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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CS(COMM) 440/2024**  
**GALACTUS FUNWARE TECHNOLOGY PVT. LTD. & ANR.**

..... Plaintiffs

Through: Mr. Aditya Gupta & Mr. Savhard  
Alung, Advs.

versus

M/S MLP & ORS.

..... Defendants

Through: Ms. Nidhiraman, CGSC with  
Mr. Yash Yadav & Mr. Rudra  
Paliwal, GP for R-8 & 9

**CORAM:**  
**HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER**

% **27.05.2024**

**I.A. 30458/2024** (*Exemption from filing certified, clear copies of documents*)

1. Exemption is granted, subject to all just exceptions.
2. Applicant shall file legible, clear, and original copies of the documents on which the applicant may seek to place reliance before the next date of hearing.
3. Accordingly, the present application is disposed of.

**I.A. No.30457/2024** (*seeking leave to file additional documents*)

1. The present application has been filed on behalf of the plaintiff under Order 11 Rule 1(4) of the Code of Civil Procedure, 1908 as applicable to commercial suits under the Commercial Courts Act, 2015 seeking to place



on record additional documents.

2. The plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly as per the provisions of the Commercial Courts Act, 2015 and the DHC (Original Side) Rules, 2018.
3. Accordingly, the present application is disposed of.

**I.A. 30454/2024 (exemption from advance service to defendant nos. 1-4) & I.A. 30455/2024 (exemption from advance service to defendant nos. 8-9)**

1. Since there is an urgency in the matter and the same is being heard today, plaintiffs are exempted from serving advance notice to the defendants as stated in these applications.
2. For the reasons stated in the applications, the same are allowed and stand disposed of accordingly.

**I.A. No.30456/2024 (exemption from instituting pre-litigation mediation)**

1. Having regard to the facts of the present case and in light of the judgement of Division Bench of this Court in ***Chandra Kishore Chaurasia v. R.A. Perfumery Works Private Ltd.***, FAO (COMM) 128/2021, exemption from attempting **pre institution** mediation is allowed.
2. Accordingly, the application stands disposed of.

**CS(COMM) 440/2024**

1. Let the plaint be registered as a suit.
2. Upon filing of process fee, issue summons to the defendants by all permissible modes. Summons shall state that the written statements be filed



by the defendants within 30 days from the date of receipt of summons. Along with the written statements, the defendants shall also file affidavit of admission/denial of plaintiff's documents, without which the written statements shall not be taken on record. Liberty is given to plaintiffs to file a replication within 30 days of the receipt of the written statements. Along with the replication, if any, filed by the plaintiffs, affidavits of admission/denial of documents filed by the defendants, be filed by plaintiffs, without which the replication shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

3. List before the Joint Registrar (Judicial) for marking of exhibits on 30<sup>th</sup> August 2024.

4. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

**I.A. 30453/2024 (under Order XXXIX Rules 1 & 2 CPC)**

1. This application under Order XXXIX Rules 1 and 2 of Code of Civil Procedure, 1908 ("CPC") has been filed by plaintiff as part of the accompanying suit for decree of permanent injunction restraining defendant nos. 1-4 and all those acting for and on their behalf from using plaintiff's trademark 'MPL', 'MOBILE PREMIER LEAGUE'/ device mark

including the trademark 'MLP'/


and or

any other mark identical or deceptively similar to plaintiff's trademark in respect of online gaming. Relief is also sought against impugned websites












and apps namely  
[www.mpl.cool](http://www.mpl.cool), [www.mlps.live](http://www.mlps.live), [www.mplove.best](http://www.mplove.best),  
[www.mpl.lat](http://www.mpl.lat), [www.powker365.com](http://www.powker365.com), [www.teenpatti.me](http://www.teenpatti.me),  
[www.indiapoker.me](http://www.indiapoker.me), [www.mplpro.pro](http://www.mplpro.pro), [www.mpl-pro.com](http://www.mpl-pro.com),  
[www.mplbet.com](http://www.mplbet.com), and <https://mpl-mobile-premier-league.en.download.it/android>.

