

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

I.A. No. OF 2025

IN

C.S. (COMM.) NO.572 OF 2020

IN THE MATTER OF

Elsevier Ltd. & Ors.

...Plaintiffs

Versus

Alexandra Elbakyan & Ors.

...Defendants

INDEX

S. No.	Particulars	Page No.
1.	Notice of Motion	1
2.	Urgent Application	2
3.	Memo of Parties	3-5
4.	Application under Order XXXIX Rule 2A read with Section 151 Of The Code Of Civil Procedure, 1908 For appropriate orders and directions along with supporting affidavit.	6-38
5.	Orders of this Hon'ble Court dated 24 th December 2020, 06 th January 2021, 28 th September 2021, 07 th October 2021, 16 th November 2021, 16 th December 2021, 14 th January 2022, 20 th January 2022, 10 th February 2022, 04 th March 2022, 01 st April 2022, 08 th April 2022, 12 th May 2022, 13 th May 2022, 25 th July 2022, 11 th September	39-83

	2023, 05 th October 2023, 11 th December 2023, 05 th March 2024 and 06 th May 2024.	
6.	Affidavit of service along with proof of service	84-88
7.	Court fee	89



Snehima Jauhari (D/2733/2017)

Disha Sharma (D/130/2017)

Surabhi Pande (D/3036/2017)

Saikrishna & Associates

Advocates for the Plaintiffs

57, Jor Bagh, New Delhi- 110003

snehima@saikrishnaassociates.com

+91 - 9910739913

Place: New Delhi

Date: 11.08.2025

Note: Defendant No. 1 is the only necessary party to the present contempt application under Order XXXIX Rule 2A, CPC. The contempt application is only qua Defendant No. 1. As such, service to other Defendants is not necessary.

All necessary parties, and their Counsel has been served on the email IDs available, and an affidavit of service along with proof has been filed herewith.

Requisite Court fee has been appended at page. 89.

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

I.A. of 2025

IN

C.S. (COMM.) NO.572 OF 2020

IN THE MATTER OF

Elsevier Ltd. & Ors.

...Plaintiffs

Versus

Alexandra Elbakyan & Ors.

...Defendants

NOTICE OF MOTION

Sir,

The enclosed Application in the aforesaid matter is being filed on behalf of the Plaintiffs and is likely to be listed on 13th August, 2025 or any date thereafter. Please take note accordingly.

Place: New Delhi

Dated: 12th August, 2025



Snehma Jauhari (D/2733/2017)

Saikrishna & Associates

Counsels for Plaintiffs

57, Jorbagh, New Delhi – 110003

+91 9910739913

snehma@saikrishnaassociates.com

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

I.A. of 2025

IN

C.S. (COMM.) NO.572 OF 2020



To,

The Deputy Registrar,

High Court of Delhi,

New Delhi

IN THE MATTER OF

Elsevier Ltd. & Ors.

...Plaintiffs

Versus

Alexandra Elbakyan & Ors.

...Defendants

Sir,

Will you kindly treat the accompanying application as an urgent one in accordance with the High Court Rules and Orders and list the present application before the Hon'ble Court on 13th August, 2025. The grounds of urgency:

As prayed.

Yours faithfully,

Place: New Delhi

Date: 12th August,

2025

Snehlma Jauhari (D/2733/2017)

Saikrishna & Associates

Counsels for Plaintiffs

57, Jorbagh, New Delhi – 110003

+91 9910739913 snehlma@saikrishnaassociates.com

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

I.A. of 2025

IN

C.S. (COMM.) NO.572 OF 2020

CODE:36017.01

IN THE MATTER OF

Elsevier Ltd. & Ors.

...Plaintiffs

Versus

Alexandra Elbakyan & Ors.

...Defendants

MEMO OF PARTIES

(1) Elsevier Ltd.

Having its office at

The Boulevard, Langford Lane,

Kidlington, Oxford OX5 1GB,

United Kingdom

Email: M.Stratton@elsevier.com

(2) Wiley India Pvt. Ltd.

Having its office at

4436/7, Ansari Road,

Daryaganji,

Delhi-110002

vgupta@wiley.com

- (3) Wiley Periodicals LLC (formerly Wiley Periodicals, Inc.)

Having its office at

111 River Street,

Hoboken,

NJ 07030

United States of America

Email: dsilver@wiley.com

- (4) American Chemical Society

Having its office at

1155 16th St.,

NW, Washington DC 20036

United States of America

Email: D_Smorodin@acs.org

...Plaintiffs

Versus

(1)	<p>Alexandra Elbakyan</p> <p>Owner of domains popularly known as “Sci-Hub”</p> <p>Having address at:</p> <p>275 Tesienko</p>	
-----	--	--

<p>Almaty</p> <p>Kazakhstan</p> <p>Email: sci-hub@tuta.io; domainabuse@service.aliyun.com; whois+sci-hub.st@njal.la; admin+sci-hub.st@njal.la; tech+sci-hub.st@njal.la; billing+scihub.st@njal.la; sales@101domain.com; abuse@namecheap.com; domainabuse@tucows.com; ayuda@nic.mx; abuse@nic.mx; 316b32536082428cb56a3bab4a1e4411.protect @whoisguard.com; nicrelations@ascio.com; alexandra@dns.cymru</p>	<p>...Defendant</p> <p>No.1</p>
--	---------------------------------



Snehima Jauhari (D/2733/2017)

Disha Sharma (D/130/2017)

Surabhi Pande (D/3036/2017)

Saikrishna & Associates

Advocates for the Plaintiffs

57, Jor Bagh, New Delhi- 110003

snehima@saikrishnaassociates.com

+91 - 9910739913

Place: New Delhi

Date: 11.08.2025

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

I.A. of 2025

IN

C.S. (COMM.) NO.572 OF 2020

CODE:36017.01

IN THE MATTER OF

Elsevier Ltd. & Ors.

...Plaintiffs

Versus

Alexandra Elbakyan & Ors.

...Defendants

APPLICATION UNDER ORDER XXXIX RULE 2A READ
WITH SECTION 151 OF THE CODE OF CIVIL PROCEDURE,
1908 FOR APPROPRIATE ORDERS AND DIRECTIONS

The Plaintiffs above named most humbly showeth:

1. The present suit has been instituted seeking a permanent injunction against the Defendant Nos. 1 and 2 to restrain their infringement of copyright by storing, reproducing, issuing copies, making available for viewing and download, providing access to, and communicating to the public, the Plaintiffs' literary works through the medium of the internet without authorization. Defendant Nos. 1 and 2 are, respectively, the operators of the online services known as 'Sci-Hub' ("Sci-Hub" / the "Sci-Hub Website") and 'LibGen'.
2. The instant application is being filed seeking immediate relief in light of Defendant No. 1's intentional, willful and deliberate non-compliance and violation of multiple orders of this Hon'ble Court

which record, and categorically extend till date, an undertaking that she has tendered to this Hon'ble Court in these proceedings.

3. Defendant No.1 owns and operates the 'Sci-Hub' website which is a 'rogue' website that stores, reproduces, issues copies, makes available for viewing and download, communicates, and provides access to a large library of literary works, including the works of the Plaintiffs, without authorization. As per Defendant No.1's own statement, its repository comprises of ~88 million literary works, covering '>95% for all major scientific publishers' and '(t)he total size of Sci-Hub database is about 100 TB'. For the sake of brevity, the contents of the Complaint, which detail the 'rogue' nature of Sci-Hub and the infringing conduct of Defendant No.1, are relied upon and incorporated by reference to this application.
4. When the instant suit and I.A. 12668/2020 (seeking interim injunction) were listed before the Hon'ble Court, *vide* order dated 24th December 2020, the Hon'ble Court recorded the categorical and unequivocal undertaking of Alexandra Elbakyan (Defendant No.1) in the following terms (the "Undertaking"):

"4. Mr. Amit Sibal, learned senior counsel, who appears along with Mr. Saikrishna Rajagopal, Advocate, on behalf of the plaintiffs, says that the plaintiffs, who have copyright in several medical journals, articles, etcetera have been constrained to approach this Court on account of defendant no. 1/Alexandra Elbakyan and defendant no. 2/gen.lib.rus.ec infringing their copyright.

4.1 According to Mr. Sibal, the infringing activity has been on since 2011 in one form or the other...

...6.1 Mr. Jain says that he has been served with a swathe of documents along with the complaint and therefore, he would

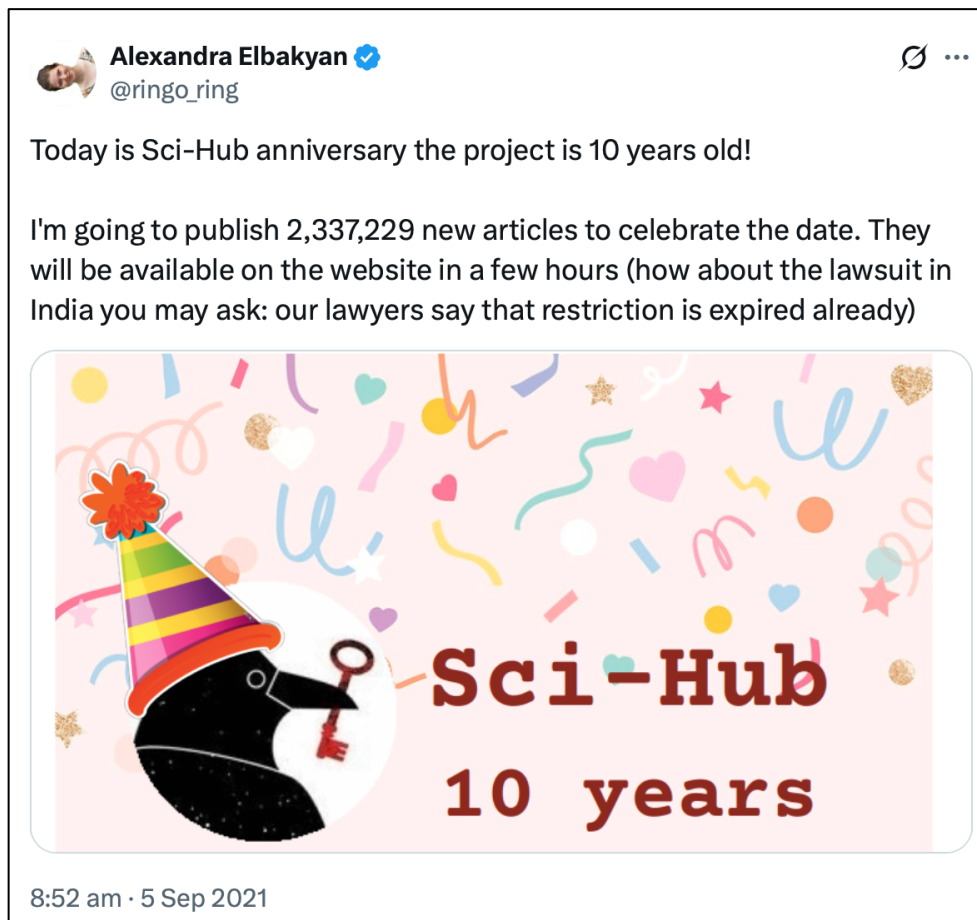
require a short accommodation for responding to the assertions made in the instant action.

6.2 However, given the stand taken by Mr. Sibal, Mr. Jain says no new articles or publications, in which the plaintiffs have copyright, will be uploaded or made available, by defendant no. 1/Alexandra Elbakyan, via the internet, till the next date of hearing.”

*6.3 The statement of Mr. Jain is taken on record.
(Emphasis added)*

5. The Undertaking has been continued by this Hon’ble Court by orders dated 06th January 2021, 28th September 2021, 07th October 2021, 16th November 2021, 16th December 2021, 14th January 2022, 20th January 2022, 10th February 2022, 04th March 2022, 01st April 2022, 08th April 2022, 12th May 2022, 13th May 2022, 25th July 2022, 11th September 2023, 05th October 2023, 11th December 2023, 05th March 2024 and 06th May 2024 and remains in force (all orders referred hereto before, including order dated 24th December 2020, hereinafter collectively referred to as “Orders”).
6. It is pertinent to note that it is the Plaintiffs’ position that the Defendant No. 1 previously (in September 2021), deliberately and willfully violated the order dated 24th December 2020 (which recorded her Undertaking) and order dated 06th January 2021 which had extended her Undertaking.
7. At 8:52am IST on 5th September 2021, Defendant No.1 posted a tweet on the X platform announcing her plan to release over 2.3 million new articles on Sci-Hub to mark Sci-Hub’s 10th anniversary. The tweet remains available at: https://twitter.com/ringo_ring/status/1434356217208623106?re

f_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Etweet
>.



8. In response, the Plaintiffs sent a legal notice on 06th September 2021 to the Defendant No. 1 stating that the Undertaking remained in force and that, accordingly, the publication of new articles (as indicated in the tweet) would violate the Order dated 24th December 2020 read with order dated 06th January 2021 and subsequent orders by which the Undertaking was extended.
9. Instead of complying, Defendant No.1 served on the Plaintiffs an affidavit dated 08th September 2021 titled 'Affidavit in compliance of order dated 24.12.2020'. The Affidavit sought to unilaterally withdraw the Undertaking and admitted to uploading of new articles. As such, the Defendant No. 1 proceeded to make available

over 2.3 million new articles via Sci-Hub, including copyright protected works owned by the Plaintiffs.

