

Federal Court



Cour fédérale

Date: 20260703

Docket: T-1127-26

Ottawa, Ontario, July 3, 2026

PRESENT: The Honourable Mr. Justice Southcott

BETWEEN:

**ROGERS MEDIA INC.
ROGERS COMMUNICATIONS INC.
GROUPE TVA INC.
COLUMBIA PICTURES INDUSTRIES, INC.
DISNEY ENTERPRISES, INC.
NETFLIX STUDIOS, LLC
NETFLIX WORLDWIDE ENTERTAINMENT, LLC
PARAMOUNT PICTURES CORPORATION
UNIVERSAL CITY STUDIOS LLC
UNIVERSAL CITY STUDIOS PRODUCTIONS LLLP
WARNER BROS. ENTERTAINMENT INC.**

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Applicants

and

**JOHN DOE 1 dba APOLLO GROUP TV
JOHN DOE 2 dba DIABLO IPTV
JOHN DOE 3 dba GLO TV
JOHN DOE 4 dba IPGUYS
JOHN DOE 5 dba JIO TV
JOHN DOE 6 dba SMART4K/PLATINUM
JOHN DOE 7 dba 123MOVIES
JOHN DOE 8 dba CINEBY
JOHN DOE 9 dba FMOVIES
JOHN DOE 10 dba HYDRAHD
JOHN DOE 11 dba PUTLOCKER
JOHN DOE 12 dba THETVAPP
JOHN DOE 13 dba WATCHSERIES
AND OTHER UNIDENTIFIED PERSONS WHO OPERATE
UNAUTHORIZED ONLINE TELEVISION AND MOTION PICTURE**

PIRACY PLATFORMS

Respondents

**BELL CANADA
BRAGG COMMUNICATIONS INC. dba EASTLINK
COGECO CONNEXION INC.
ROGERS COMMUNICATIONS CANADA INC.
SASKATCHEWAN TELECOMMUNICATIONS
TEKSAVVY SOLUTIONS INC.
TELUS COMMUNICATIONS INC. VIDEOTRON LTD.**

Third Party Respondents

ORDER

UPON application by the Applicants for an order against the Third Party Respondents pursuant to section 44 of the *Federal Courts Act*, R.S.C., 1985, c. F-7 [*Federal Courts Act*];

AND UPON considering the Applicants' record and oral submissions at the hearing of this application;

AND UPON considering the consent of the Third Party Respondents, Rogers Communications Canada Inc. and Videotron Ltd.;

AND UPON the other Third Party Respondents not taking a position on the issuance of this Order as it concerns them and the John Doe Respondents not having appeared;

AND UPON considering subsections 2.4(1.1), 3(1)(f), 27(1) and 34(1) of the *Copyright Act*, R.S.C., 1985, c. C-42; section 36 of the *Telecommunications Act*, S.C. 1993, c. 38; section 44 of the *Federal Courts Act*; and this Court's decisions in *Bell Media Inc. v. GoldTV.Biz*, 2019 FC 1432 (Justice Gleeson), aff'd 2021 FCA 181 (Justice Locke), leave to appeal to the Supreme Court of Canada refused 2022-03-24; *Bell Media Inc. v. GoldTV.Biz*, 2022 FC 1695 (Justice Gleeson); *Rogers Media Inc. v. John Doe 1*, 2022 FC 775 (Justice Pentney) [*Rogers Media 2022*]; *Rogers Media Inc. v. John Doe 1*, (unreported decision of Associate Chief Justice Gagné dated November 21, 2022 in T-955-21); *Bell Media Inc. et al. v. John Doe 1 et al.*, 2022 FC 1432 (Justice Mosley); *Rogers Media Inc. et al. v. John Doe 1 et al.* (unreported decision of Justice Lafrenière dated July

18, 2023, in T-1253-23); *Rogers Media Inc. v. John Doe 1*, 2024 FC 1082 (Justice Little) [*Rogers Media 2024*]; *Bell Media Inc. v. John Doe 1 (Soap2day)*, 2025 FC 133 (Justice Fothergill) [*Soap2day*]; and *Arista Records LLC v John Doe 1 et al.*, 2026 FC 802 (Justice Fothergill) [*Arista*];

AND UPON considering that the Applicants have sought two remedies from the Court in this application.