2. Plaintiff no.2, also known as 'M-League Pte. Ltd.', is a company incorporated under laws of Singapore and plaintiff no.1 is the licensee of plaintiff no.2. Plaintiffs' trademarks were adopted in 2018 along with the

said logo . Trademark registrations in favour of plaintiff no.2 are as under:



S. No.	Trademark	Application Number	Class
1.	MPL	3810487	35
2.	MPL	3810490	42
3.	MPL	4661683	18
4.	MPL	4661684	20
5.	MPL	4661685	21
6.	MPL	4661686	22
7.	MPL	5441046	9
8.		3862616	35
9.		3862619	42
10.		5441048	9
11.		4381745	35
12.		4381746	36
13.		4661710	18
14.		4661712	21
15.		4661713	22
16.		4683817	16

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S. No.	Trademark	Application Number	Class
17.	<b>MPL</b> SPORTS	4683818	18
18.	<b>MPL</b> SPORTS	4683824	20
19.	<b>MPL</b> SPORTS	4683825	21
20.	<b>MPL</b> SPORTS	4683826	22
21.	<b>MPL</b> SPORTS	4683828	28
22.	<b>MPL</b> SPORTS	4683831	42
23.	mobile premier league	3810483	35
24.	mobile premier league	3810484	36
25.	mobile premier league	3810486	42
26.	Mobile Premier League	5441047	9

3. Plaintiff no.1 operates an online gaming platform, 'MOBILE PREMIER LEAGUE' ('MPL platform') through which it offers numerous online games including real money gaming, rummy, poker, ludo, fantasy



sports, etc. and other such casual and board games. The MPL platform is provided through its websites '[www.mpl.live](http://www.mpl.live)', '[www.mplgaming.in](http://www.mplgaming.in)' and '[www.mplpoker.com](http://www.mplpoker.com)'.

4. Promotional expenditure, as claimed by plaintiff no.1, is tabulated as under:

Financial Year	Advertising, marketing, business promotion and branding expenditure(in INR crore)
2018-19	29.6
2019-20	168.6
2020-21	323.7
2021-22	530.1
2022-23	305.1

5. Plaintiff no.1's turnover is claimed and tabulated as under:

Financial Year	Revenue (in INR)
2018-19	2.87 crores
2019-20	18.17 crores
2020-21	378.5 crores
2021-22	600.6 crores
2022-23	814.2 crores

6. Grievance is against defendants on the following accounts:









a. Creating websites with domain names which are using either

'MPL' / **MPL** or 'MLP' / **MLP** which is deceptively similar to that of plaintiff's domain;

b. The content used on the website is a substantial copy of



plaintiff's content, as evident from the tabulation under:

Plaintiff's website <a href="http://www.mpl.live">www.mpl.live</a>	Defendant No. 1's website <a href="http://www.mpl.cool">www.mpl.cool</a>
 <p>The screenshot shows the homepage of the Plaintiff's website (www.mpl.live). The main banner features a man in a suit and the text "MPL OPINION DO EXPERT OPINION DO 20CR JEETO". Below the banner, there is a QR code and the text "Top Cash Games On MPL".</p>	 <p>The screenshot shows the homepage of the Defendant No. 1's website (www.mpl.cool). The main banner features a man in a blue shirt and the text "MPL OPINION DO EXPERT OPINION DO 20CR JEETO". Below the banner, there is a QR code and the text "Top Cash Games On MPL".</p>
 <p>The screenshot shows the game categories section of the Plaintiff's website. It features three main categories: "OPINION DO", "RUMMY", and "3 PATTI". Below these categories, there is a QR code and the text "Top Cash Games On MPL".</p>	 <p>The screenshot shows the game categories section of the Defendant No. 1's website. It features three main categories: "OPINION DO", "RUMMY", and "3 PATTI". Below these categories, there is a QR code and the text "Top Cash Games On MPL".</p>
 <p>The screenshot shows the withdrawal options section of the Plaintiff's website. It features the text "Withdraw Winnings Instantly" and logos for various payment methods: "UPI", "Paytm", "Bank Transfer", and "Net Banking". Below this, it says "MPL is a Member of" and lists logos for "MCA21", "RBI", and "FICCI". At the bottom, it says "Real Money and Cash Earning Games on MPL".</p>	 <p>The screenshot shows the withdrawal options section of the Defendant No. 1's website. It features the text "Withdraw Winnings Instantly" and logos for various payment methods: "UPI", "Paytm", "Bank Transfer", and "Net Banking". Below this, it says "MPL is a Member of" and lists logos for "MCA21", "RBI", and "FICCI". At the bottom, it says "Real Money and Cash Earning Games on MPL".</p>
 <p>The screenshot shows the real money games section of the Plaintiff's website. It features the text "Win Real Money Only On MPL" and "Top Money Earning Games On MPL".</p>	 <p>The screenshot shows the real money games section of the Defendant No. 1's website. It features the text "Win Real Money Only On MPL" and "Top Money Earning Games On MPL".</p>