10. As a result, the Plaintiffs filed I.A. No. 11755 of 2021 under Order XXXIX Rule 2A, CPC for holding the Defendant No.1 guilty of contempt of this Hon'ble Court for disobeying the orders dated 24th December 2020 and 06th January 2021. When the application was heard on 13th September 2021, Defendant No.1 maintained that the Undertaking had expired. The Court issued notice, prompting the Plaintiffs to file another application (I.A. No. 11925 of 2021 under Section 151, CPC) seeking directions to enforce the Undertaking and prevent further uploads of copyrighted content
11. On 21st September 2021, in light of the arguments convened and observations of the Hon'ble Court, the counsels for Defendant No. 1 orally submitted that the Defendant No. 1 shall refrain from further making available any of the Plaintiffs' works. This understanding of the counsels was extended further *vide* orders dated 28th September 2021, 07th October 2021, 16th November 2021, 16th December 2021, 14th January 2022, 20th January 2022, 10th February 2022, 04th March 2022, 01st April 2022, 08th April 2022 and 12th May 2022. On 13th May 2022, when the counsels for Defendant No.1 submitted to the Hon'ble Court that they wished to release themselves from the understanding, *vide* order dated 13th May 2022, this Hon'ble Court categorically directed that the Undertaking '*in para 6.2 of the order dated 24.12.2020, as also reiterated in the order dated 06.01.2021, shall continue, till the next date of hearing*'.

12. While the hearing on the Plaintiffs' interim injunction application is yet to commence, the Hon'ble Court *vide* its orders dated 13th May 2022, 25th July 2022, 11th September 2023, 05th October 2023, 11th December 2023, 05th March 2024 and 06th May 2024 has continued the operation of the Undertaking till date. In other words, by way of the Orders (as referred in paragraphs 4 and 5 above), the Undertaking provided by the Defendant No.1 remains valid and subsisting and has not expired in any manner whatsoever.

13. As a result of the Undertaking continuing in force by way of the Order, (i) the Defendant No. 1 had, since the violation in September 2021 referred to above, refrained (as far as the Plaintiffs are aware) from making available directly from Sci-Hub, 'new' copyright protected literary works published by the Plaintiffs since September 2021; and (ii) such works are not accessible to users directly from Sci-Hub. This context is relevant to the further violations with which the present application is concerned.

CONTEMPT BY DEFENDANT NO. 1

14. It has recently come to the attention of the Plaintiffs that Defendant No. 1, in a further intentional, willful and deliberate violation of the Undertaking as recorded and subsisting through the Orders, has been uploading and making available (and continues to make available) the Plaintiffs' literary works on the internet without authorization, not only through Sci-Hub but also through a newly created platform and service known as 'Sci-Net' (hereinafter referred to as "*Sci-Net*"). These acts of willful contempt are detailed below.

Contempt through Sci-Hub

15. The Plaintiffs have been undertaking ongoing monitoring to check whether Defendant No.1 is complying with the Undertaking.

16. Up until July 2025, these checks had identified that when an article published by a Plaintiff after 2021 was searched for on Sci-Hub, the article page on Sci-Hub (from which available articles can be viewed and downloaded) would be blank or state “article not found”. This was reflected in searches conducted on 02nd July 2025 for 5 of Plaintiff No. 4’s literary works published in 2022.

17. However, during a routine check conducted on 05th August 2025, the Plaintiffs found that the 5 literary works of Plaintiff No. 4 referenced above (all published in 2022) had been uploaded and were being made available on Sci-Hub for viewing and download. A further check conducted on 06th August 2025 confirmed that further works of Plaintiff No. 4 published in 2022 had been uploaded and were being made available for viewing and download on Sci-Hub.

18. In light of this conduct, it is evident that the Defendant No.1 is ex facie guilty of commission of contempt of court. The conduct of the Defendant No.1 amounts to willful disobedience of the Orders of the Hon'ble Court which record and extend, as valid and subsisting till date, her Undertaking.

Contempt through Sci-Net

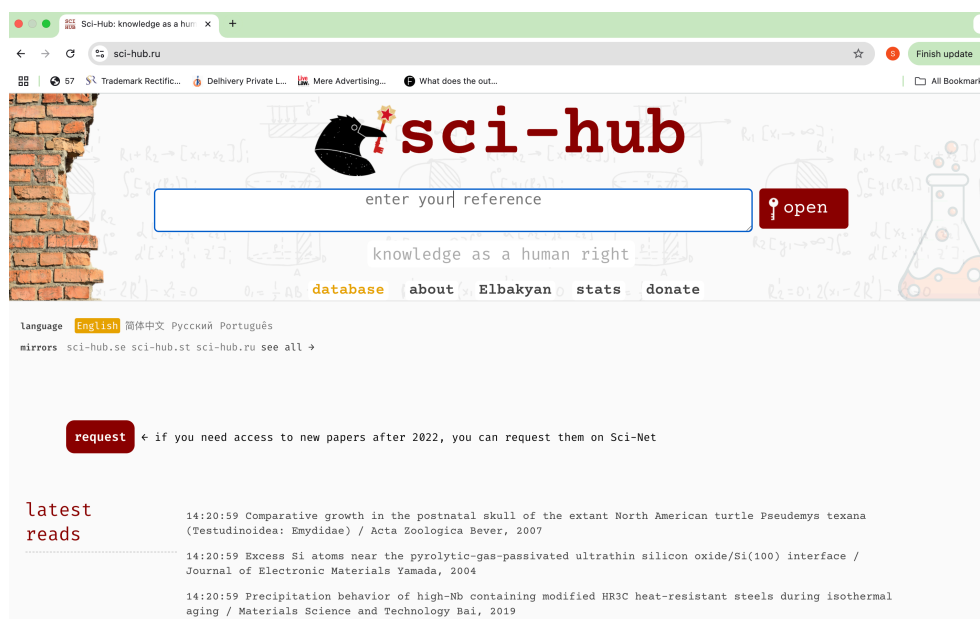
19. The Defendant No.1 has created Sci-Net, which is currently accessible through the website located at ‘www.sci-net.xyz’. Sci-Net stores, reproduces, issues copies, communicates to the public, provides access to, and makes available for viewing and download copyright-protected literary works, including but not limited to research articles, books, and scientific publications without authorization. Sci-Net also enables users to request, upload, access and download such works. Sci-Net has also implemented a system whereby users who upload requested articles are both paid through cryptocurrency and have their identities protected. This system thus encourages users to commit copyright infringement and insulates them from legal action. The literary works stored and made available through Sci-Net include the Plaintiffs’ copyright works, and, once uploaded, are freely available to anyone.

20. The Defendant No.1 claims in an article published by her titled ‘*Sci-Hub SCI - The tokenomics of Open Science*’ available at <<https://sci-hub.ru/docs/SCI.pdf>> (hereinafter “Tokenomics article”) that Sci-Net is a ‘*second project, since Sci-hub’s automatic download was not operating anymore*’ and that the donation received by the Sci-Hub project in the form of Sci-Hub meme coins ‘*helped to start up Sci-Net project*’. As will be clear from subsequent submissions, the very creation of Sci-Net is not only a clear violation of the Undertaking but is also a clear attempt to overreach the Orders of this Hon'ble Court.

21. Defendant No. 1 has directed internet users to Sci-Net by providing a link to Sci-Net on the Sci-Hub Website (accessible at www.sci-hub.ru and via mirror websites located at www.sci-

hub.se and www.sci-hub.st) by stating on the homepage – “request ← if you need access to new papers after 2022, you can request them on Sci-Net”. The reference to ‘new papers’ is pertinent because these papers were not available to users directly from Sci-Hub precisely because of the Undertaking that is in place (though it appears many articles are now being made available on Sci-Hub as well, in violation of the Orders of this Hon'ble Court recording and extending the Undertaking).

22.A screenshot of the homepage of the Sci-Hub Website is included below:



23. On review of Sci-Net, it is apparent that the service has been predominantly devised to make available copyrighted literary works through illegal means. The homepage of the Sci-Net website touts the service to be a solution to the “problem” of paywalled content in the following terms – “When someone struggles to access paywalled research article, they can post a request on Sci-Net. The other member who have access through

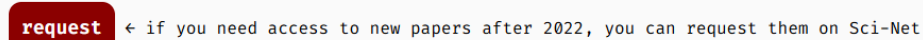
university subscription will solve the request by uploading a PDF file.”. The homepage of the Sci-Net website further details the service’s features, i.e., access to paywalled articles on an ‘on-request’ basis, removal of watermarks from PDFs uploaded by users to conceal the name of the university or other institution from which the literary works may originally have been downloaded via a legitimate subscription, maintaining anonymity of the uploader, and “rewarding” the uploader by monetary payment through Sci-Hub ‘meme coins’ (also referred to as ‘Sci-Hub tokens’ or simply ‘tokens’). It is pertinent to mention here that it appears that the Sci-Hub tokens were initially created by a third person who gifted them to Defendant No.1 to support Sci-Hub. **As per her own statement, in December 2024, the total amount of the funding received, as per the then exchange rate, was approximately USD 2 (two) million.** However, the Plaintiffs verily believe that the ownership, control, and management of Sci-Hub tokens as a whole (and not just the portion gifted to her) now vests with Defendant No.1. This appears to be the case from the Tokenomics article and also various tweets published, and statements made, by Defendant No.1 where she claims to have ‘*evacuated*’ Scihub coins ‘*to a better, more secure place, where it can get better treatment*’.

24. Upon becoming aware of Sci-Net towards the end of April 2025, the Plaintiffs conducted investigations which confirm that the Plaintiffs’ copyright-protected literary works are being made available by Sci-Net. An illustrative list of the Plaintiffs’ works which have been made available by Defendant No.1 and downloaded through Sci-Net is being filed with this

application, together with associated evidence. In making available the Plaintiffs' works on the internet via Sci-Net, Defendant No. 1 has not only infringed Plaintiffs' copyright but also violated the Orders of this Hon'ble Court which record and extend her Undertaking till date.

Sci-Net And How It Operates

25. As noted above, the Sci-Hub Website, which has undergone modifications since the present suit was instituted, now includes a feature titled "Sci-Net", which is accessible via the clickable 'Request' button on the homepage of Sci-Hub. As noted above, wording next to the 'Request' button states – *"if you need access to new papers after 2022, you can request them on Sci-Net"*:



request ← if you need access to new papers after 2022, you can request them on Sci-Net

26. Upon clicking 'request', the user is redirected to an introductory page for Sci-Net on the Sci-Hub Website (accessible at <https://sci-hub.ru/sci-net>), which describes Sci-Net as *"a new social network platform to request and share research articles"*. Notably, the description of Sci-Net is authored in the first-person, and has seemingly been written by, Defendant No. 1. The description articulates Defendant No. 1's rationale for creating Sci-Net in the following terms – *"I regularly receive requests from Sci-Hub users to help them download some paper that cannot be opened through Sci-Hub. The number of such requests increased in the past two years, since Sci-Hub database updates were paused. The opposite*

also happens: users ask whether they can upload to Sci-Hub some paper that they have bought or downloaded via university subscription.”. Thus, it is evident that Defendant No. 1 has had, and continues to have, personal involvement in designing, creating and operating Sci-Net.

27. Information published on the introductory page further outlines how Sci-Net makes available literary works, and the procedure for users to request, access and upload such content. Relevant screenshots of the introductory page on Sci-Hub, as well as the homepage of the Sci-Net website, are set out below:

Introductory page about Sci-Net on the Sci-Hub Website:

10/05/2025, 17:59

Sci-Net



Sci-Net

A new social network platform to request and share research articles

I regularly receive requests from Sci-Hub users to help them download some paper that cannot be opened through Sci-Hub. The number of such requests increased in the past two years, since Sci-Hub database updates were paused. The opposite also happens: users ask whether they can upload to Sci-Hub some paper that they have bought or downloaded via university subscription.

Sci-Hub was never designed to accept uploads from users. From the very beginning, it was implemented as an autonomous system that scans and downloads research papers from various universities - without human in the loop. This automatic method turned out to be quite effective, and Sci-Hub was able to reach coverage > 90% in its best days. However, even then some paper remained unreachable.

Now there exists a platform where users can request unavailable papers, and upload them:

sci-net.xyz

Introducing Sci-Net

The user interface is simple: an input box where a DOI of the requested paper should be inserted.

<https://sci-hub.ru/sci-net>

1/4

10/05/2025, 17:59

Sci-Net

Once the user clicks the button, Sci-Net automatically checks if the requested paper is open access or already available on Sci-Hub. If the paper is found, the link to it will be displayed. If not, then user will be able to create a new request.

On the index page, the list of requests is shown, that can be filtered by subjects and publisher. If you happen to have access to some paper in the list, you can click on the request and upload the PDF. There is a nice built-in functionality to remove watermarks from PDF to hide the university where paper was downloaded. That way Sci-Net protects the anonymity of the uploader.

