The defendant no.2 Google LLC is the entity which owns and controls the social media platform Youtube where defendant no.1 hosts the Pathfinder by Unacademy Channel.

It is alleged that defendant no.1 has published infringing videos on 24.04.2025, 14.05.2025 and 05.05.2025 as detailed in para 12 of

the plaintiff. The first, second and third original videos are original works created, recorded, collected, edited and first published by plaintiff. Defendant no.1 has sought to gain commercially by using the original videos of the plaintiff at the cost of the resources and efforts of the plaintiff. A table containing the links of the original videos published by plaintiff and the infringing videos published illegally by defendant no.1 is reproduced in para 15 of the plaint. It is alleged that defendant no.1 has published the infringing videos without obtaining any prior permission, licence or authorization from the plaintiff and thus, amounts to copyright infringement.

Ld. counsel for plaintiff states that due to unlawful reproduction of plaintiff's original videos by defendant no.1, the plaintiff was left with no option but to invoke the copyright protection mechanism provided by defendant no.2. In accordance with this mechanism, the plaintiff issued copyright strikes against the infringing videos uploaded by defendant no.1 on 14.05.2025 and 16.05.2025. Upon review, defendant no.2 found merit in the plaintiff's claims and accordingly, removed the infringing videos from defendant no.1's YouTube Channel hosted on its platform. On 17.05.2025, defendant no.1 approached the plaintiff, apologized for using the plaintiff's original videos, and agreed not to use any of the plaintiff's works in the future.

However, despite assurance, on 21.05.2025, defendant no.1 issued three counter strikes in response to plaintiff's three copyright strikes. Defendant no.1 contended that the alleged infringing videos feature original narration, analysis and critique of topical news by its

educators. It was also contended that the videos were used to discuss, analyse and critique news reports while providing educational content for students preparing for the UPSC exams via defendant no.1's Youtube Channel. It was further stated that the videos are non commercial, purely educational and informative with no fee charged for access. Additionally, it was claimed that the portion of the plaintiff's original works used is under one minute, thereby constituting minimal use protected under fair use.

Ld. counsel for plaintiff further alleged that defendant no.1 despite being aware of the plaintiff's rights in the original plaintiff's works has substantially reproduced often in its entirety, the plaintiff's original videos and published them without any authorization. Evidently, defendant no.1 has committed copyright infringement, piracy, plagiarism and other wrongs. Defendant no.1 has acted in contravention of the Youtube Policy of defendant no.2 by uploading plaintiff's original works on the *Pathfinder by Unacademy* Youtube Channel without any authorization under its own name.

It is thus prayed that an ex-parte ad interim injunction is passed in favour of plaintiff and against the defendant no.1 thereby restraining it from posting, publishing, uploading, distributing, re-publishing on any platform, or using in any manner, plaintiff's original videos or any copyrighted work or content of the plaintiff, including on platform of Youtube maintained by defendant no.2. Further, to direct them to remove and take down the infringing videos or any other content infringing the copyrighted work of plaintiff, including plaintiff's original videos. Further, directing the defendant

no.2 to take down, block and disable access to the infringing content published by defendant no.1 on its platform as prayed for in para 23 (d) of the plaint.

Having gone through the submissions made by ld. counsel for plaintiff and on perusal of material placed by plaintiff on record, the plaintiff has made out a *prima facie* case and balance of convenience in its favour. Plaintiff has also demonstrated that irreparable harm will be caused to plaintiff, in case, plaintiff is not granted *ad interim ex-parte* injunction. Defendant no.1 is therefore, restrained from posting, publishing, uploading, distributing, re-publishing on any platform, or using in any manner, plaintiff's original videos or any copyrighted work or content of the plaintiff, including on platform of Youtube maintained by defendant no.2. Defendant no.1 is further directed to remove and take down the infringing videos or any other content infringing the copyrighted work of plaintiff, including plaintiff's original videos.

Ld. counsel for defendant no.2 submitted that infringing videos had already been taken down by defendant no.2 on the platform of defendant no.1. However, so far as, future is concerned, defendant no.2 is further directed to take down, block and disable access to the infringing content published by defendant no.1 on its platform as prayed for in para 23 (d) of the plaint.

Let defendant no.1 be served with summons of the suit and notice of the application under Order XXXIX Rules 1 and 2, CPC, through all modes of service, on filing of PF/RC, including email/Whatsapp, returnable for **11.09.2025**.

Ld. Counsel for the plaintiff is directed to file an affidavit affirming the e-mail address and Mobile no. of the defendant no.1 under Rule 12 of Delhi Courts Services of process by courier, fax and electronic mail service (Civil Proceedings) Rule, 2010.

In terms of Rule 13, plaintiff is further directed to place on record a copy of the plaint and documents in electronic form/scanned images in compliance of Rule 13 for forwarding/annexing/attaching the same with the process. A requisite process fee for sending process by e-mail in compliance of Rule 14 be filed alongwith copies as above for onward transmission to Nazarat Branch, Patiala House Courts for service through e-mail and Whatsapp.

Compliance under the provisions of Order XXXIX Rule 3 CPC be made within 10 days.

Be listed for 11.09.2025.

**HEMANI MALHOTRA**  
District Judge (Commercial Court-03)  
PHC / New Delhi / 14.07.2025