- (a) Judgment against the John Doe Respondents; and
- (b) a site-blocking order of two years against the Third Party Respondents, who are Internet Service Providers providing Internet access to the vast majority of Canadian households;

AND CONSIDERING the Judgment issued together with this Order, which Judgment, *inter alia*: (a) declared copyright to subsist in the Applicants' Works (as defined in the Judgment by reference to Schedule 1 of the Judgment) [the Applicants' Works] and to be owned by or exclusively licensed to the Applicants; and (b) granted a permanent injunction against the John Doe Respondents;

AND UPON considering that the site-blocking order sought by the Applicants is similar to orders previously issued by this Court and endorsed by the Federal Court of Appeal, to prevent the blatant and unauthorized infringement of copyright in similar circumstances, and is modelled after the Orders issued by this Court in *Soap2day* and *Arista*, with the following differences:

- (a) the Order sought pursues the objective of targeting not only the infringing platforms presently operated by the John Doe Respondents, as well as other similarly infringing branded platforms operated by the John Doe Respondents or others, but also similarly infringing platforms operating under other brands [the Expanded Scope];
- (b) in pursuit of that objective, the Order sought provides for a procedure whereby the list of domains, subdomains and/or IP addresses to be blocked (as set out in Schedule 1 to the Order) would be varied without the need for a further motion and issuance of a further Order, upon the service and filing by the Applicants of evidence meeting conditions set out in the Order and in the absence of objection by the Third Party Respondents [the Simplified Procedure]; and
- (c) the Notification Website (as defined later in this Order), pursuant to which Internet service customers are notified that they have attempted to access a blocked domain, subdomain or IP address and are provided with related information, would also, optionally, provide information on authorized and legitimate platforms that distribute motion pictures and/or television programming in Canada [the Additional Notification];

AND UPON being satisfied that:

- (a) the Expanded Scope represents an incremental modification to precedent site-blocking orders, consistent with practice in the United Kingdom (see *Columbia Pictures Industries, Inc et al v British Telecommunications PLC et al*, [2026] EWHC

1087 (Ch), and the related Public Order of Mr. Justice Mellor dated May 7, 2026 [Mellor J Order]), which is appropriate to address increased fragmentation in the Internet piracy landscape with the effect that, as recognized in *Arista*, when access to infringing platforms is blocked, other similarly infringing platforms appear and/or increase in popularity;

(b) consistent with a similar procedure adopted in the United Kingdom (see Mellor J Order) and with this Court’s approach to “dynamic” site-blocking orders (see *Rogers Media 2022*; and *Rogers Media 2024*), the Simplified Procedure represents an efficient and, subject to one reservation identified in the next recital below, appropriate method for implementing the Expanded Scope, which serves the interests of judicial economy while maintaining appropriate procedural protections by: (i) prescribing in advance the nature of the evidence necessary to achieve the Expanded Scope; (ii) precluding the Expanded Scope without judicial consideration when objected to by a Third Party Respondent; and (c) affording a right to platform operators, Internet service customers, and Third Party Respondents to move to vary the Order; and

(c) the Applicant’s evidence supports the conclusion that the education of Internet service customers through the Additional Notification contributes to the effectiveness of site-blocking orders;

AND UPON concluding that:

- (a) the Court should at present remain guided by the analysis surrounding section 39.1 of the *Copyright Act* and resulting conclusion in *Rogers Media 2024* not to expand the remedial flexibility of requested injunctive relief to enable the applicants in that matter to enforce new or additional rights under the *Copyright Act* by amending the schedule to the judgment that identified the applicants' rights that had been adjudicated by the Court in that matter, without a further motion to the Court (at paras 53-70); and
- (b) paragraph 1(b)(i) of the draft site-blocking order included in the Applicants' record, which sets out one of the conditions to implementing the Expanded Scope through the Simplified Procedure, should apply only to the Applicants' Works rather than to any works for which the Applicants own the copyright;

AND without prejudice to the ability of any of the Third Party Respondent to subsequently seek to stay, vary, or set aside this Order or to oppose on any basis any other related or similar order or judgment sought by any of the Applicants or any other party;

AND UPON therefore being satisfied, based on the evidence and argument presented to the Court, that the Court should issue this Order on the following terms:

THE COURT ORDERS AS FOLLOWS:

1. In this Judgment the "Target Platforms" shall mean:
 - a. The online piracy platforms operated by the Respondents from the domains, subdomains and IP addresses listed at Schedule 1 of this Order at

the time of its issuance; and

- b. Piracy Streaming Platforms that satisfy the following conditions:
 - i. They have the sole or predominant purpose of making available and/or communicating to the public by telecommunication motion pictures or television programming without the authorization of the owner of the copyright therein, and which also includes at least some of the Applicants' Works;
 - ii. They have substantially the same mode of operation as either category of Piracy Streaming Platform mentioned at paragraph 1.a. of the Order, namely Unauthorized Subscription Services and Open Web Piracy Platforms;
 - iii. Representatives from the Applicants have confirmed that, as far as they are aware, no consent or license has been granted by the Applicants to the operator of the platform;
 - iv. The platform can be accessed by users in Canada;
 - v. Where the platform has disclosed a means of contact, the Applicants or their agents have sent a notice of infringement to the operator of the platform, which notice explains the infringements of copyright alleged by the Applicants and their intention to take enforcement action should those activities not cease; and
 - vi. The platform continues to operate and the operator has taken no steps, within 7 days of the date of notice, to address the matters identified in the notice of infringement.
2. Within ten (10) business days of the issuance of this Order, the Third Party Respondents shall block or attempt to block access by at least their residential

wireline Internet service customers to the Target Platforms by blocking or attempting to block access to all of the domains, subdomains and IP addresses identified in Schedule 1 to this Order.

3. If the Applicants are made aware of any other domain, subdomain or IP address that has as its sole or predominant purpose to enable or facilitate access to a Target Platform:
 - a. The Applicants may serve and file a proposed amended Schedule 1 together with one or more affidavits that may be limited to:
 - i. stating that the Target Platform(s) subject to the amended Schedule 1 meet the conditions set out at paragraph 1 above;
 - ii. identifying the additional domain(s), subdomain(s) or IP address(es) associated with the Target Platform(s) subject to the amended Schedule 1;
 - iii. stating that such additional domain, subdomain and/or IP address have as their sole or predominant purpose to enable or facilitate access to a Target Platform(s) and that any additional IP address is not associated with any other active domain or subdomain that provides access to a service or website other than a Target Platform;
 - iv. proposing to supplement Schedule 1 to this Order to include such additional domain, subdomain, and/or IP address.
 - b. Any Third Party Respondent may bring a motion to object to the additional proposed domain, subdomain and IP address by serving and filing a notice of motion within five (5) business days of service of the Applicants' affidavit and proposed amended Schedule 1, and a motion record within five (5) business days of the filing of the notice of motion. In the event that such a motion record is filed, the Third Party Respondents shall not be

ordered to block or attempt to block the domains, subdomains or IP addresses that are the subject of the motion until the motion is decided or the Court orders otherwise.