The 'Library' section will show all your requests and uploads, and in the 'Upload' section you can contribute your papers to the platform: just drop the PDF file and the system will automatically detect the DOI. If the DOI is not available yet on Sci-Net / Sci-Hub / open access, the file will get uploaded. The article then will become accessible to everyone by URL `sci-net.xyz/DOI` including people who are not registered on the platform.

The platform is currently in the active development stage, and much more features are upcoming.

Sci-Net tokenomics

The part that really makes Sci-Net stand out is the usage of decentralized tokens: Sci-Hub meme coins -- to reward knowledge sharing. When creating a request, you can specify the amount of tokens uploader will receive for sharing the paper. However, the tokens will not be transferred after uploading the PDF right away, but only after you check the solution and click

10/05/2025, 17:59

Sci-Net

the 'Accept' button. The tokens subtracted from your account will be added to the uploader.

Sci-Net will ask for a minimum amount of 1000 Sci-Hub tokens to register. The tokens will appear on your account after registration and will be used to reward uploaders. That is the most controversial part: some people argue that Sci-Net introduces paywall similar to publisher.

Even though both might appear similar at a first glance, the differences are profound. Compared to insane publisher paywalls, the entry tax on Sci-Net is symbolic and is not higher than an equivalent of a cup of coffee in most countries. The next difference is that in traditional approach, profits are made by publisher, and ordinary researcher has no control on how the money are used. On Sci-Net, you're using tokens directly to reward uploaders. Payments go to fellow researchers, not to the platform.

But the most important is that publishers will charge for access to the same paper again and again. Sci-Net will only do that once when paper is uploaded and after that, it will remain free forever and for everyone -- even users who are not registered on the platform will be able to access it. That is, all Sci-Net transactions contribute directly to public domain, and the number of knowledge accessible to everyone grows with Sci-Net usage.

The more people use Sci-Hub token, the more valuable it becomes. That way Sci-Net indirectly contributes to maintenance and further development of Sci-Hub.

The only downside is that obtaining Sci-Hub tokens on the Solana network can be a non-trivial puzzle for a user who are new to crypto. But that only makes the process more interesting.

<https://sci-hub.ru/sci-net>

3/4

10/05/2025, 17:59

Sci-Net

Conclusion

Overall, Sci-Net is a platform that every researcher today must use and contribute to -- together, we can gradually make the idea of open knowledge a reality.

Homepage of the Sci-Net website:

10/05/2025, 17:59

Sci-Net

sci net.

scientific
communication
support
network



username

password



No account yet? [Join](#)

Open communication has always been a cornerstone of science. However, in the past 50 years it has been largely obstructed by high prices that prevent free flow of information and exchange of ideas, effectively blocking and preventing new groundbreaking discoveries in science and medicine.

Definition 1.1

Let Sci-Net be a new social network that will provide solution to that problem

When someone struggles to access paywalled research article, they can post a request on Sci-Net. The other member who have access through university subscription will solve the request by uploading a PDF file.

$x + y =$

Theorem 1.1

Sci-Net provides the best approach for sharing and requesting research papers

Proof.

Sci-Net has numerous advantages when compared to sharing articles on social media or other similar platforms. The most straightforward is convenience: just enter the DOI,

10/05/2025, 17:59

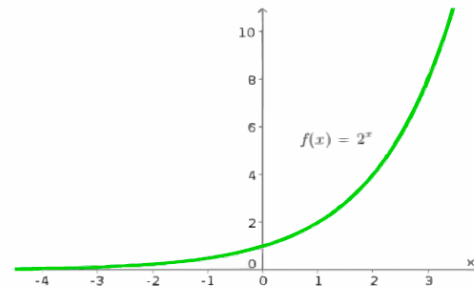
Sci-Net

and Sci-Net will automatically check if requested paper is available in open access databases and repositories such as arXiv and of course – Sci-Hub.

Figure 1.1

Number of research articles available in public domain grows with Sci-Net usage.

Once the requested article has been uploaded, it will remain in the public domain forever, accessible to anyone for free and without registration.



$F(x) = ?$

Sci-Net provides true anonymity for uploaders: it does not ask for mobile phone number, or even email to register, and does not require to install an application.

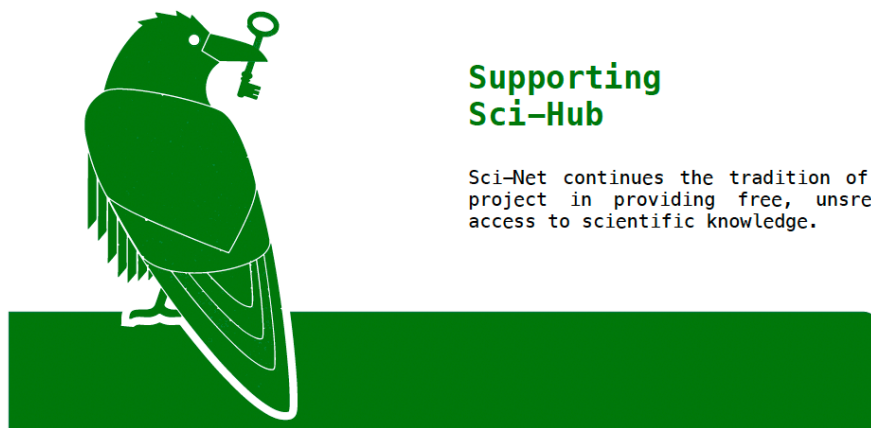
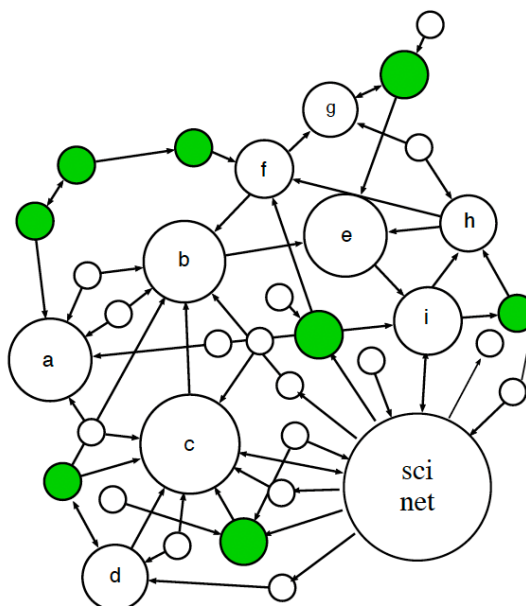
Furthermore, it implements a range of algorithms to clear watermarks from uploaded PDF files, that can carry information about university or IP address that was used to download article fulltext.

Decentralized reward points

Unlike traditional paper-exchange platforms that rely on member rating or direct payments, Sci-Net implements a new mechanism that employs decentralized tokens to reward uploaders.

The tokens can be exchanged from the platform and withdrawn, thus providing freedom for the uploader.

Tokens act as a protection layer to ensure that articles uploaded by users remain high-quality. Uploader will only receive tokens as a reward after the article was verified by user who requested it.



Supporting Sci-Hub

Sci-Net continues the tradition of Sci-Hub project in providing free, unrestricted access to scientific knowledge.

Just like Sci-Hub, it will always remain censorship-resistant and clean, with no ads and no banners.

Instead of advertisements, Sci-Hub project has always been supported by user donations, and became the first project to adopt crypto currencies for funding of scientific projects.

10/05/2025, 17:59

Sci-Net

The largest one came previous year, when Sci-Hub received a meme coin named after it as a donation.

Sci-Net employs Sci-Hub
meme coins to reward
knowledge sharing

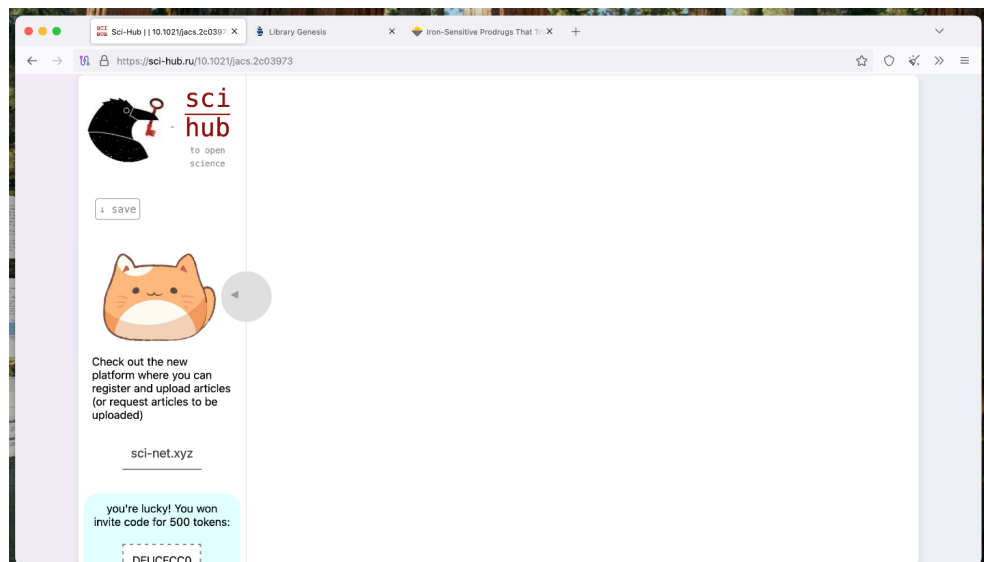
[a b c
d e f
g j i]

Sci-Net builds upon Sci-Hub meme coin foundation to create a new knowledge economy. Join now and take part in creating the new world where knowledge is open to everyone!

28. The operation of Sci-Net is outlined below, as deduced from a combined reading of information published on the Sci-Hub introductory page and the Sci-Net website, as well as from evidence gathered by the Plaintiffs:

i) Account Creation & Purchase of Sci-Hub ‘meme coins’ (tokens):

- User is directed to Sci-Net from the Sci-Hub Website, in particular where they are seeking ‘new papers’ published in or after 2022.
- It is not possible to create a Sci-Net account without an invitation code. To get an invitation code, users need to have Sci-Hub meme coins (tokens). Instructions on how to obtain Sci-Hub tokens via the TipLink website are published on Sci-Net. Some users may alternatively be provided with an invite code for tokens by Sci-Hub Website (as illustrated in the screenshot below).



- User signs up to Sci-Net via the Sci-Net website using purchased tokens or the invite code and tokens provided by Sci-Hub. User must maintain a balance of tokens in their Solana e-wallet linked to Sci-Net.
- No personal information, such as phone number and email address, or app installation, is required to sign up.

ii) Search for Literary Work:

- User enters the DOI (Digital Object Identifier) of the literary work they wish to access into a designated input field on the Sci-Net website.
- The system automatically searches the Sci-Net repository, Sci-Hub repository and publicly available open-access databases for the availability of the searched for literary work.

iii) Availability of searched for literary work:

- If the literary work is available on the aforesaid platforms, Sci-Net provides the user with a direct access link to the document.

- If the literary work searched by the user is not already available on Sci-Hub or any of the open-access databases searched, the user can create a ‘request’ for the work and specify the number of tokens that the user will pay the uploader for sharing the requested literary work (the default is 10 tokens).

iv) Public Listing of Request:

- The request is published on Sci-Net’s public index page.
- The index of requested literary works may be filtered by users based on subject classification or publisher details.

v) User Upload:

- Any user with access to the requested work can upload a .PDF of that work in response to the request.

vi) Watermark Removal:

- As stated in the information published by Sci-Net, Sci-Net “*implements a range of algorithms to clear watermarks from uploaded PDF files, that can carry information about university or IP address that was used to download article fulltext*”, thereby hiding the source of the uploaded literary work and protecting ‘*the anonymity of the uploader*’.

vii) DOI Verification and Public Hosting:

- Sci-Net detects the DOI from the uploaded file and scans the open access databases to determine whether the material is already available.

- If the DOI is not available on the said platforms, the .PDF file is uploaded and is accessible to all users of Sci-Net, including individuals who are not registered on the Sci-Net service via links in the following format: URL [https://sci-net.xyz/\[DOI\]](https://sci-net.xyz/[DOI]).

viii) Requester Review & Acceptance:

- The user who requested the work reviews the uploaded document. Upon satisfaction, the user clicks ‘Accept’ to confirm. Thereafter, the number of tokens specified by the requester will be deducted from the requester’s account and added to the uploader’s account.

Defendant No.1 intentionally and willfully created Sci-Net to violate the Court Orders, recording and extending her Undertaking till date.

