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THE JURISPRUDENTIAL EXPANSION OF DYNAMIC PLUS INJUNCTIONS IN DIGITAL PIRACY

~Vaishnavi Upadhyay

INTRODUCTION

With the evolving nature of technology, piracy has evolved right alongside it. The rapid expansion of high-speed mobile internet, and opensource application development has turned piracy into commercial business that has impacted various software industries and organisations. In today's time pirates not only use simple websites but uses advanced hidden mobile apps and private chat channels to run their operation. A prime example of this is Telegram which allow users to share copyrighted movies, books, and software that are away from public view.

The Copyright Act, 1957 was introduced to protect different platform from being pirated and now the High Court have developed "Dynamic Plus" injunction to immediately block pirate websites and applications and live sports broadcast.

KEYWORDS/ TAGS

Dynamic Plus Injunction, Dynamic Injunction India, Delhi High Court, Digital Piracy, Rogue Websites, Rogue Apps, Copyright Act 1957, ISP Blocking, Sports Broadcasting Rights.

HISTORICAL BACKGROUND AND EVOLUTION OF INJUNCTION IN INDIA

With the evolving nature of digital piracy the injunction has evolved in different phases

Static Injunction – Dynamic Injunction – Live Injunctions – Dynamic Plus Injunction

1.The Static Injunctions and Legislative Vacuum

Historically, civil courts relied on static injunctions to protect intellectual property. Under this injunction one court order blocked one specific web address at time. As digital pirates could create identical mirror site overnight, to takedown the other pirate website, the copyright holder had to file an entirely new lawsuit to block the new link.

2.The Dynamic Injunctions

To fill this legislative vacuum the Delhi High Court introduced the “Dynamic Injunction”. This empowers the Copyright holder to issue an order against pirated sites and that order will automatically extend to new infringing websites and mandating the Internet Service Providers (ISPs) to takedown mirror sites, alphanumeric clones, Ip addresses and URL, without requiring to file a new lawsuit.

3.The Shift to Live Webcasting Injunctions

With the growth of high-speed data network throughout India, the copyright infringement shifted from downloaded website to live webcast of sporting events like IPL or ICC World Cups, the rouge websites and platforms exploit the broadcaster’s live ad-revenue. This resulted the courts to order “Live Injunction” to block unauthorised pirated networks.

4.The Emergent Need of Dynamic Plus Injunctions

When the modern pirates no longer rely on websites alone it is operated through hidden mobile applications, automated download bots, and private messaging channels on platforms like Telegram, to address this multi-layered threat, the Delhi High Court introduced the “Dynamic Plus” Injunction. This order provides proactive shield that allowing media houses to shield future live broadcasts and upcoming creative content before they are even aired or distributed. It does not just mandate Internet Service Providers (ISPs) to block rogue web links, it forces Domain Name Registrars (DNRs), central technology platforms, and government authorities to instantly freeze malicious applications, suspend domain registries, and disable private messaging channels within 48 to 72 hours of a notification from the copyright holder.

LANDMARK JUDICIAL CASE LAWS THAT SHAPED THE DYNAMIC PLUS FRAMEWORK

In **JioStar India Pvt. Ltd. v. Cricfy TV & Ors.**¹, the Delhi High Court granted a Dynamic Plus injunction to protect exclusive BCCI and ICC cricket rights against an anonymous mobile app, Cricfy TV, which used rapidly shifting URLs to stream content illegally. The primary issue before the court was whether an injunction could proactively extend to future, as broadcasting piracy transmits through such independent mobile applications. The High Court granted a sweeping Dynamic Plus injunction to protect the broadcaster's time sensitive media assets, explicitly holding that the unique value of a Dynamic Plus injunction lies in its ability to protect future, uncreated works generated during the pendency of legal proceedings.

Similarly, in **DAZN Ltd. v. Buffsports.Me & Ors.**², the court observed real-time piracy concerning exclusive regional broadcasting rights for the FIFA Club World Cup 2025. During the tournament, an anonymous underground network operated through the domain Buffsports.Me, this website pirated the DAZN's live soccer streams onto their own web pages. The dispute was raised regarding the instant, automated blocking of new mirror sites that operates during live sports broadcasts. To secure an effective remedy, the court ruled that the plaintiff was legally authorized to directly notify Internet Service Providers to implement real-time blocking of new infringing domains upon notification, without the necessity of filing fresh applications.

The reality of organized network piracy was further observed in **Star India v. Rogue IPL Streaming Platforms**³ which exposed automated piracy networks that cloned and redirected live Indian Premier League (IPL) matches across dozens of domains simultaneously. To prevent immediate financial loss during live broadcasts, the Delhi High Court addressed the issue whether a dynamic injunction could extend across an entire grid of proxy servers. Justice Jyoti Singh granted a protective order targeting networks like Abasi TV and CricfyTV, noting that live sports piracy spikes unpredictably in real-time. Justice Tushar Rao Gedela extended the injunction to block the entire associated proxy network, ruling that any delay in blocking these rogue websites would cause irreversible financial injury to the lawful rights holder.

