

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C.,

Plaintiff,

V.

DINESH VIGNESWARAN, d/b/a ChitramTV  
Canada and Chitram.ca, and DOES 1-10,  
individually and together d/b/a ChitramTV and  
Chitram.tv,

Defendants.

Civil Action No. 4:21-cv-859

## COMPLAINT

Plaintiff DISH Network L.L.C. (“DISH”) brings this suit against Dinesh Vigneswaran, d/b/a ChitramTV Canada and Chitram.ca (“Vigneswaran”) and DOES 1-10, individually and together d/b/a ChitramTV and Chitram.tv (collectively, “Chitram” and with Vigneswaran, “Defendants”), and states as follows:

### Nature of the Action

1. DISH brings this suit for direct and contributory copyright infringement because Chitram is taking television channels exclusively licensed to DISH and is unlawfully retransmitting these channels throughout the United States on Defendants' ChitramTV service (the "Chitram Service") to customers who purchase Defendants' Chitram set-top boxes and Chitram Service subscriptions ("Chitram Subscriptions"). Vigneswaran is materially contributing to and inducing direct copyright infringement by Chitram. Defendants demonstrated the willfulness of their copyright infringement by Chitram continuing to transmit channels exclusively licensed to DISH, and Defendants continuing to distribute the Chitram Service, despite receiving demands to cease.

### **Parties**

2. Plaintiff DISH Network L.L.C. is a limited liability company organized under the laws of the State of Colorado, with its principal place of business located at 9601 South Meridian Blvd., Englewood, Colorado 80112.

3. Defendants DOES 1-10 are individuals or entities doing business as ChitramTV and Chitram.tv. Chitram transmits television channels to users of the Chitram Service and distributes, sells, and promotes Chitram set-top boxes and Chitram Subscriptions that provide access to the Chitram Service. Chitram owns and operates the Chitram.tv domain and website (“Chitram.tv”) and the Thulsi.net domain. Chitram has been assigned the computer servers identified by the following Internet Protocol (“IP”) addresses: 5.45.75.130; 45.178.7.78; 87.255.35.151; 89.248.173.151; 91.224.187.34; 91.230.121.93; 93.125.70.2; 93.125.70.4; 179.43.144.190; 185.39.11.72; 185.69.16.139; 185.69.19.21; 185.196.9.182; and 185.216.140.82. Chitram.tv states “[w]e are located in Germany-: Head office, United Kingdom and United States of America.” A Germany based phone number is listed on the Chitram.tv website. DISH believes discovery will identify DOES 1-10 and enable DISH to amend the complaint to list them by name.

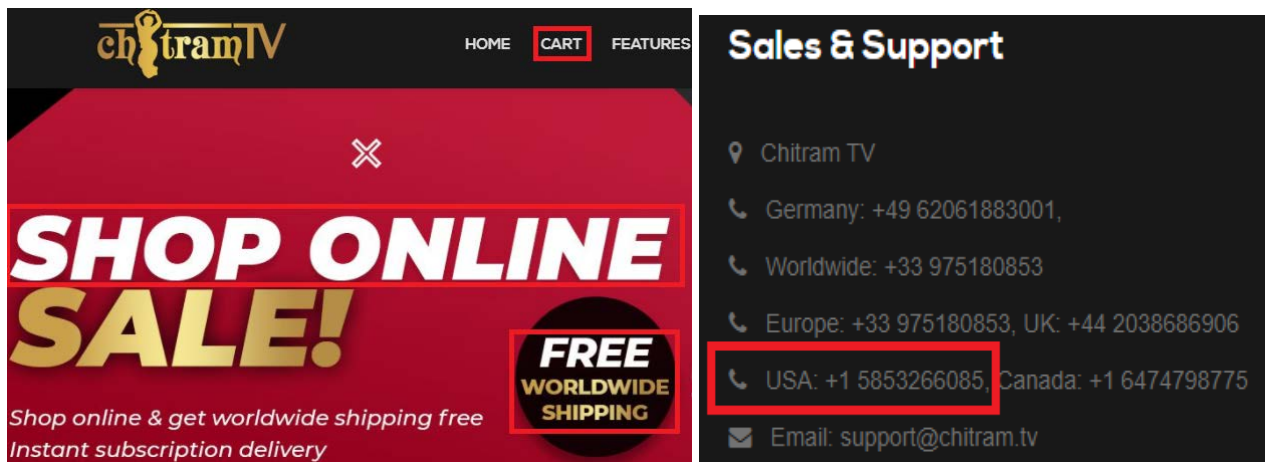
4. Defendant Dinesh Vigneswaran, also known as Dinesh Vicky, is an individual residing in Toronto, Ontario, Canada. Vigneswaran does business as ChitramTV Canada and Chitram.ca and he owns and operates the Chitram.ca domain and website (“Chitram.ca”). Vigneswaran is Chitram’s “US Manager” in charge of United States resellers of Chitram set-top boxes and Chitram Subscriptions. Vigneswaran distributes, sells, and promotes Chitram set-top boxes and Chitram Subscriptions that provide access to the Chitram Service.