29. The *malafide* intention of Defendant No. 1 in creating Sci-Net, which she claims is her “*second project*” started with the help of the donation of Sci-Hub meme coins received by the Sci-Hub project and is continuing “*...the tradition of Sci-Hub project in providing free, unrestricted access to scientific knowledge*”, is clear from information published on Sci-Hub. That information includes express statements that she has created Sci-Net *inter alia* to address user requests for access to ‘new’ research papers, being articles published after Defendant No. 1’s violation in September 2021 that are not available on Sci-Hub. Defendant No.1 has further highlighted that these requests have increased over the last 2 years, since the Sci-Hub database updates were paused (presumably as a result of the

Undertaking). Defendant No. 1 has further promoted Sci-Net as providing “*access to new papers after 2022...*”. The creation of Sci-Net is thus a direct, intentional, willful, and deliberate attempt by Defendant No. 1 to monetize, incentivize and encourage users to engage in infringement by uploading and making available the Plaintiffs’ copyright protected works in direct violation and circumvention of the Undertaking given by her on 24th December 2020, and reaffirmed and extended *vide* Orders of this Hon’ble Court.

30. Notably, the Defendant No. 1 has long argued that Sci-Hub is a non-profit endeavour which is focused on a singular goal of providing “*free and unrestricted access to all scientific knowledge*”. However, in creating Sci-Net, a service that operates in conjunction with Sci-Hub, it is clear that Defendant No. 1 has an intention to derive revenue through ‘Sci-Hub meme coins’. Meme coins are a type of cryptocurrency inspired by internet jokes (memes) or elements of popular culture. They typically originate as humorous or novelty-based digital assets, with little to no inherent utility at the time of launch. However, they gain popularity and market value due to viral trends, social media promotion, and online community engagement. Notably, despite their informal origins, the acquisition of meme coins often requires users to make payments in traditional currencies, calculated at the prevailing cryptocurrency exchange rate. Accordingly, in mandating that users purchase a minimum of 1,000 Sci-Hub meme coins as a prerequisite for registration, Defendant No. 1 requires users to purchase these meme coins through payment of traditional currency. Defendant No. 1 has further stated that – “*The more people use*

Sci-Hub token, the more valuable it becomes. That way Sci-Net indirectly contributes to maintenance and further development of Sci-Hub.” This statement, when read in conjunction with the Sci-Net’s operational structure, clearly indicates that the creation and ongoing operation of Sci-Net is driven by an underlying profit-oriented objective. In fact, her statements published through her tweets and article, read conjunctively, reveal a picture where after taking ownership, control, and management of the Sci-Hub meme coins, she is creating value for the coins through driving traffic to Sci-Net (where the ‘entry tax’ is purchase and exchange of Sci-Hub meme coins). It is believed that Defendant No. 1 has earned USD 500,000 through Sci-Hub meme coins to date, as detailed in an article on her activities with respect to Sci-Hub meme coins titled ‘\$SCIHUB: A NEW PARADIGM FOR FUNDING SCIENCE WITH MEME COINS’ authored by 0xAA Li, WTF Academy Peking University. The said article has been filed herewith the present Application.

31. Further, Defendant No. 1, through the Sci-Net site, actively encourages users to engage in the infringing act of uploading copyrighted material—including literary works in which the Plaintiffs hold copyright—by providing an upload function with associated functionality that removes watermarks from uploaded PDF files. This latter feature serves to conceal the name of the university, institution from which the user may have originally accessed or downloaded the said literary work, together with any related IP address information. This feature of Sci-Net, deliberately and intentionally curated by Defendant No. 1, amounts to clear infringement of the relevant copyright

owners' literary works. Further, by automatically removing *'watermarks from the uploaded PDF files that can carry information about university or IP address that was used to download article fulltext'*, Defendant No.1 is insulating the individual users from detection, thereby incentivizing them to commit infringing acts without any fear of repercussions or legal actions. It is pertinent to mention in this regard that knowingly engaging in copyright infringement is a criminal offence under Section 63 of the Copyright Act, 1957. Defendant No.1's introduction of this feature to hide the identity of the uploader is a clear indication of her intent to insulate the individual infringer from legal action.

32. Defendant No. 1 incentivizes users to upload literary works to Sci-Net by "rewarding" them through the payment of Sci-Hub meme coins. Pertinently, the amount of Sci-Hub meme tokens that an uploader will be rewarded with is decided by her (currently set to a minimum of 1 meme token, with a promise that if the money value of Sci-Hub meme tokens increase in the future, Sci-Net may enable support for decimals). Thus, the Defendant No. 1 intentionally, willfully and deliberately provides a service for profit made from the illegal and unauthorized dissemination of copyrighted literary works.

33. As noted above, users are not required to provide personal details, such as their email address or mobile phone number, at the time of creating a Sci-Net account. This intentional, deliberate and willful omission is with a view to facilitating user anonymity, thereby enabling individuals to engage in

infringing activities on the platform without risk of identification or accountability.

34. As such, while the Defendant No. 1 claims that Sci-Net is a “*social network*” or “*scientific communication support network*”, it is evident that the service is a rogue service which has been created for the sole purpose of perpetuating copyright infringement. Pertinently, Sci-Net has been specifically designed to enable and incentivize the uploading, storing, issuing copies, reproducing, communicating to the public, making available for viewing and downloading of unauthorised copyright works, including Plaintiffs’ copyright works. The Defendant No.1 is thus not only liable for violating the Undertaking and Court Orders, but also for infringing and authorizing the infringement of, *inter alia*, the Plaintiffs’ copyright material. This Hon’ble Court in *UTV Software Communication Ltd. & Ors. v. 1337X.to & Ors.* (“UTV Judgment”) laid down factors to determine whether a website is rogue, including: the primary purpose of the website being infringement, flagrancy of such infringement, anonymity of operators, general disregard for copyright, and the facilitation of access to infringing content *via* indexes or directories. These criteria were further applied in *Universal City Studios LLC & Ors. v. Mixdrop.co & Ors.*, CS(COMM) 663/2022, where this Hon’ble Court held Mixdrop to be a rogue cyberlocker. The Court noted its absence of security measures and facilitation of unauthorised access to copyrighted content. It was observed that Mixdrop was designed with a view to monetize and incentivize uploaders to engage in widespread dissemination of unauthorized copyrighted content, resulting in substantial

revenue generation based on user traffic volume. It was also observed that the operators of Mixdrop cyberlocker had intentionally concealed their identities (contact details masked) to evade legal consequences. Evidently, Sci-Net falls squarely within the criteria of a rogue entity, given that the service has been created for the primary and sole purpose of perpetuating infringement. The service flagrantly provides its users with unauthorised access to copyright protected literary works, including those who are not registered on the platform. Further, Defendant No. 1 has made clear her complete disregard for copyright law, as well as the Orders passed by this Hon'ble Court, **by creating Sci-Net in breach of her Undertaking and in complete disregard for Court Orders.** As outlined above, Defendant No. 1 has also created Sci-Net to monetize, incentivize and encourage users to engage in infringement, and has further put in place mechanisms to ensure anonymity of its users by a) not requiring any personal information to be provided by the users at the time of account creation, and b) removing watermarks from PDFs uploaded by them to conceal the name of the university / institution from which the literary works were originally downloaded .

35. It may thus be reasonably deduced that Sci-Hub's database updates have not been paused owing to the operation of the Undertaking, which was reaffirmed and extended categorically by various Orders of the Hon'ble Court including but not limited to order dated 13th May 2022. **Rather the Defendant No.1 has been updating the backend Sci-Hub database, as is now evident from the availability of the Plaintiffs' 2022 articles on Sci-Hub.** Further, the fact that Defendant No. 1 has stated

her intention to create Sci-Net, i.e., to address the requests of users seeking to access literary works on Sci-Hub which increased in the 2 years since the Sci-Hub database was not updated, is a clear and unequivocal admission of her intentional, deliberate and willful disobedience of the Orders which record and extend her Undertaking till date. It is apparent that Defendant No. 1 has created the Sci-Net as a means to circumvent the Orders which record and extend her Undertaking till date. By creating and operating Sci-Net as a “*second project*” from the donation of Sci-Hub meme coins received by Sci-Hub in order to provide “*access to new papers after 2022*”, which falls squarely within the scope of the Undertaking, Defendant No.1 has demonstrated a blatant disregard for the Orders made by this Hon’ble Court. Further, the Defendant No. 1’s statement that the Sci-Hub database only ceased to be updated 3 years ago (i.e., 2022), which statement is also now proven false, is a clear admission that the Defendant No. 1 has violated the Orders recording and extending her Undertaking, that continues to remain valid and subsisting till date.

36. It is submitted that the above-mentioned conduct of the Defendant No.1, which is summarized below for convenience, clearly indicates that she is directly responsible for uploading and making available via the Internet the Plaintiffs’ literary works, thereby violating the Orders of the Hon’ble Court recording and extending her Undertaking, which remains valid and subsisting till date:

- a. creating Sci-Net as a ‘*second project*’ from the donation of Sci-Hub meme coins received by her for Sci-Hub and promoting it on Sci-Hub as providing all post 2022

articles which are claimed (wrongly, as proved now *viz.* the Plaintiffs' investigation conducted on 5th and 6th August 2025) to be not available on Sci-Hub. Defendant No.1 is willfully and intentionally diverting traffic to Sci-Net.

- b. Defendant No.1 is the gatekeeper for Sci-Net – (i) she used the donation received by her for Sci-Hub to start Sci-Net, and (ii) through Sci-Hub she distributes invite codes and free Sci-Hub meme coins to enables users to create an account on Sci-Net.
- c. Defendant No.1 has full ownership, control and management of the Sci-Hub meme tokens. This is evident from the various statements she has made about them - ‘*evacuating*’ them to a new digital address, limited the supply of tokens, setting what volume of tokens will be the minimum reward amount for uploaders on Sci-Net (1 token per upload), the release schedule of the tokens, the possibility of changing the purchase size of tokens (i.e. the ability to purchase in decimals) if they become prohibitively costly, how money collected through the tokens will support both Sci-Hub and Sci-Net, how the tokens are backward compatible for other projects which may want to use them for funding / monetary incentives, etc.
- d. Sci-Net is actively promoted only through Sci-Hub, and Sci-Hub is the only website referred to and being cross-promoted by Sci-Net. In fact, the repositories of the two databases are connected.
- e. Statements made by Defendant No.1 about the operation of Sci-Net, including upcoming features, are matters

which only the creator and/or operator of Sci-Net would know - the removal of watermarks to hide the identity of the uploader, the number of registered Sci-Net users, the volume of daily uploads to Sci-Net, details about the database storage being used (ordinary server versus future plan to decentralize storage), rewards on uploads, the automation of uploads, etc.

37. It is accordingly prayed that this Hon'ble Court may be pleased to:

- (a) Hold the Defendant No. 1 guilty of contempt of this Hon'ble Court for disobeying the Orders dated 24th December 2020, 06th January 2021, 28th September 2021, 07th October 2021, 16th November 2021, 16th December 2021, 14th January 2022, 20th January 2022, 10th February 2022, 04th March 2022, 01st April 2022, 08th April 2022, 12th May 2022, 13th May 2022, 25th July 2022, 11th September 2023, 05th October 2023, 11th December 2023, 05th March 2024 and 06th May 2024;
- (b) Direct the Defendant No. 1 to take down and cease all further operation of the Sci-Net service, whether through the website currently located at www.sci-net.xyz and/or any other domain or internet location, and whether directly or indirectly via any third party website operator or entity.

- (c) Direct the Defendant No. 1 to take down and cease all further operation of the Sci-Hub platform, whether through the website currently accessible at www.sci-hub.ru and *via* mirror websites located at www.sci-hub.se and www.sci-hub.st and/or any other domain or internet location, and whether directly or indirectly via any third party website operator or entity.

- (d) Direct the Defendant No. 1 to take down all articles which have been uploaded and / or made available in violation of the Orders dated 24th December 2020, 06th January 2021, 28th September 2021, 07th October 2021, 16th November 2021, 16th December 2021, 14th January 2022, 20th January 2022, 10th February 2022, 04th March 2022, 01st April 2022, 08th April 2022, 12th May 2022, 13th May 2022, 25th July 2022, 11th September 2023, 05th October 2023, 11th December 2023, 05th March 2024 and 06th May 2024, that record and extend the Undertaking, within 24 hours;

- (e) Summon/issue notice to Defendant No.1 to appear in person before this Hon'ble Court;

- (f) Award cost of the present application to the Plaintiffs, to be paid by the Defendant No.1;

(g) Pass any further or other order(s) which this Hon'ble Court may deem fit and proper in favour of the Plaintiffs, in the facts and circumstances of the case be passed.



Mr. R. Venu

(Authorised Representative for Plaintiff Nos. 1, 3 and 4)

Through



Snehma Jauhari D/2733/2017 |

Disha Sharma D/130/2017

Saikrishna & Associates

57, Jor Bagh, New Delhi 110003

Counsels for the Plaintiffs

disha@saikrishnaassociates.com

+91 9899296222

Date: 11.08.2025

Place: NewDelhi

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

I.A. of 2025

IN

C.S. (COMM.) NO.572 OF 2020

IN THE MATTER OF

Elsevier Ltd. & Ors.

...Plaintiffs

Versus

Alexandra Elbakyan & Ors.

...Defendants

AFFIDAVIT OF MR. R. VENU, AUTHORISED SIGNATORY OF PLAINTIFF NOS. 1, 3 & 4, SON OF RAMAN NAIR, AGED 57 YEARS, HAVING OFFICE AT 57, JOR BAGH, NEW DELHI 110003, DELHI, INDIA.