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Plaintiff's website <a href="http://www.mpl.live">www.mpl.live</a>	Defendant No. 1's website <a href="http://www.mpl.cool">www.mpl.cool</a>

c. Advertising their mobile applications using the said marks



‘MLP’/  
being:

which are impugned hereunder; sample



MLP MLP Games

About Blog FAQs

Language

MLP OPINIO

WILL MUMBAI WIN THE MATCH?

YES NO

- English
- हिंदी
- ગુજરાતી
- தமிழ்
- मराठी
- తెలుగు
- बाश्ना
- ಕನ್ನಡ



Scan Code to Download MLP App Now!



### Top Cash Games On MLP



Poker



Rummy



Win Patti

The most secure gaming platform in India with 7 layers of security

KNOW MORE

CERTIFICATIONS FROM

AIGF ADL Arthur D Little

↓ DOWNLOAD & GET ₹30K\*

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About Blog FAQs

Language

UPI

Amazon Pay

Bank Transfer

Paytm

## MLP is a Member of



## Real Money and Cash Earning Games on MLP

Mobile Premier League (MLP) is one of the most popular and trusted mobile gaming platforms in India, offering 60+ games. It is available for free download across various categories, such as fantasy sports, card games, arcade games, puzzles, action games, and more. It is the most widely recognized gaming platform, boasting over 9 crore users engaged in real money games like Poker, Rummy, Ludo, Fantasy Cricket, Call Break, Win Patti Skill, and more, all on one platform!

### Win Real Money Only On MLP

MLP, as a gaming platform, offers everything a passionate player could want. Download games for free and engage with real players online for a chance to win cash prizes. Whether you have a liking for fantasy sports, card games, arcade games, or casual games, the platform offers a diverse range of options that cater to every gaming enthusiast.

The app hosts cash contests and tournaments across multiple games, allowing users to participate daily and earn money. Select your favorite game, showcase your skills, and compete against opponents to emerge victorious. MLP also provides free game downloads for users to practice against real-life opponents before venturing into real money games to win real cash prizes.

Achieve high scores and climb to the top of the Leaderboards with MLP's exciting money-earning games. Additionally, earn a referral bonus for each successful referral made. MLP is a completely secure and legally recognized real money gaming app, preferred by users for its next-level gaming experience.

While the app is available on the App Store for iOS users, Android users can download the MLP PRO (apk) to play games and win real cash prizes.

### Top Money Earning Games On MLP

Given below is a list of real money earning games that you can play and win. These real money games have gained popularity in India because of the easy gameplay or because the prospect of earning real money is extremely high. MLP has a very smooth and user-friendly interface with a wide range of games to choose from. You are simply one click away from downloading the game that you want to play in any genre and start your gaming journey.