- c. If no Third Party Respondent files a notice of motion to object within five (5) business days, and a motion record within five (5) business days of the filing of the notice of motion, in accordance with paragraph 3(b) of this Order, the supplemented Schedule 1 proposed by the Applicants shall be considered Schedule 1 under this Order, and become subject to paragraph 2 above.
 - d. The Applicants' affidavit and proposed amended Schedule 1 shall be accepted for filing as confidential, and be treated as confidential by the Third Party Respondents until ten (10) business days following the application of an updated Schedule 1 pursuant to paragraph 3(c) above.
4. The Third Party Respondents have no obligation to verify whether the Applicants' updates to Schedule 1 to this Judgment are correct, and are wholly reliant on the Applicants accurately identifying the domains, subdomains or IP addresses associated with the Target Platform(s).
 5. If and once they become or are made aware of the following situations, the Applicants must notify the Third Party Respondents as soon as reasonably practicable:
 - a. any domain, subdomain or IP address contained in Schedule 1 to this Order (as updated) no longer has the sole or predominant purpose of enabling or facilitating access to a Target Platform, in which case the Applicants shall provide to the Third Party Respondents and file with the Court an updated Schedule 1 removing said domain, subdomain or IP address and the Third Party Respondents shall no longer be ordered to block or attempt to block access to said domain, subdomain or IP address; and

- b. where an Internet Service customer has access to a domain blocked by a Third Party Respondent pursuant to this Order, to the extent practicable, the Third Party Respondent shall setup the DNS blocking, DNS re-routing or an alternative or equivalent technical means, to redirect the internet service customer to the Notification Website; and
 - c. the Applicants shall notify the Third Party Respondents of any changes to the domain or website address of the Notification Website as soon as reasonably practicable.
 - d. as an alternative to the mechanism ordered at subparagraph b. above, to the extent practicable, a Third Party Respondent may use different technical means to give notice of the information listed at subparagraph a. above to its internet service customer whose access to a domain, subdomain or IP address is blocked by the Third Party Respondent pursuant to this Order.
8. A Third Party Respondent will be deemed to have complied with paragraph 2 of this Order (including following updates to Schedule 1) if it uses the technical means set out in Schedule 2 to this Order, or alternative or equivalent technical means, provided that the Third Party Respondent notifies to the Applicants of the change.
9. If a Third Party Respondent, in complying with this Order, is unable to implement one of the steps referred to in Schedule 2 of this Order, that Third Party Respondent must, within ten (10) business days of the issuance of this Order or of an update to Schedule 1, or of being first made aware that it is unable to implement blocking, as applicable, notify the Applicants of the step or steps it has taken and why it could not comply with the Order. The Applicants shall treat any information received pursuant to this paragraph confidentially and shall use it solely for the purpose of monitoring compliance with this Order.
10. A Third Party Respondent shall not be in breach of this Order if it temporarily suspends, for no longer than is reasonably necessary, its compliance with

paragraph 2 of this Order (including following updates to Schedule 1), in whole or in part, when such suspension is reasonably necessary to:

- a. correct or investigate potential over-blocking that is caused or suspected to be caused by the steps taken pursuant to paragraph 2 of this Order;
 - b. maintain the integrity or quality of its Internet services or the functioning of its blocking system(s);
 - c. upgrade, troubleshoot or maintain its Internet services or blocking system(s), including as a result of technical or capacity limitations of its blocking system(s);
 - d. prevent or respond to an actual or potential security threat to its network or systems provided that the Third Party Respondent (i) gives notice to the Applicants during or following such suspension and provides the reason for such suspension and an estimate of its duration or (ii) if the suspension does not last longer than 48 hours, uses commercially reasonable efforts to maintain a record of the suspension and provides that record to the Applicants upon request. The Applicants shall treat any information received pursuant to this paragraph confidentially and shall use it solely for the purposes of monitoring and ensuring compliance with this Order.
11. For greater certainty a Third Party Respondent may hold a reasonable portion of its capacity to implement DNS blocking in reserve, if it deems it necessary to do so, in order to be able to respond to threats to its subscribers and to maintain the integrity of its network and services. Any such measure must be justified with reference to the network capacity used for similar purposes within the 12 months preceding this Order.
 12. The operator(s) of any Target Platform, the operators of any other website who claim to be affected by this Order, and any Internet service customer of the Third Party Respondents affected by the Order, may bring a motion to seek a variation of

this Order insofar as this Order affects their ability to access or distribute non-infringing content by serving and filing a motion record within thirty (30) days of the first occurrence of the event that allegedly affects them and that results from this Order.