I, the abovenamed deponent, do hereby solemnly affirm and declare as under:

1. That I am the authorized signatory of the Plaintiff Nos. 1, 3 & 4 and am duly authorized and competent to swear the present Affidavit.

2. That I have read the contents of the application under order XXXIX Rule 2A read with Section 151 of the code of Civil Procedure as well as the documents filed and the same may be read as the part and parcel of the present affidavit, the same are not being reproduced herein for the sake of brevity.

DEPONENT

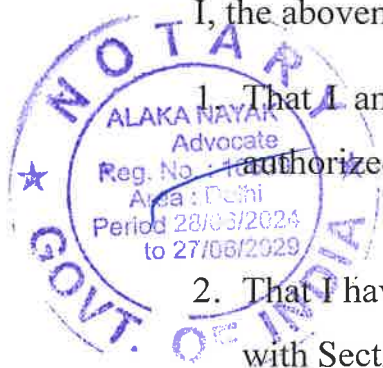
VERIFICATION:

Verified at New Delhi on this the 11 day of August 2025 that the contents of the above Affidavit are true to the best of my knowledge, information and belief and nothing material has been concealed therefrom

DEPONENT

11 AUG 2025

NOTARY



I identified the deponent who has signed in my presence.

CERTIFIED THAT THE DEPONENT
Shri/Shrimati
has solemnly affirmed and declared that the contents of the above Affidavit are true to the best of my knowledge, information and belief and nothing material has been concealed therefrom

11 AUG 2025

NOTARY

\$~1

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(COMM)No.572/2020 & I.A.Nos.12668-73/2020

ELSEVIER LTD. AND ORS

.....Plaintiffs

Through : Mr. Amit Sibal, Sr. Adv. with Mr. Saikrishna Rajagopal, Ms. Sneha Jain, Mr. Sidharth Chopra, Ms. Savni D. Endlaw, Mr. Sahil Sethi, Ms. Disha Sharma, Ms. Snehima Jauhari, Ms. Surabhi Pande, Mr. Ambar Bhushan and Mr. Saksham Dhingra, Advs.

versus

ALEXANDRA ELBAKYAN AND ORS.

....Defendants

Through : Mr. Nilesh Jain and Ms. Deeksha Dwivedi, Advs. For D-1.
Mr. K.R. Sasiprabhu and Mr. Tushar Bhardwaj, Advs. For D-8.

CORAM:**HON'BLE MR. JUSTICE RAJIV SHAKDHER****ORDER**% **24.12.2020****[Court hearing convened *via* video-conferencing on account of COVID-19]****I.A. No.12669/2020**

1. Allowed. The plaintiffs are permitted to file additional documents.
- 1.1 The additional documents will be filed within 30 days from today.

I.A.No.12670/2020

2. Allowed, subject to the plaintiffs curing the deficiencies referred to in the captioned application within two weeks from today.

CS(COMM)No.572/2020

page 1 of 3

I.A.No.12673/2020

3. This is an application filed by the plaintiffs under Section 151 of the Code of Civil Procedure, 1908 [CPC] seeking exemption not only from filing original and certified copies of certain documents but also from filing legible copies of the dim annexures.

3.1 The application is allowed, subject to the plaintiffs filing legible copies of the dim annexures within two weeks from today.

3.2 Insofar as the filing of original and certified copies of the documents is concerned, the plaintiffs will place the same on record as and when they are directed to do so by this Court.

CS(COMM)No.572/2020 & I.A.No.12668/2020

4. Mr. Amit Sibal, learned senior counsel, who appears along with Mr. Saikrishna Rajagopal, Advocate, on behalf of the plaintiffs, says that the plaintiffs, who have copyright in several medical journals, articles, etcetera have been constrained to approach this Court on account of defendant no. 1/Alexandra Elbakyan and defendant no. 2/gen.lib.rus.ec infringing their copyright.

4.1 According to Mr. Sibal, the infringing activity has been on since 2011 in one form or the other.

5. Issue summons in the suit and notice in the captioned application to the defendants *via* all means including e-mail.

6. Mr. Nilesh Jain accepts service on behalf of defendant no. 1/Alexandra Elbakyan while Mr. K.R. Sasiprabhu accepts service on behalf of defendant no. 8/Reliance Jio Infocomm Limited.

6.1 Mr. Jain says that he has been served with a swathe of documents along with the plaint and therefore, he would require a short accommodation for responding to the assertions made in the instant action.

6.2 However, given the stand taken by Mr. Sibal, Mr. Jain says no new articles or publications, in which the plaintiffs have copyright, will be uploaded or made available, by defendant no. 1/Alexandra Elbakyan, *via* the internet, till the next date of hearing.

6.3 The statement of Mr. Jain is taken on record.

7. List the matter on 06.01.2021.

8. In the meanwhile, defendant no. 1 will have the liberty to file a written statement and reply to the interlocutory application on or before 31.12.2020. Furthermore, Mr. Jain will also disclose, in the pleadings filed by him, the particulars of defendant no. 1/Alexandra Elbakyan i.e. her physical address.

9. Replication and rejoinder, if any, will be filed at least two days before the next date of hearing i.e. by 04.01.2021.

RAJIV SHAKDHER, J

DECEMBER 24, 2020

Click here to check corrigendum, if any

CS(COMM)No.572/2020

page 3 of 3

\$~O-4

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 572/2020 & I.A. 12668/2020, 12671/2020 &
12672/2020

ELSEVIER LTD. AND ORS.

.....Plaintiffs

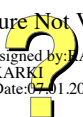
Through: Mr. Amit Sibal, Senior Advocate
with Mr. Saikrishna Rajagopal,
Mr. Sidharth Chopra, Ms. Sneha
Jain, Ms. Savni D. Endlaw, Ms.
Sahil Sethi, Ms. Disha Sharma,
Ms. Saksham Dhingra, Ms.
Snehima Jauhari and Ms. Surabhi
Pande, Advocates.

Versus

ALEXANDRA ELBAKYAN AND ORS.

...Defendants

Through: Mr. Gopal Sankaranarayanan,
Senior Advocate with Ms. Nilesh
Jain, Mr. Rohan K. George, Ms.
Deeksha Dwivedi, Mr. Daniel
Abdullah, Ms. Sriya Sridhar and
Mr. Sumit Srivastava, Advocates
for defendant No.1.
Mr. Mithilesh Jaiswal, Advocate
for defendant No.4.
Mr. Harish Vaidyanathan Shankar,
CGSC for UOI with Ms. Kinjal
Shrivstava and Mr. Varun Kishore,
Advocates for defendant No.12 and
13.
Mr. Rohit Sharma, Mr. Rounak
Nayak, Mr. Atul Agarwal, Mr.
Arju Chaudhary, Ms. Renu



Kandpal and Mr. Pranav Bhaskar,
Advocates on behalf of Society for
Delhi Science Forum and Society
for Knowledge Commons.
Mr. Jawahar Raja, Advocate on
behalf of Intervenors Ram
Ramaswamy Medico Friend Circle
and Others.
Mr. K.R. Sasiprabhu and Mr.
Tushar Bhardwaj, Advocates for
defendant No.8.
Mr. Ashish Bhan, Mr. Dhritiman
Roy and Mr. Rajendra Dangwal,
Advocates for defendant No.11.

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

ORDER
% 06.01.2021

1. The hearing has been conducted through video conference.

CS(COMM) 572/2020

2. On 24th December, 2020, this Court issued notice whereupon Defendants No.1 and 8 accepted notice.

3. The notice issued to the other defendants have been served on defendants No.4, 7, 9, 12 and 13.

4. Learned counsel for defendants No.4, 11, 12 and 13 have entered appearance. There is no appearance on behalf of defendants No.7 and 9 despite service and, therefore, they are proceeded *ex-parte*.

5. Issue fresh notice to defendants No.2, 3, 6 and 10 by email, returnable on 23rd February, 2021.

6. Learned counsel for defendant No.1 seeks extension of time to file the written statement and reply to the applications. In the interest of justice further two weeks time is granted to defendant No.1 to file the written statement and reply to the applications. Defendant No.1 shall also file all relevant documents relating to this case within their power and possession along with the written statement.

7. Replication and rejoinder to the reply of defendant No.1 be filed by the plaintiffs within two weeks thereafter.

8. Both the parties shall file brief note of submissions not exceeding three pages (double space) along with copies of relevant pages of relevant documents on record and judgments on which they wish to rely with relevant portions duly highlighted for the convenience of this Court within one week of the completion of the pleadings.

9. The parties shall file additional two pages note to respond to the submissions of the opposite party within one week thereafter.

10. Learned counsels shall furnish the hardcopy of the written submissions along with duly highlighted documents/judgments to the Court Master at least three days before the next date of hearing.

I.A.197/2021 & I.A. /2021(to be registered) under Order I Rule 10(2) read with Order I Rule 8A of the Code of Civil Procedure

11. Issue notice. Learned counsel for the plaintiffs accepts notice. Let the reply to the application be filed within two weeks. Rejoinder within two weeks thereafter.

12. The applicants in both the applications are permitted to file the brief note of submissions in terms of the above and the applicants shall be heard at the time of hearing the plaintiffs' interlocutory applications.

13. The statement made by defendant No.1 in para 6.2 of the order dated 24th December, 2020 shall continue till the next date of hearing.

14. The order be uploaded on the website of this Court forthwith.

J.R. MIDHA, J.

JANUARY 06, 2021
ak



\$~18 (original)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

I.A.12668/2021 in

+ CS(COMM) 572/2020

ELSEVIER LTD. AND ORS.

..... Plaintiffs

Through: Mr. Amit Sibal, Sr. Advocate with
Mr. Sidharth Chopra, Mr. Saksham Dhingra,
Ms. Disha Sharma, Ms. Snehima Jahuari, Ms.
Surabhi Pande, Advs.

versus

ALEXANDRA ELBAKYAN AND ORS. Defendants

Through: Mr. Rohit Sharma, Mr. Rounak
Nayak, Ms. Arju Chaudhary, Advocates for
Delhi Science Forum

Mr. Gopal Sankaranarayanan, Sr. Adv. with
Mr. Rohan K. George, Mr. Nilesh Jain,
Mr. Sumit Srivastava, Ms. Sriya Sridhar, Ms.
Shrutanjaya Bhardwaj, Ms. Jhanvi Dubey and
Mr. M.D. Abdullah, Advs. for D-1

Mr. K.R. Sasiprabhu, Mr. Tushar Bhardwaj,
Advs.

Mr. Azhar Qayum, Adv. for D- Tatateleservices
Ltd

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

28.09.2021

%

(Video-Conferencing)

1. As there is a Full Court Meeting at 5.00 p.m., re-notify on 7th
October, 2021.

2. The understanding will continue till the next date of hearing.

C. HARI SHANKAR, J

SEPTEMBER 28, 2021/kr

\$~13 (original)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 572/2020

ELSEVIER LTD. AND ORS. Plaintiffs

Through: Mr. Amit Sibal, Sr. Adv. with Mr. Sidharth Chopra, Mr. Saksham Dhingra, Ms. Disha Sharma, Ms. Snehima Jahuari, Ms. Surabhi Pande, Advs.

versus

ALEXANDRA ELBAKYAN AND ORS. Defendants

Through: Mr. Gopal Sankaranarayanan, Sr. Adv. with Mr. Rohan K. George, Mr. Nilesh Jain, Mr. Sumit Srivastava, Ms. Sriya Sridhar, Ms. Shrutanjaya Bhardwaj, Ms. Jhanvi Dubey and Mr. M.D. Abdullah, Advs. for D-1
Mr. Harish Vaidyanathan Shankar, CGSC, Mr. Amit Gupta GP, Miss S. Bushra Kazim and Mr. Karana Chhibber, Advs.
Mr. Ashish Bhan, Mr. Rajendra Dangwal and Mr. Vishal Hablani for Defendant-11 (Vodafone Idea Limited)

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

% **07.10.2021**

I.A.12668/2020(under Order XXXIX Rules 1 & 2 of the CPC)

1. Re-notify for hearing on 16th November, 2021.
2. The understanding to be continued till the next date of hearing.

C. HARI SHANKAR, J

OCTOBER 7, 2021/kr

\$~11

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 572/2020**

ELSEVIER LTD. AND ORS. Plaintiffs

Through Mr. Amit Sibal, Sr. Advocate with Ms. Sneha Jain, Mr. Siddharth Chopra, Ms. Savni Dutt, Ms. Disha Sharma, Mr. Sahil Sethi, Ms. Snehima Jauhari, Ms. Surabhi Pande and Mr. Saksham Dhingra, Advs. for the plaintiffs

Mr. Rohit Sharma, Mr. Rounak Nayak and Ms. Arju Chaudhary, Advocates for Society for Delhi Science Forum and Society for Knowledge Commons (Intervener)

Mr. Ashish Bhan, Mr. Rajendra Dangwal and Mr. Vishal Hablani, Advs. for Vodafone

versus

ALEXANDRA ELBAKYAN AND ORS. Defendants

Through Mr. Gopal Sankaranarayanan Sr. Adv., Mr. Rohan K George, Mr. Nilesh Jain, Mr. Sumit Srivastava, Ms. Sriya Sridhar, Mr. Shrutanjaya Bhardwaj and Mr. MD Abdullah, Advs.