DOWNLOAD & GET ₹30K\*

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7. Specific details *qua* each defendant are provided by the plaintiff, as under:

**1. Defendant No. 1:**

- a. Impugned domain names and websites [www.mpl.cool](http://www.mpl.cool) (pg. 66-71 of list of documents), [www.mlps.live](http://www.mlps.live) (pg. 72-74), [www.mplove.best](http://www.mplove.best) (pg. 75-77), [www.mpl.lat](http://www.mpl.lat) (pg. 78-79):
  - i. The domain name infringes the Plaintiffs' trademarks.
  - ii. The content on the website infringes Plaintiffs' trademark and copyright.
  - iii. The Mobile application being offered infringes the Plaintiffs' trademark.
- b. Impugned websites [www.powker365.com](http://www.powker365.com) (pg. 80-81), [www.teenpatti.me](http://www.teenpatti.me) (pg. 82-83), [www.indiapoker.me](http://www.indiapoker.me) (pg. 84-85):
  - i. The content on the website infringes Plaintiffs' trademark and copyright.
  - ii. The mobile application being offered infringes the Plaintiffs' trademark.

**2. Defendant No. 2:**

- a. Impugned domain names and websites [www.mplpro.pro](http://www.mplpro.pro) (pg. 112-125) and [www.mpl-pro.com](http://www.mpl-pro.com) (pg. 126-127):
  - i. The domain name infringes the Plaintiffs' trademarks.
  - ii. The content on the website infringes Plaintiffs' trademark.
  - iii. The mobile application being offered infringes the Plaintiffs' trademark.



**3. Defendant No. 3:**

a. Impugned domain name [www.mplbet.com](http://www.mplbet.com) (pg. 136):

i. The domain name infringes the Plaintiffs' trademarks.

**4. Defendant No. 4:**

a. Impugned mobile application being offered at <https://mpl-mobile-premier-league.en.download.it/android> (pg. 141-142):

i. The content on the website infringes Plaintiffs' trademark.

ii. The mobile application being offered infringes the Plaintiffs' trademark.

**8.** In this view of the matter, in the opinion of this Court, plaintiffs have made out a *prima facie* case for grant of an *ex parte ad interim* injunction till the next date of hearing. Balance of convenience lies in favour of plaintiffs, and plaintiffs are likely to suffer irreparable harm in case the injunction, as prayed for, is not granted.

**9.** Accordingly, till the next date of hearing, *ex parte ad interim* injunction is passed in the following terms:

a. Defendant nos. 1-4 and all those acting for and on their behalf are restrained from using plaintiff's trademark 'MPL',

'MOBILE PREMIER LEAGUE',  including

  
the trademark 'MLP' and any other mark identical or deceptively similar to plaintiff's trademark in



relation to online gaming including through impugned websites and apps namely [www.mpl.cool](http://www.mpl.cool), [www.mlps.live](http://www.mlps.live), [www.mplove.best](http://www.mplove.best), [www.mpl.lat](http://www.mpl.lat), [www.powker365.com](http://www.powker365.com), [www.teenpatti.me](http://www.teenpatti.me), [www.indiapoker.me](http://www.indiapoker.me), [www.mplpro.pro](http://www.mplpro.pro), [www.mpl-pro.com](http://www.mpl-pro.com), [www.mplbet.com](http://www.mplbet.com), and <https://mpl-mobile-premier-league.en.download.it/android>, or all listings on social media websites or doing any other act amounting to infringement of plaintiffs' registered trademarks and/or passing off;

- b. Defendant nos. 1-4 and all those acting for and on their behalf are restrained from reproducing, adapting or issuing copies of the plaintiffs' Works, including the artistic works in its



logos

and



as well

as the literary work in the content of its official websites [www.mpl.live](http://www.mpl.live), [www.mplgaming.in](http://www.mplgaming.in) and [www.mplpoker.com](http://www.mplpoker.com), or any other work substantially similar thereto on the Impugned Websites and Apps [www.mpl.cool](http://www.mpl.cool), [www.mlps.live](http://www.mlps.live), [www.mplove.best](http://www.mplove.best), [www.mpl.lat](http://www.mpl.lat), [www.powker365.com](http://www.powker365.com), [www.teenpatti.me](http://www.teenpatti.me), [www.indiapoker.me](http://www.indiapoker.me), [www.mplpro.pro](http://www.mplpro.pro), [www.mpl-pro.com](http://www.mpl-pro.com), [www.mplbet.com](http://www.mplbet.com), and <https://mpl-mobile-premier-league.en.download.it/android>, or



in any other manner whatsoever amounting to infringement of plaintiffs' copyright;