13. The Applicants shall indemnify and save harmless the Third Party Respondents for:
 - a. the reasonable marginal cost of implementing paragraphs 2 and 7 of this Order and updating the implementation of this Order pursuant to paragraphs 3 and 5 of this Order;
 - b. any reasonably incurred loss, liability, obligation, claim, damages, costs (including defence costs), or expenses resulting from a third party complaint, demand, action, claim, application or similar proceeding whether administrative, judicial, or quasi-judicial in nature, in respect of the Third Party Respondents as a result of their compliance with the Order; and
 - c. for certainty, the scope of the Applicants' indemnification obligations set out in this paragraph is limited to the circumstances of this proceeding, and this paragraph of the Order is specifically without prejudice to the ability of the Third Party Respondents, Applicants or any other party to seek indemnification obligations of a different scope in other cases or proceedings.

14. With respect to the costs referenced in paragraph 13.a:

- a. The Third Party Respondents shall provide the Applicants with an invoice setting out the claimed cost elements and the total costs claimed after having complied with one or more terms of this Order;
- b. The Applicants shall pay the invoice within thirty (30) days of receipt

unless a disagreement as to its reasonableness must be resolved under paragraph 14.c; and

- c. In the event that the Applicants and Third Party Respondent disagree as to the reasonableness of the invoice, the parties are encouraged to attempt to amicably resolve their disagreement. If required, the parties may bring a motion to settle this issue.
15. This Order shall terminate two (2) years from the date of issuance, unless the Court orders otherwise.
16. All without prejudice to the ability of any Third Party Respondents to subsequently seek to stay, vary, or set aside this Order or to oppose on any basis any other related or similar Order sought by any Applicant or any other party.
17. No costs are awarded.

“Richard Southcott”

Judge

Schedule 1 – Target Platforms

Domains to be blocked, including all associated subdomains	Subdomains to be blocked	IP addresses to be blocked
Unauthorized Streaming Services		
con.me confbucket.me tvnow.best starlite.best		
dp.dp-elite.net		
glotv.me play.suntv.biz play.zee5.live		
new.jiotv.be		
4k.spicetv.cc cod41.biz		
smart4k.me		
Open Web Piracy Platforms		
123moviesfree.net		
cineby.gd		
Fmovies.co		
hydrahd.ru		
putlocker.digital		

Domains to be blocked, including all associated subdomains	Subdomains to be blocked	IP addresses to be blocked
watchseries.bar		

Schedule 2 – Technical Means

1. For domains identified in Schedule 1 (as updated): DNS blocking, or alternatively DNS rerouting to comply with paragraph 7 of the Judgment.

2. For domains, subdomains or specific paths identified in Schedule 1 (as updated): DNS blocking or DNS re-routing, or at the Third Party Respondent's election URL path blocking, to the extent that the Third Party Respondent's existing technical infrastructure allows this blocking method. For certainty:
 - a. for domains and subdomains identified in Schedule 1 (as updated), the Third Party Respondents do not need to implement URL path blocking if they implement DNS blocking or DNS re-routing in accordance with paragraph 1 of this Schedule 2.

 - b. no Third Party Respondent shall be required to acquire the hardware and software necessary to put in place or upgrade URL path blocking.

3. For the IP addresses identified in Schedule 1 (as updated): IP address blocking, or alternatively IP address re-routing. For certainty, IP address blocking, or IP address rerouting shall only be required to block IP addresses in respect of which the Applicants or their agents notify the Third Party Respondents that, to the best of their knowledge, the server associated with the notified IP address does not also host an active website other than the Target Platforms.