Mr. Azhar Qayum Adv. for Defendant Tata Teleservices Limited

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

%

16.11.2021

I.A. 12668/2020 (Order XXXIX Rules 1 & 2 CPC), I.A. 14908/2021 (Order I Rules 8a & 10(2) CPC) and I.A. 14909/2021 (exemption) in CS(COMM) 572/2020

1. Owing to paucity of time, it is not possible to take up this matter today.

2. Renotify on 16th December, 2021. The understanding to be continued till the next date of hearing.

C.HARI SHANKAR, J

NOVEMBER 16, 2021

r.bararia

\$~11(Original Side)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 572/2020, I.A. 12668/2020, I.A. 14908/2021 &
I.A. 14909/2021

ELSEVIER LTD. AND ORS.

..... Plaintiffs

Through: Mr. Amit Sibal, Sr. Adv. with
Ms. Sneha Jain, Ms. Disha
Sharma, Ms. Snehima Jauhari,
Ms. Surabhi Pande & Mr.
Saksham Dhingra, Advs.

versus

ALEXANDRA ELBAKYAN AND ORS. Defendants

Through: Mr. Harish Vaidyanathan
Shankar, CGSC with Ms. S.
Bushra Kazim & Mr. Karan
Chhibber, Advs. for UoI
Mr. KG Gopalakrishnan, Adv.
for D5 (Bharti Airtel Ltd.)
Mr. Rohit Sharma, Mr. Rounak
Nayak, Mr. Anshul Chaudhary
and Ms. Arju Chaudhary,
Advocates for Delhi Science
Forum
Ms. Vrinda Bhandari, Mr.
Abhinav Sekhri, Mr. Tanmay
Mehta, Mr. Krishnesh Bapat,
Ms. Anandita Mishra, Advs.
For Intervenors
Mr. Gopal Sankaranarayanan,
Sr. Advocate, Mr. Rohan
George, Mr. Nilesh Jain, Mr.
Sumit Srivastava, Mr.
Shrutanjaya Bhardwaj, Ms.
Sriya Sridhar, Advs. For D1

C.HARI SHANKAR, J

\$~18 (Original)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 572/2020, IA. 12668/2020, IA. 14908/2021 &
IA. 14909/2021

ELSEVIER LTD. AND ORS. Plaintiffs

Through: Mr. Amit Sibal, Sr. Adv. with, Ms. Disha Sharma, Ms. Snehima Jauhari, Ms. Surabhi Pande & Mr. Saksham Dhingra, Advocates.

versus

ALEXANDRA ELBAKYAN AND ORS. Defendants

Through: Mr. Gopal Sankaranarayanan, Sr. Advocate Mr. Rohan George, Mr. Sumit Srivastava, Mr. Nilesh Jain, Ms. Sriya Sridhar, Mr. Akshat Agrawal, Ms. Shivani Vij, Advs. for D-1

Ms. Vrinda Bhandari, Mr. Abhinav Sekhri, Tanmay Singh, Anandita Mishra & Mr. Krishnesh Bapa Advocates for the Applicant in IA No. 14908/2021

Mr. Rohit Sharma, Mr. Anshul Chowdhary, Mr. Rounak Nayak, Ms. Arju Chaudhary, Advocates for Applicant/Intervener

Mr. K.G. Gopalakrishnan, Advocate for D-5 (Bharti Airtel Ltd.)

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

%

14.01.2022

(Video-Conferencing)

1. Re-notify on 20th January, 2022.
2. The understanding given by Mr. Gopal Sankaranarayanan will continue till the next date of hearing.

3. In the meanwhile, the Court Master is directed to email to learned Counsel for all the parties the electronic copy of the record of this file as available to the Court so that the learned Counsel may be able to assist the Court with relevant folders and page numbers on which the documents/pleadings are to be found.

C. HARI SHANKAR, J

JANUARY 14, 2022/hk

\$~31

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 572/2020 & I.A. 12668/2020, I.A. 12671/2020, I.A. 12672/2020, I.A. 197/2021, I.A. 198/2021, I.A. 590/2021, I.A. 3492/2021, I.A. 8366/2021, I.A. 11755/2021, I.A.14908/2021, I.A. 14909/2021

ELSEVIER LTD. AND ORS. Plaintiffs

Through Mr. Amit Sibal, Ms. Sneha Jain
Mr. Sahil Sethi, Ms. Disha Sharma, Mr.
Saksham Dhingra, Ms. Snehima Jauhari and
Mr. Rishabh Sharma, Advs.

versus

ALEXANDRA ELBAKYAN AND ORS. Defendants

Through Mr. Harish Vaidyanathan
Shankar, CGSC with Ms. S. Bushra Kazim
& Mr. Karan Chhibber, Advs. for UoI
Mr. KG Gopalakrishnan, Adv. for D5
(Bharti Airtel Ltd.)
Mr. Rohit Sharma, Mr. Rounak Nayak, Mr.
Anshul Chaudhary and Ms. Arju Chaudhary,
Advocates for Delhi Science Forum
Ms. Vrinda Bhandari, Mr. Abhinav Sekhri,
Mr. Tanmay Mehta, Mr. Krishnesh Bapat,
Ms. Anandita Mishra, Advs. For Intervenors
Mr. Gopal Sankaranarayanan, Sr. Advocate,
Mr. Rohan George, Mr. Nilesh Jain, Mr.
Sumit Srivastava, Mr. Shrutanjaya
Bhardwaj, Ms. Sriya Sridhar, Advs. For D1

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

%

20.01.2022

(Video-Conferencing)

1. This matter has reached at 05:30 p.m. and it is not possible to take up this matter today.

2. Re-notify for hearing on 10th February, 2022.
3. The understanding to be continued till the next date of hearing.

C. HARI SHANKAR, J

JANUARY 20, 2022

dsn

\$~11

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 572/2020

ELSEVIER LTD. AND ORS. Plaintiffs

Through Mr. Amit Sibal, Ms. Sneha Jain
Mr. Sahil Sethi, Ms. Disha Sharma, Mr.
Saksham Dhingra, Ms. Snehima Jauhari and
Mr. Rishabh Sharma, Advs.

versus

ALEXANDRA ELBAKYAN AND ORS. Defendants

Through Mr. Gopal Sankaranarayanan,
Sr. Advocate with Mr. Rohan George, Mr.
Sumit Srivastava, Mr. Nilesh Jain, Ms. Sriya
Sridhar, Mr. Akshat Agrawal, Ms. Shivani
Vij appearing for Defendant No.1

Mr. Rohit Sharma, Mr. Rounak Nayak, Mr.
Anshul Chaudhary and Ms. Arju Chaudhary,
Advocates for Delhi Science Forum
Mr. K.G. Gopalakrishnan, Adv. for
Defendant No. 5

Mr. Rohit Sharma, Mr. Anshul Chowdhary,
Mr. Rounak Nayak, Ms. Arju Chowdhary,
Advocates

Mr. Devashish Bharuka, Mr. Akshat
Agrawal, Mr. Akshay Amritanshu and Ms.
Manmeet Kaur Sareen, Advs. for applicant
in IA No. 2285/2022

Mr. Jawahar Raja, Mr. Archit Krishnal and
Ms. Varsha Sharma, Advs. for Interveners
Ramasawamy et al

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

%

10.02.2022

(By video conference on account of COVID-19)

IA 2286/2022 (Section 151 CPC for exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

IA 2285/2022 (Order I Rule 8A CPC)

3. This is an application by three researchers, claiming to be eminent persons in their respective fields, for permission to intervene in the present proceedings. They have moved this Court under Order I Rule 8A of the Code of Civil Procedure, 1908 (CPC).

4. Order I Rule 8A of the CPC reads thus:

“8A. Power of Court to permit a person or body of persons to present opinion or to take part in the proceedings – While trying a suit, the Court may, if satisfied that a person or body of persons is interested in any question of law which is directly and substantially in issue in the suit and that it is necessary in the public interest to allow that person or body of persons to present his or its opinion on that question of law, permit that person or body of persons to present such opinion and to take part in the proceedings of the suit as the Court may specify.”

4. I have heard Mr. Devashish Bharuka, learned Counsel for the applicants.

5. The *lis*, in the present case, deals with an alleged infringement of copyright, stated to be held by the plaintiffs in certain works which, according to the averments in the plaint, are being disseminated over

the internet without permission of the plaintiffs.

6. To a query from the Court as to why the present applicants desire to intervene in these proceedings, Mr. Bharuka submits that the works in question are works which are of use to several researchers including his clients and that if they are taken off the internet, it would have a deleterious impact on public interest.

7. That, by itself, in my view, cannot constitute a basis to allow a third party to intervene in the proceedings in such a fashion. If the material in question is infringing, it would have to be taken off and if the consequence is that it becomes unavailable to persons who were making use of such material, that is but a consequence which follows in law, and cannot be a basis for such persons to intervene in the litigation which is in the nature of a *lis in personam*.

8. Mr. Bharuka points out that earlier applications, for such intervention, are pending.

9. It is observed that only notices stand issued on such applications. Mr. Sibal, learned Senior Counsel for the plaintiffs, submits that by way of response to the notices, the locus of such proposed interveners has been squarely challenged by the plaintiffs.

10. In my view, such intervention cannot be permitted under Order I Rule 8A of the CPC. If such intervention is permitted, it would be a *carte blanche* for persons, who claim to be beneficiaries of material

which is alleged to be infringing in nature, to start intervening in the infringement proceedings, which would seriously impact the prosecution of the proceedings in the Court.

11. In view thereof, I am of the opinion that no case for permitting intervention, by the applicants in the present *lis* is made out. The application is, accordingly, rejected.

12671/2020 (Section 151 CPC)

12. This is an application under Section 151 CPC preferred by the plaintiffs for permission to place certain documents in sealed cover.

13. Permission as sought is granted. The application is allowed. The documents may be furnished in the sealed cover to the Registry of this Court.

IA 12672/2020 (Section 80)

14. This application has become infructuous and is disposed of as such.

IA 198/2021 (Section 151 CPC)

15. Allowed, subject to all just exceptions.

16. The application is disposed of.

IA 3492/2021 (Order XI Rule 1(10)CPC)

17. This is an application by Defendant 1 to place additional documents on record under Order XI Rule 1(10) of the CPC.

18. Mr. Amit Sibal, learned Senior Counsel for the plaintiffs, on instructions, does not oppose the application.

19. Accordingly, the application is allowed. Documents are taken on record.

IA 8366/2011 (Order I Rule 10 CPC)

20. There is no appearance on behalf of the applicant in this application. The application is dismissed for non-prosecution.

IA 14909/2021 (exemption)

21. Allowed, subject to all just exceptions.

22. The application is disposed of.

IA 14908/2021 [Order I Rules 8a and 10(2)]

23. This application is stated to be listed before the Joint Registrar. Accordingly, no orders are required to be passed today.

CS(COMM) 572/2020, IA 12668/2020 (Order XXXIX Rules 1 and 2 CPC), IA 590/2021 (Order I Rule 8A CPC) and IA 197/2021 (Order I Rule 10(2) CPC)

24. Renotify on 4th March, 2022. Understanding to continue till the next date of hearing.

C. HARI SHANKAR, J

FEBRUARY 10, 2022

r.bararia

\$~17

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 572/2020

ELSEVIER LTD. AND ORS.

..... Plaintiffs

Through: Ms. Sneha Jain, Ms. Snehima Janhavi and Mr. Sidharth Chopra, Advocates.

versus

ALEXANDRA ELBAKYAN AND ORS.

..... Defendants

Through: Mr. Gopal Sankaranarayan, Senior Advocate with Mr. Rohan K. George, Mr. Nilesh Jain, Ms. Sriya Sridhar, Mr. Akshat Agrawal and Ms. Shivani Vij, Advocates for D-1.

Mr. Harish Vaidyanathan Shankar, Central Government Standing Counsel with Mr. Karan Chhibber and Mr. Sirish Mishra, Advocates for UOI.

Mr. Jawahar Raju and Mr. Archit Krishna, Advocates for Intervener Ramasawamy et al.

Mr. Rohit Sharma, Mr. Anshul Chaudhary and Mr. Arjun Chaudhary, Advocates for intervenor DSF.

Ms. Vrinda Bhandari, Mr. Abhinav Sekhri, Mr. Tanmay Singh, Mr. Krishneesh Bapat, Ms. Anandita Mishra and Ms. Natasha Maheshwari, Advocates for Applicant.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
% **04.03.2022**

I.A. 12668/2020 (U/O 39 R-1 & 2 CPC), 197/2021 (U/O 1 R-10(2)),
590/2021, 14908/2021 (U/O 8A & O-1 R-10(2) read with 151 CPC)

Learned counsel appearing on behalf of the Plaintiffs seeks an adjournment on the ground that the arguing counsel is unavailable today.