### Jurisdiction and Venue

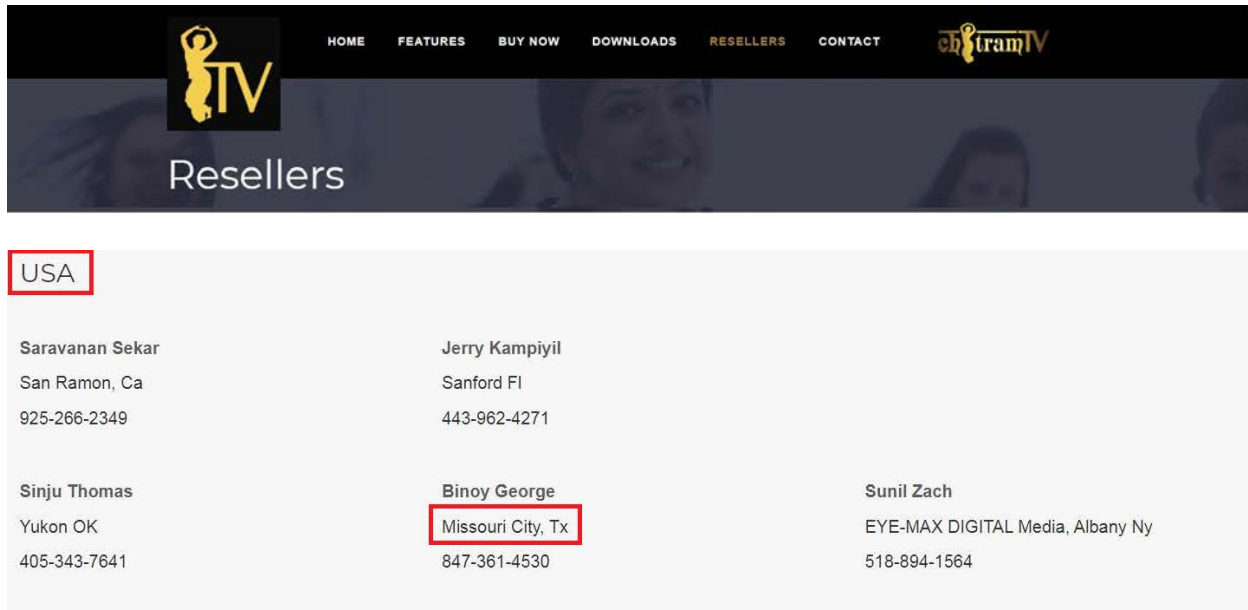
5. DISH asserts claims under the Copyright Act, 17 U.S.C. § 101 *et seq.* This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

6. Personal jurisdiction is proper against Defendants under Rule 4(k)(2) of the Federal Rules of Civil Procedure. Chitram transmits channels exclusively licensed to DISH to Chitram Service users located in the United States (“Service Users”), including in the State of Texas. Defendants distribute, sell, and promote Chitram set-top boxes and Chitram Subscriptions to Service Users and resellers located in the United States, including in the State of Texas. This Court’s exercise of jurisdiction over Defendants is consistent with the Constitution and laws of the United States, DISH’s claims arise under federal law, and Defendants are not subject to the jurisdiction of the courts of general jurisdiction of any state.

7. Chitram promotes the Chitram Service to Service Users on Chitram.tv as offering “Free Worldwide Shipping,” a “Sales & Support” phone number in the USA, and permits Service Users to “Shop Online” and purchase Chitram set-top boxes and Chitram Subscriptions by adding them to a shopping “Cart.”



8. Vigneswaran listed five of his resellers of Chitram set-top boxes and Chitram Subscriptions in the United States on Chitram.ca, including one reseller in Missouri City, Texas.



9. Vigneswaran has approximately 60 resellers of Chitram set-top boxes and Chitram Subscriptions in the United States and a warehouse of Chitram set-top boxes in the United States.

10. Venue is proper in this Court under 28 U.S.C. § 1391(b)(3) because Defendants are subject to personal jurisdiction in this district and under § 1391(c)(3) because Defendants are nonresidents that may be sued in any judicial district. Venue is also proper in this Court under 28 U.S.C. § 1400(a) because the case involves violations of the Copyright Act.

### **DISH's Copyrights**

11. DISH is the fourth largest pay-television provider in the United States providing copyrighted programming to millions of subscribers nationwide. DISH is one of the largest providers of international television channels in the United States offering more than 400 channels in 27 different languages.

12. DISH contracts for and licenses rights for the international channels distributed on its platform from channel owners and their agents, including ARY Digital USA LLC; B4U U.S.;

Bennett, Coleman and Company Limited; Geo USA Holdings, Inc. d/b/a Geo USA LLC; Hum Network Limited; MSM Asia Limited; National Communications Services (SMC-PVT.) Limited; Television Media Network (Pvt) Ltd; and TV Today Network Ltd. (collectively, the “Networks”).

13. The Networks’ channels include Aaj Tak; ARY Digital; ARY News; B4U Movies; B4U Music; Dunya TV; Express Entertainment; Express News; Geo News; Geo TV; Hum Masala; Hum Sitaray; Hum TV; India Today; SAB; SET (a/k/a Sony SET); SET MAX; Times Now; and Zoom (collectively, the “Protected Channels”). The Networks acquire copyrights in the works that air on their respective channels, including by producing the works and by assignment.

14. DISH entered into signed, written licensing agreements with the Networks granting DISH the exclusive right to distribute and publicly perform the Protected Channels and works that air on the Protected Channels in the United States by means including satellite, over-the-top (“OTT”), Internet protocol television (“IPTV”), and Internet. DISH’s exclusive rights were in effect at all relevant times and are currently in effect. Many of the works that aired on the Protected Channels and for which DISH holds exclusive distribution and public performance rights are registered with the United States Copyright Office. (*See* Exhibit 1.) A vast number of additional, unregistered copyrighted works in which DISH holds exclusive distribution and public performance rights also aired on the Protected Channels. (*See* Exhibit 2.)

15. Defendants are not authorized by DISH to transmit, distribute, or publicly perform the Protected Channels or works that air on those channels in the United States, and DISH has received no compensation from Defendants to do so.

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