- c. Defendant nos. 5 and 6 are directed to lock, block access and suspend the Impugned Websites and Apps, i.e., [www.mpl.cool](http://www.mpl.cool), [www.mlps.live](http://www.mlps.live), [www.mplove.best](http://www.mplove.best), [www.mpl.lat](http://www.mpl.lat), [www.powker365.com](http://www.powker365.com), [www.teenpatti.me](http://www.teenpatti.me), [www.indiapoker.me](http://www.indiapoker.me), [www.mplpro.pro](http://www.mplpro.pro), [www.mpl-pro.com](http://www.mpl-pro.com) and [www.mplbet.com](http://www.mplbet.com);
- d. Defendant no. 7 is directed to remove the listing of the 'MPL-MOBILE PREMIER LEAGUE APK' mobile application available at <https://mpl-mobile-premier-league.en.download.it/android> ;
- e. Defendant nos. 5, 6 and 7 are directed to disclose the complete details of Defendant nos. 1, 2, 3 and 4, as available in their records;
- f. Defendant no.8 (*Department of Telecommunications*) and defendant no.9 (*Ministry of Electronics and Information Technology*) are directed to block access to the Impugned Websites and Apps, i.e., [www.mpl.cool](http://www.mpl.cool) , [www.mlps.live](http://www.mlps.live) , [www.mplove.best](http://www.mplove.best), [www.mpl.lat](http://www.mpl.lat) , [www.powker365.com](http://www.powker365.com) , [www.teenpatti.me](http://www.teenpatti.me), [www.indiapoker.me](http://www.indiapoker.me) , [www.mplpro.pro](http://www.mplpro.pro) , [www.mpl-pro.com](http://www.mpl-pro.com), [www.mplbet.com](http://www.mplbet.com) , and <https://mpl-mobile-premier-league.en.download.it/android>; and
- g. Wherever the marks 'MPL', 'MOBILE PREMIER LEAGUE',

**MPL**

including the impugned mark 'MLP'/



**MLP**

are identically being used on a website/URL/social media handle, the same shall be taken down within 36 working hours upon information being given by plaintiffs to the respective DNRs/platforms, and an affidavit listing these infringing websites/URLs/ social media handles shall be filed before this Court forthwith. It is clarified that in case the respective DNRs/platforms find request of plaintiffs not to be acceptable for any reason, it shall inform plaintiffs of the same, and the plaintiffs then shall be at liberty to file an appropriate application, if so desired. Plaintiffs shall also file an application under Order I Rule 10 CPC for impleadment of these new defendants (website/URL/social media handles and the respective DNRs/platforms). Upon filing of the affidavit/application, and pursuant to a communication confirming the same, defendant no.8 (*Department of Telecommunications*) and defendant no.9 (*Ministry of Electronics and Information Technology*) shall also issue directions to block access to these additional website/URL/social media handles, as well.

**10.** On steps being taken by plaintiffs, issue notice to defendants through all permissible modes including speed post, courier, and email. Affidavit of service along with proof thereof, be placed on record before the next date of hearing.





11. Reply, if any, be filed within three weeks with advance copy to counsel for plaintiffs, who may file rejoinder thereto, if so desired, before the next date of hearing.
12. Compliance with Order XXXIX Rule 3 of CPC be made after a week of receiving the receipt of disclosure affidavit from defendant nos. 5 and 6 (*Domain Name Registrars*).
13. Defendant no. 8 (*Department of Telecommunications*) shall file compliance affidavit before the next date of hearing.
14. List on 4<sup>th</sup> October 2024.
15. Order be uploaded on the website of this Court.

**ANISH DAYAL, J**

**MAY 27, 2024.sm/na**