At request, list on 08.04.2022.

Interim understanding shall continue to operate, till the next date of hearing.

MARCH 04, 2022/sn

JYOTI SINGH, J

\$~12

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 572/2020 & I.A. 12668/2020, 197/2021, 590/2021,
11755/2021, 14908/2021

ELSEVIER LTD. AND ORS. Plaintiffs
Through: Ms. Disha Sharma, Advocate.

versus

ALEXANDRA ELBAKYAN AND ORS. Defendants
Through: Mr. Rohit Sharma, Ms. Arju Chaudhary and Mr. Anshul Chaudhary, Advocates for Delhi Science Forum.
Mr. Harish V. Shankar, Central Government Standing Counsel with Ms. S. Bushra Kazim and Mr. Srish Kumar Mishra, Advocates for UOI.
Mr. K. G. Gopala, Advocate for D-5.
Mr. M. Dutta, Advocate for Applicants.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **01.04.2022**

I.A. 4671/2022 (Seeking restoration of I.A. 8366/2021 dismissed for non-prosecution)

1. Present application has been preferred on behalf of the Applicants under Order 9 Rule 6 of the Code of Civil Procedure, 1908 seeking restoration of I.A. 8366/2021, which was dismissed for non-prosecution.
2. For the reasons stated in the application, the same is allowed.
3. I.A. 8366/2021 is restored to its original number.
4. Application stands disposed of.

CS(COMM) 572/2020 & I.A. 12668/2020, 197/2021, 590/2021, 11755/2021, 14908/2021

5. List on 08.04.2022, date already fixed.
6. Interim understanding to continue, till further orders.

JYOTI SINGH, J

APRIL 01, 2022/rk

\$~5

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CS(COMM) 572/2020 & I.A. 12668/2020, 197/2021, 590/2021, 11755/2021, 14908/2021, 8366/2021

ELSEVIER LTD. AND ORS.

..... Plaintiffs

Through: Ms. Sneha Jain, Mr. Sidharth Chopra, Ms. Disha Sharma, Ms. Snehima Janhavi and Ms. R. Ramya, Advocates.

versus

ALEXANDRA ELBAKYAN AND ORS.

..... Defendants

Through: Mr. Gopal Sankarnarayanan, Senior Advocate with Mr. Rohan K. George, Mr. Akshat Agrawal, Ms. Sriya Sridhar, Ms. Shivani Vij, Mr. Shrutanjaya Bhardwaj and Mr. Nilesh Jain, Advocates for D-1.

Mr. K. G. Gopalakrishnan, Advocate for D-5.

Mr. Harish V. Shankar, Central Government Standing Counsel with Ms. S. Bushra Kazim and Mr. Srish Kumar Mishra, Advocates for UOI.

Mr. Ritin Rai, Senior Advocate with Ms. Vrinda Bhandari, Mr. Tanmay Singh, Mr. Krishnesh Bapat, Ms. Aditi Rao, Ms. Anandita Misra, Ms. Amala Dasarthi and Ms. Natasha Maheshwari, Advocates for applicant in I.A. 14908/2021.

Mr. Rohit Sharma, Mr. Anushal Chaudhary and Ms. Arju Chaudhary, Advocates for Delhi Science Forum (Intervenor)

Mr. Rohit Sharma, Mr. Rounak Nayar, Mr. Anshul Chowdhary and Ms. Arju Chaudhary, Advocates for Delhi Commons.

Mr. Jawahar Raja, Mr. Archit Krishna and Ms. Varsha Sharma, Advocates for Intervenor.

Mr. M. Dutta, Advocate for applicants.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
08.04.2022

%

1. Learned counsel appearing on behalf of the Plaintiffs seeks a passover on the ground that Mr. Amit Sibal, learned Senior Counsel is held up in another Court.
2. On account of the part heard matters listed today, it will not be possible to take up the matter after passover.
3. Learned Senior Counsel appearing on behalf of Defendant No.1 submits that there is an urgency in the matter, as there is an interim understanding and arrangement, which is operating against Defendant No.1 and thus requests that the matter be listed at an early date.
4. At request, list on 12.05.2022.
5. Interim understanding to continue, till the next date of hearing.

JYOTI SINGH, J

APRIL 08, 2022/st

\$~5

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CS(COMM) 572/2020 & I.A. 12668/2020, 197/2021, 590/2021,
8366/2021, 11755/2021, 14908/2021

ELSEVIER LTD. AND ORS.

..... Plaintiffs

Through: Mr. Amit Sibal, Senior Advocate with
Ms. Sneha Jain, Ms. Disha Sharma, Ms. Snehima
Jauhari, Ms. R. Ramya and Mr. Saksham Dhingra,
Advocates.

versus

ALEXANDRA ELBAKYAN AND ORS.

..... Defendants

Through: Mr. Shrutanjaya Bhardwaj,
Mr. Akshat Agrawal, Mr. Rohan George, Ms. Sriya
Sridhar, Ms. Shivani Vij and Mr. Nilesh Jain,
Advocates for D-1.

Mr. K.G. Gopalakrishnan and Ms. Nisha
Mohandas, Advocates for D-5.

Mr. Harish Vaidyanathan Shankar, Central
Government Standing Counsel with Ms. S. Bushra
Kazim, Mr. Srish Kumar Mishra and Mr. Sagar
Mehlawat, Advocates for UOI.

Mr. M. Dutta, Advocate for Applicants in I.A.
8366/2021.

Ms. Vrinda Bhandari, Mr. Abhinav Sekhri,
Mr. Tanmay Singh and Mr. Krishnesh Bapat,
Advocates for Applicants in I.A. 14908/2021.

CORAM:**HON'BLE MS. JUSTICE JYOTI SINGH****ORDER**

%

12.05.2022

List for hearing on 13.05.2022.

Interim understanding to continue, in the meanwhile.

JYOTI SINGH, J**MAY 12, 2022/rk**

\$~24

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 572/2020 & I.A. 12668/2020, 197/2021, 590/2021,
8366/2021, 11755/2021, 14908/2021

ELSEVIER LTD. AND ORS.

..... Plaintiffs

Through: Mr. Amit Sibal, Senior Advocate with
Ms. Sneha Jain, Ms. Disha Sharma, Ms. Snehima
Jauhari, Ms. R. Ramya and Mr. Saksham Dhingra,
Advocates.

versus

ALEXANDRA ELBAKYAN AND ORS.

..... Defendants

Through: Mr. Akshat Agrawal, Mr. Nilesh Jain
and Ms. Sriya Sridhar, Advocates for D-1.

Mr. Harish Vaidyanathan Shankar, Central
Government Standing Counsel with Ms. S. Bushra
Kazim, Ms. Srish Kumar Mishra and Mr. Sagar
Mehlawat, Advocates for UOI.

Mr. Rohit Sharma, Mr. Rounak Nayak and
Ms. Arju Chaudhary, Advocates for Delhi Science
Forum/Intervenor.

Mr. Jawahar Raja, Mr. Archit Krishna and
Ms. Varsha Sharma, Advocates in I.A. 590/202.

Ms. Vrinda Bhandari, Mr. Abhinav Sekhri,
Mr. Krishnesh Bapat and Ms. Anandita Mishra,
Advocates in I.A. 14908/2021.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

13.05.2022

%

After some hearing, at the request of learned counsel appearing on
behalf of Defendant No. 1, the matter is adjourned to 25.07.2022.

The statements made by Defendant No. 1 in para 6.2 of the order dated 24.12.2020, as also reiterated in the order dated 06.01.2021, shall continue, till the next date of hearing.

JYOTI SINGH, J

MAY 13, 2022/sn

\$~7

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
 + CS(COMM) 572/2020 & I.A. 12668/2020, 197/2021, 590/2021,
 8366/2021, 11755/2021, 14908/2021
 ELSEVIER LTD. AND ORS.

..... Plaintiffs

Through: Mr.Amit Sibal, Sr. Adv. with
 Mr.Rishabh, Ms.Sneha Jain,
 Ms.Snehima & Ms.Surabhi, Advs.

versus

ALEXANDRA ELBAKYAN AND ORS.

..... Defendants

Through: Mr.Shrutanjaya Bhardwaj,
 Ms.Shivani Vij, Mr.Akshat Agrawal,
 Ms.Sriya Sridhar & Mr.Nilesh Jain,
 Advs.
 Mr.K.G. Gopalakrishnan & Ms.Nisha
 Mohandas, Advs. for D-5.
 Mr.M. Dutta & Mr.Aditya Guha,
 Advs. for the applicants.
 Mr.Jawahar Raja, ADvs. for the
 Intervenors.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **25.07.2022**

I.A. 8355/2022 & 10297/2022

Issue notice.

Ms. Sneha Jain, the learned counsel, accepts notice on behalf of the
 plaintiffs. She prays for and is granted a period of three weeks to file reply.
 Rejoinder thereto, if any, be filed before the next date of hearing.

List on 3rd November, 2022.

**CS(COMM) 572/2020 & I.A. 12668/2020, 197/2021, 590/2021,
8366/2021, 11755/2021, 14908/2021**

Re-notify on 3rd November, 2022.

Interim order to continue.

NAVIN CHAWLA, J

JULY 25, 2022/rv



\$~26

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 572/2020**

ELSEVIER LTD. AND ORS. Plaintiffs

Through: Mr. Amit Sibal, Sr. Adv. with
Ms.Sneha Jain, Ms.Snehima Jauhari,
Ms.Surabri Pande, Ms. R. Ramya,
Mr.Rishabh, Mr.Vinay Tripathi and
Mr.Saksham Dhingra, Advs.

versus

ALEXANDRA ELBAKYAN AND ORS. Defendants

Through: Ms. Vrinda Bhandari, Mr.
Abhinav Sekhri, Ms. Radhika Roy and Ms.
Gayatri Malhotra, Advs. for intervenors in
IA 14908/2021

Mr.Rohan George, Ms.Shivani Vij, Ms.Sriya
Sridhar, Mr.Akshat Agarwal, Mr.Nilesh
Jain, Mr.N. Andrews and Mr.Shrutanjaya
Bhardwaj, Advs. for D-1

Mr. K.G. Gopalakrishnan and Ms. Nisha
Mohandas, Advs. for D-5

Mr.Jawahar Raja, Ms.Aditi Saraswat, Ms.V.
Sharma, Advs. for Ranaswamy-Intervenors

Mr.Rohit Sharma, Mr.Nikhil Purohit and
Mr.Jatin Lalwani, Advs. for Society for
Delhi Science Forum & Society for
Knowledge-Intervenor

Mr. Harish Vaidyanathan Shankar, CGSC
with Mr. Srish Kumar Mishra, Mr. Sagar
Mehlawat, Mr. Alexander Mathai Paikaday,
Mr. Sriram and Mr. Krishnan V, Advs.

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

11.09.2023

%

(Through Video-Conferencing)



CS(COMM) 572/2020, I.A. 12668/2020(Order XXXIX Rules 1 and 2 of the CPC), I.A. 197/2021(Order I Rules 8 A and 10 (2) of the CPC), I.A. 590/2021(Order I Rules 8A and 10(2) of the CPC), I.A. 8366/2021(Order I Rule 10 the CPC), I.A. 11755/2021(Order XXXIX Rule 2A of the CPC), I.A. 14908/2021(Order I Rules 8 and 10(2) of the CPC)

1. Renotify for disposal of all pending applications on 5 October 2023 at the end of the board.
2. Undertaking already given by Defendant 1 to continue till the next date of hearing.

C.HARI SHANKAR, J

SEPTEMBER 11, 2023

rb



\$~30

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 572/2020 & I.A. 12668/2020, I.A. 197/2021, I.A. 590/2021, I.A. 8366/2021, I.A. 11755/2021, I.A. 14908/2021**

ELSEVIER LTD. AND ORS. Plaintiffs

Through: Ms. Sneha Jain, Ms. Snehima Jauhari, Ms. Surabhi Pande and Ms. R. Ramya, Advs.

versus

ALEXANDRA ELBAKYAN AND ORS. Defendants

Through: Mr. Shrutanjaya Bhardwaj, Mr. Rohan K. George, Mr. Akshat Agarwal, Ms. Shivani Vij, Ms. Sriya Sridhar and Mr. Nilesh Jain, Advs. for D-1

Ms. Vrinda Bhandari, Mr. Abhinav Sekhri, Ms. Radhika Roy, Mr. Tanmay Singh and Ms. Gayatri Malhotra, Advs. for intervenors in IA 14908/2021

Mr. Jawahar Raja, Adv. for Ramaswamy-Intervenors

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

%

05.10.2023

1. As there are two lengthy part heard matters after lunch, this matter is unlikely to reach today.

2. Learned Counsel for the parties jointly seek that this matter may be re-notified on 11 December 2023.

3. Accordingly, re-notify for disposal at the end of the Board on 11 December 2023.



4. Undertaking to continue till the next date of hearing.

C. HARI SHANKAR, J.

OCTOBER 5, 2023

dsn



\$~26

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 572/2020**

ELSEVIER LTD. AND ORS. Plaintiffs

Through: Mr. Amit Sibal, Sr. Advocate
with Ms. Sneha Jain, Ms. Snehima Jauhari,
Ms. Surabhi Pande, Ms. R. Ramya, Mr.
Rishabh Sharma and Mr. Saksham, Advs.

versus

ALEXANDRA ELBAKYAN AND ORS. Defendants

Through: Mr. Shrutanjaya Bhardwaj, Ms.
Shivani Vij, Mr. Akshat Agrawal, Mr.
Rohan K. Gargi, Mr. Shruja Shridhar and
Mr. Nilesh Jain, Advs. for D-1

Mr. Jawahar Raja, Ms. Aditi Saraswat and
Mr. Parth Goyal, Advs. for Intervenor in IA
590/2021

Ms. Vrinda Bhandari and Ms. Gayatri
Malhotra, Advs. for Intervenor

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

% **11.12.2023**

CS(COMM) 572/2020, I.A. 12668/2020 (Order XXXIX Rules 1 and 2 of the CPC), I.A. 197/2021 (Order I Rule 10(2) of the CPC), I.A. 590/2021 (Order I Rule 10(2) of the CPC), I.A. 8366/2021 (Order I Rule 10 of the CPC), I.A. 11755/2021 (Order XXXIX Rule 2a of the CPC), I.A. 14908/2021 (Order I Rule 10(2) of the CPC) and I.A. 19693/2023 (Order VI Rule 17 of the CPC)

1. This matter is listed for arguments. As the Court has limited working days left and there are part heard matters to be heard today, it is not possible to accommodate this matter this side of the vacations.