Further, in **Universal City Studios LLC v. Isaidub & Ors.**⁴, the High Court extended this advanced protective framework to international theatrical and OTT cinema assets. Major

¹ JioStar India Pvt. Ltd. v. Cricfy TV & Ors., CS(COMM) 1203/2025, Delhi High Court.

² DAZN Ltd. v. Buffsports.Me & Ors., CS(COMM) 412/2025, Delhi High Court.

³ Star India Private Limited & Anr. v. Rogue IPL Streaming Platforms & Ors., CS(COMM) 218/2025, Delhi High Court.

⁴ Universal City Studios LLC & Ors. v. Isaidub & Ors., CS(COMM) 895/2025, Delhi High Court.

Hollywood studios had discovered an organized piracy network operating under domains like Isaidub that was uploading full-length copies of newly released movies. The Court ruled that the plaintiffs were legally permitted to continually block additional infringing web domains through rapid registrar applications, acknowledging that commercial damage occurs globally and simultaneously across mirror websites.

LEGAL CHALLENGES

1. Absence of an Independent Verification Process

Currently, copyright holders operate simultaneously as the investigator, complainant, and enforcer. A plaintiff identifies a suspect link, logs it, and passes it directly to the judiciary or telecom operators for immediate blocking. There is an absolute lack of an independent, neutral technical expert to cross-verify if the targeted application or domain is genuinely hosting pirated content before access is cut off. Unlike the UK or EU, where court-appointed neutral body independently verify evidence. India relies entirely on one-sided, plaintiff provided lists, leaving the system highly vulnerable to errors.

2. Over-Blocking Vulnerabilities for Innocent Platforms

As Dynamic Plus remedies are inherently anticipatory, they are designed to restrict links, software apps, and communication channels that may not even exist or contain illegal streams when the suit begins. Rather than evaluating specific instances of infringement, the court applies a qualitative test to the general character of a platform, creating a serious risk of administrative overreach.

3. Uncompensated Cost Burdens Imposed on ISPs

When Dynamic Plus mandate is issued, the court directs executive departments like the DoT and MeitY to ensure immediate compliance across all commercial networks. The operational function of this requirement falls completely on telecom engineers. Internet Service Providers are forced to develop expensive web-filtering infrastructure, maintain active monitoring teams, and execute automated takedown requests within strict 36-to-72-hour windows entirely out of their own pockets. The Copyright Act, 1957 contains no statutory mechanism to reimburse or allocate the structural expense. Hence small and mid-sized independent Internet Service

Providers face a highly disproportionate financial strain to shield the commercial properties of multi-billion dollar media syndicates for free.

THE STATUTORY FRAMEWORK AND LEGISLATIVE VACUUM

In India, the Copyright Act, 1957 is the foundation for dealing digital piracy. The Section 14 of the Act outlines exclusive protections and secure the rights for traditional literary, dramatic, musical, or cinematograph works. However to deal with modern real-time internet streaming piracy. Section 37 of the Act defines and protects “Broadcast Reproduction Rights,” giving television and digital networks the exclusive authority to operate their telecasts to the public, or monetize broadcasts. When rogue platforms or automated web applications hijack live sports or cinematic releases, they commit direct civil infringement under Section 51 of the Act, which explicitly states that copyright is violated when an unauthorized entity communicates these protected works to the public without a valid license.

Despite these protections, a deep statutory void exists when trying to apply them to modern digital infrastructure. The Copyright Act, 1957 contains no specific language addressing live-stream internet piracy, decentralized mobile APK applications, or cloud-routed proxy distribution networks. Because Section 37 was originally drafted to govern traditional, stable television signals, it entirely lacks the procedural agility required to handle instantaneous internet data theft. This legislative vacuum leaves rights holders unable to rely on the literal text of the copyright statute for real-time protection. By utilizing Section 151 of the CPC to step into this void, the judiciary has provided temporary relief, but using general procedural rules to manage a massive, nationwide technological regulation network across thousands of independent Internet Service Providers is fundamentally unsustainable over the long term.

CONCLUSION

The Indian creation of the Dynamic Plus injunction framework is a vital to protect valuable media assets from digital piracy. Traditional legal remedies fail because modern illegal streams operates instantly during live events and continuously shift across cloud servers.

However, running a massive online enforcement network through temporary court orders is not a permanent solution. To make this system fair and sustainable, India needs structured legislative updates, a formal definition of live-stream piracy in the Copyright Act, 1957, an

independent technical committee to double-check a plaintiff's data before blocking anything, and a fair cost-sharing system to help internet providers cover infrastructure expenses.

REFERENCES

The Copyright Act, 1957 (Act No. 14 of 1957), section 14, 37, 51, & 52.

The Code of Civil Procedure, 1908 (Act No. 5 of 1908), section 151 & Order I Rule 10.

The Information Technology Act, 2000 (Act No. 21 of 2000), section 69A.