Can Foreign Copyright Owners Sue Indian Broadcasters Abroad? The Territorial Reach of Copyright Disputes

News & Updates • November 18, 2026

A few seconds of weather footage broadcast in New Delhi ended up at the center of a federal copyright lawsuit in California. A news broadcaster based in India uses a few seconds of foreign footage in a report covering a natural disaster. The footage belongs to a foreign content producer, who subsequently issues a copyright complaint through a digital platform and initiates infringement proceedings against the broadcaster in another country.

The dispute raises a question that extends beyond copyright ownership: can a foreign copyright owner pursue an Indian broadcaster before a foreign court when the disputed broadcasts originate in India and target Indian audiences? A recent Delhi High Court decision brings this question into focus.

The Dispute: T.V. Today Network v. Global Weather Productions

In *T.V. Today Network Limited v. Global Weather Productions LLC & Ors.*, the Delhi High Court considered a dispute involving weather-related footage used in news reports published by TV Today Network on its YouTube channels between 2022 and 2025.

The reports covered weather events and natural disasters outside India. They incorporated footage claimed by six US-based parties, alongside TV Today's own narration, reporting, commentary, graphics and editorial content.

In March 2026, copyright complaints led YouTube to disable access to certain videos. TV Today submitted counter-notifications seeking restoration. The foreign parties subsequently initiated proceedings before the United States District Court for the Northern District of California, alleging copyright infringement, removal of copyright management information and related claims concerning 42 videos.

TV Today approached the Delhi High Court seeking, among other reliefs, a declaration that its use of the footage did not infringe copyright under Indian law, protection against groundless threats under Section 60 of the Copyright Act, 1957, and an injunction restraining the continuation of the US proceedings.

Why Did the Delhi High Court Intervene?

On 5 November 2026, Justice Tejas Karia granted an interim anti-suit injunction restraining the six US-based parties from pursuing the proceedings against TV Today before the US court or instituting proceedings outside India concerning the subject matter of the dispute.

The Court considered several factors relevant to jurisdiction.

First, TV Today had conceived, scripted, edited and uploaded the disputed videos from India for Indian audiences. Its personnel, editorial records and relevant evidence were also located in India.

Second, the broadcaster had no business presence in the United States. The Court considered the use of YouTube and the jurisdiction clause in its standard-form counter-notification procedure insufficient, at the prima facie stage, to shift the forum of a dispute arising from activities in India.

Third, the Court examined the relationship between the US proceedings and the pending Indian suit. It observed that allowing the foreign proceedings to continue could subject the broadcaster's conduct in India to foreign law while an Indian court considered the same dispute under the Copyright Act, 1957.

The Court therefore considered the continuation of the US proceedings prima facie vexatious and oppressive.

Importantly, the injunction operated against the foreign parties subject to the Delhi High Court's jurisdiction. It did not direct the US court to discontinue its proceedings.

The Legal Basis: Territoriality and Anti-Suit Injunctions

Copyright protection generally operates territorially. The rights available to a copyright owner and the remedies for infringement depend on the applicable national law and the location of the relevant acts.

The Copyright Act, 1957 governs copyright protection and infringement within its statutory framework in India. Section 14 defines the exclusive rights of copyright owners, while Section 51 identifies circumstances in which infringement occurs. Section 52 provides specified exceptions, including fair dealing for reporting current events and current affairs under Section 52(1)(a)(iii).

However, the territorial nature of copyright does not automatically prevent a foreign court from hearing a dispute involving an Indian defendant. A foreign court may examine its own jurisdiction under its domestic procedural and substantive laws, including the defendant's connections with that jurisdiction and the conduct alleged to have infringed copyright there.

A separate question arises when an Indian court considers whether to restrain a party from pursuing proceedings abroad.

In *Modi Entertainment Network v. W.S.G. Cricket Pte. Ltd.* (2003), the Supreme Court explained the principles governing anti-suit injunctions. Indian courts may grant such relief where the defendant falls within their personal jurisdiction, the foreign proceedings threaten injustice or oppression, and the court gives due consideration to international comity.

The Supreme Court also emphasised in *Oil and Natural Gas Commission v. Western Company of North America* (1987) that courts may restrain parties within their jurisdiction from pursuing foreign proceedings where the interests of justice require such intervention.

These principles informed the Delhi High Court's assessment in the TV Today dispute.

The Copyright Question: Use of Foreign Footage in News Reporting

The Court also examined the broadcaster's use of the disputed weather footage.

It referred to its earlier decision in *Associated Broadcasting Company Limited v. Google LLC & Ors*. In that case, the Court considered whether brief extracts of weather footage, incorporated into news reports with narration and commentary, could constitute fair dealing under Section 52(1)(a)(iii).

The Court observed that natural weather events involve universal facts and that brief, segmented extracts used in news reporting may fall within the statutory exception. It also considered the principle of *de minimis non curat lex*, under which the law does not concern itself with trivial matters.

In the TV Today proceedings, the Court found that the footage appeared for only a few seconds in weather reports and did not serve as independent content or a substitute for the original recordings.

These observations supported the broadcaster's prima facie case. However, the Court expressly clarified that its findings were preliminary and did not determine the final merits of the copyright dispute.

The Territorial Reach of Copyright Litigation

The TV Today order illustrates the distinction between a foreign copyright owner's ability to initiate proceedings abroad and an Indian court's authority to restrain parties from continuing those proceedings.

The decision does not establish that foreign copyright owners cannot sue Indian broadcasters in

overseas jurisdictions. Nor does it create a general exemption for Indian news organisations using foreign footage.

Instead, it demonstrates how courts examine the location of the disputed conduct, the parties' connections with the competing jurisdictions, the applicable copyright law and the potential consequences of parallel proceedings.

As cross-border digital publishing continues to connect content owners, broadcasters and online platforms across jurisdictions, questions of territorial jurisdiction and the appropriate forum will remain significant in international copyright disputes.

RELATED INDUSTRIES

ADVERTISING AND PRODUCT LIABILITY

RELATED PRACTICES

COPYRIGHT