2. Renotify on 12 January 2024. Undertaking already given by



Defendant 1 shall remain continued till the next date of hearing.

C.HARI SHANKAR, J

DECEMBER 11, 2023

rb

Click here to check corrigendum, if any



\$~20

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 572/2020, I.A. 12668/2020, I.A. 197/2021, I.A. 590/2021, I.A. 8366/2021, I.A. 11755/2021 & I.A. 14908/2021

ELSEVIER LTD. AND ORS.

..... Plaintiffs

Through: Ms. Sneha Jain, Ms. Snehima Jauhari,
Ms. Surabhi Pande, Ms. R. Ramya
and Ms. Disha Sharma, Advocates.

versus

ALEXANDRA ELBAKYAN AND ORS.

..... Defendants

Through: Ms. Shivani Vij, Advocate with Mr.
Shrutanjaya Bhardwaj, Advocate with
Mr. Amaan Shreyas, Advocate for
Defendant No. 1.
Ms. Vrinda Bhandari and Ms. Sayatri
Malhotra, Advocates for Intervenors.
Mr. Jawahar Raja, Advocate with Ms.
Aditi Saraswat, Mr. Parth Goyal and
Ms. Rashi Jain, Advocates for
Intervenors in IA No. 590/2021.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

%

05.03.2024

I.A. 19693/2023 (application on behalf of the Defendant No. 1 under Order VI Rule 17 read with Section 151 of the CPC seeking amendment of the written statement)

1. Defendant No. 1 has filed this application seeking amendment of the written statement.



2. At the outset, Ms. Sneha Jain, counsel for Plaintiffs, has objected to the maintainability of the present application stating that, on an earlier occasion, the Court has rejected Defendant No. 1's request for a similar amendment. She seeks and is granted four weeks' time to file a reply, entailing all the objections to the instant application.
3. Rejoinder, if any, be filed within two weeks thereafter.
4. Re-notify on 06th May, 2024.
5. Till the next date of hearing, Defendant No. 1 shall remain bound by the undertaking noted in order dated 24th December, 2020.

SANJEEV NARULA, J

MARCH 5, 2024

sapna



\$~20

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 572/2020 & I.A. 12668/2020, I.A. 197/2021, I.A. 590/2021, I.A. 8366/2021, I.A. 11755/2021, I.A. 14908/2021, I.A. 19693/2023

ELSEVIER LTD. AND ORS.

..... Plaintiffs

Through: Mr. Amit Sibal, Senior Advocate with
Ms. Sneha Jain, Ms. Snehima Jauhar,
Ms. R. Ramya and Ms. Disha
Sharma, Advocates.

versus

ALEXANDRA ELBAKYAN AND ORS.

..... Defendants

Through: Mr. KG Gopalakrishnan and Ms.
Nisha Mohandas, Advocates for D-5.
Mr. Harish Vaidyanathan Shankar,
CGSC with Mr. Srish Kumar Mishra,
Mr. Alexander Mathai Paikaday, Mr.
Lakshay Gunawat and Mr. Krishnan
V., Advocates for D-11 & 12.
Mr. M. Dutta and Mr. Aditya Guha,
Advocates in I.A. 8366/2021.
Mr. Jawahar Raja, Ms. Aditi Saraswat
and Mr. Parth Goyal, Advocates for
Intervenors in I.A. 590/2021.
Ms. Vrinda Bhandari, Ms. Gayatri
Malhotra and Ms. Rubayya Tasneem,
Advocates in I. A. 14908/2021.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
06.05.2024

%

1. Mr. Amit Sibal, Senior Counsel for Plaintiffs, seeks a short



accommodation on the ground that in the post lunch session, he will be held up in proceedings before other Benches. The request is not opposed by counsel for Defendants.

2. At request, re-notify on 23rd August, 2024.
3. Interim order(s), if any, to continue.

MAY 6, 2024
d.negi

SANJEEV NARULA, J

IN THE HIGH COURT OF DELHI AT NEW DELHI
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

I.A. No. OF 2025

IN

C.S. (COMM.) NO.572 OF 2020

IN THE MATTER OF

Elsevier Ltd. & Ors.

...Plaintiffs

Versus

Alexandra Elbakyan & Ors.

...Defendants


AFFIDAVIT OF SERVICE

I, Disha Sharma, D/o Mr. Rajat Sharma, aged 33 years, advocate working with Saikrishna & Associates, of the address 57, Jor Bagh, New Delhi – 110003, do hereby solemnly affirm and declare as under:

1. That I am the counsel for the Plaintiffs and am competent and authorised to swear the present affidavit.
2. That I use the e-mail address disha@saikrishnaassociates.com during the regular course of my work at M/s Saikrishna & Associates.
3. That I have served the relevant Defendant No. 1 via email, with the subject – “Advance Service in CS (COMM) NO.572 OF 2020 Elsevier Ltd. & Ors. v. Alexandra Elbakyan & Ors.” as follows:

Defendant	Defendant Name	Email Address	Date and Time
Defendant No. 1	Alexandra Ebakyan	sci-hub@tuta.io ; domainabuse@servic	12.08.2020 at 10:27am



		<p> e.aliyun.com; whois+sci-hub.st@njal.la; admin+sci-hub.st@njal.la; tech+sci-hub.st@njal.la; billing+sci-hub.st@njal.la; sales@101domain.com; abuse@namecheap.com; domainabuse@tucows.com; ayuda@nic.mx; abuse@nic.mx; 316b32536082428cb56 @whoisguard.com; nicrelations@ascio.com; alexandra@dns.cymru; nileshvirdawat@gmail.com; </p>	
---	--	---	--

4. That the following Google Drive Link was included in my said email dated 12.08.2025:

https://drive.google.com/drive/folders/12X_Zmi05flywRtTQg4q7CF0FkqKzXc2p?usp=drive_link

The abovementioned Google Drive Link contains the following documents:

- a) Application under Order XXXIX Rule 2A read with Section 151 Of The Code Of Civil Procedure, 1908.
 - b) List of Documents.
 - c) Declaration On Oath.
 - d) Application under Section 151 Of The Code Of Civil Procedure (CPC), 1908 Seeking Exemption from Filing the duly Apostilled Declaration on Oath under Section 65B of the Indian Evidence Act, 1872 On behalf of Mr. Cristin Birch.
 - e) Application under Section 151 of the Code of Civil Procedure (CPC), 1908 for seeking leave to file documents in a CD/pen-drive along with supporting affidavit.
 - f) Documents filed in a Pen-Drive.
5. I state that the aforesaid service stands complete. Copy of service email dated 12.08.2025 is attached herewith as Annexure A. Service has been effected to the alternate email address of the Defendant No.1 as provided in the list of email addresses above and have accordingly not bounced back. The next date of hearing in the matter is 13.08.2025 before court.



6. I state that the contents of the present Affidavit are true and correct to the best of my knowledge and based upon the records available with the office.

Dushie S

DEPONENT

12 AUG 2025

VERIFICATION

Verified at New Delhi on this the 12th day of August, 2025 that the contents of the above-said affidavit are true to best of my knowledge, information and belief and nothing has been concealed therefrom.

Dushie S

DEPONENT



CERTIFIED THAT THE DEPONENT
Shri/Smt./Km.....
S/o, W/o R/o.....

Identified by Shri/Smt.....
Has solemnly affirmed before me at
Delhi on.....
That the contents of the Affidavit which
have been read & explained to him/her
are true & correct to his/her knowledge

12 AUG 2025

NOTARY



SAIKRISHNA & ASSOCIATES
ADVOCATES

Snehima Jauhari <snehima@saikrishnaassociates.com>

Advance Service in CS (COMM) NO.572 OF 2020, Elsevier Ltd. & Ors. v. Alexandra Elbakyan & Ors.

Disha Sharma <disha@saikrishnaassociates.com>

Tue, Aug 12, 2025 at 10:27 AM

To: Nilesh Jain <nileshvirdawat@gmail.com>, sci-hub@tuta.io, domainabuse@service.aliyun.com, whois-sci-hub.st@njal.la, admin+sci-hub.st@njal.la, tech+sci-hub.st@njal.la, billing+scihub.st@njal.la, sales@101domain.com, abuse@namecheap.com, domainabuse@tucows.com, ayuda@nic.mx, abuse@nic.mx, nicrelations@ascio.com, alexandra@dns.cymru, 316b32536082428cb56a3bab4a1e4411.protect@whoisguard.com
Cc: Snehima Jauhari <snehima@saikrishnaassociates.com>, Sneha Jain <sneha@saikrishnaassociates.com>, Surabhi Pande <s.pande@saikrishnaassociates.com>

Dear Sir/ Ma'am,

Please see attached at the Google Drive Link provided below a copy of the following documents being filed on behalf of the Plaintiffs in the captioned matter:

- a) Application under Order XXXIX Rule 2A read with Section 151 Of The Code Of Civil Procedure, 1908.
- b) List of Documents.
- c) Declaration On Oath.
- d) Application under Section 151 Of The Code Of Civil Procedure (CPC), 1908 Seeking Exemption from Filing the duly Apostilled Declaration on Oath under Section 65B of the Indian Evidence Act, 1872 On behalf of Mr. Cristin Birch.
- e) Application under Section 151 of the Code of Civil Procedure (CPC), 1908 for seeking leave to file documents in a CD/pen-drive along with supporting affidavit.
- f) Documents filed in a Pen-Drive.

https://drive.google.com/drive/folders/12X_Zmi05flywRtTQg4q7CF0FkqKzXc2p?usp=drive_link

Please note that the next date of hearing in the matter is 13.08.2025.

Kindly treat this email as advance service of the above mentioned documents.

Regards,

Disha Sharma | Associate Partner | Saikrishna & Associates, 57 Jor Bagh, First Floor, New Delhi, 110003, India | Tel: +91-11-40244360 | Handphone: +91-9899296222 | Enrolment No: D/130/2017

- **MANAGING IP - Asia-Pacific 2020- Firm of the Year- India- Copyright**
- **WTR 1000 – Gold Ranked Firm- Enforcement & Litigation – 2016 - 2020**
- **CHAMBERS – Asia Pacific 2015-2020 - Leading Firm- IP & TM - 2016-2020**
- **INDIAN BUSINESS LAW JOURNAL– Indian Law Firm Awards-Intellectual Property- 2019 & 2020**
- **INDIAN BUSINESS LAW JOURNAL – Law Firm Awards- Media, Entertainment & Sport -2020**
- **MANAGING IP - Global Awards 2014 - Firm of the Year – India - Patent Contentious**

The Information contained in this e-mail and/or in any of the attached files constitutes confidential information of S&A and may also be the subject of legal professional privilege, not being waived or lost by mistaken transmission or receipt. If you have received this mail in error, please notify us at info@saikrishnaassociates.com immediately by reply email and destroy the original - any use, disclosure or copying of this mail is unauthorised.

SHCIL

GOVERNMENT OF NCT OF DELHI
e-Court Fee

YL 0003500699

DATE & TIME :

12-AUG-2025 11:28:31

NAMES OF THE ACC/ REGISTERED USER :

SHCIL

LOCATION :

DELHI HIGH COURT

e-COURT RECEIPT NO :

DLCT1227H2528L135

e-COURT FEE AMOUNT :

₹ 100

(Rupees One Hundred Only)



DLCT1227H2528L135

Statutory Alert : The authenticity of this e-Court fee receipt should be verified at www.shcilstamp.com . Any discrepancy in the details on this receipt and as available on the website renders it invalid. In case of any discrepancy, please inform the Competent Authority. This receipt is valid only after verification & locking by the Court Official.