

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF
ENGLAND AND WALES
INTELLECTUAL PROPERTY LIST (ChD)

Claim No HC-2017-002013 31 Jul 2023



HC-2017-002013

Before: The Hon Mr Justice Richard Meade

Dated: 31 July 2023

BETWEEN:

THE FOOTBALL ASSOCIATION PREMIER LEAGUE LIMITED

Applicant

- and -

(1) BRITISH TELECOMMUNICATIONS PLC

(2) EE LIMITED

(3) PLUSNET PLC

(4) SKY UK LIMITED

(5) TALKTALK TELECOM LIMITED

(6) VIRGIN MEDIA LIMITED

Respondents

ORDER

UPON the order of Meade J dated 7 December 2022 (the “**2022 Order**”)

AND UPON the application of the Applicant by notice dated 18 July 2023 to extend the operation of the 2022 Order (the “**Application**”)

AND UPON reading the documents recorded on the court file as having been read

AND UPON considering the application on paper

IT IS ORDERED THAT:

- 1 Pursuant to paragraph 9 of the 2022 Order, the operation of that Order be extended for the 2023/2024 and 2024/2025 seasons of the Football Association Premier

League competition, such extended order being in the form attached to this Order (the “**Extended Order**”).

Sunset clause

- 2 The Extended Order (save for paragraph 3 below) shall cease to have effect upon the later of (i) 11 June 2025, or (ii) upon completion of the last Match Period of the 2024/2025 competition season, unless the Court orders otherwise.
- 3 The Applicant has permission to apply on or before the first Match Period of the 2025/2026 competition season to extend the operation of the Extended Order for a further period, such application to be supported by evidence and on notice to the Respondents.

Technical means

- 4 In the Extended Order, Schedule 4 of the 2022 Order shall be replaced with the contents of Schedule 2 of this Order.

Confidentiality

- 5 The Orders made under CPR r 31.22(2) and r 32.13(2) in paragraph 19 of the 2022 Order shall extend to the material identified in Schedule 1 of this Order, which shall also be treated as “Confidential Material” for the purposes of the Extended Order.

Other

- 6 The proceedings shall be stayed, save for the purposes of any application to give effect to the terms of this Order and save that the parties have permission to apply on notice in the event of any material change of circumstances including, for the avoidance of doubt but without limiting the generality of the foregoing, in respect of the costs, consequences for the parties and effectiveness of the aforesaid technical means from time to time.
- 7 Costs reserved, as to which the parties have permission to apply.
- 8 This Order shall be served by the Applicant upon each of the Respondents.

Service of the Order

The Court has provided a sealed copy of this Order to the serving party: DLA Piper UK LLP, 160 Aldersgate Street, London, EC1A 4HT, solicitors for the Claimant (Ref: RPH/HC/85207.120103).

Schedule 1: Confidential Material

The additional Confidential Material to be included within Schedule 5 of the Extended Order is:

- 1 The expert report dated 18 July 2023 filed in support of the Application.

Schedule 2: Technical Means

Schedule 4 of the Extended Order shall be replaced with the following:

In relation to the First Respondent (British Telecommunications plc)

- 1 In respect of its customers to whose internet service the system known as RedCard is applied, whether optionally or otherwise, the technical means are IP blocking.
- 2 For the avoidance of doubt, paragraphs 1 of the Order is complied with if the First Respondent uses RedCard or any subsequent system or measure that has equivalent relevant functionality.

In relation to the Second Respondent (EE Limited)

- 3 In respect of its customers whose internet service is provided through its fixed line network currently known as EE Home line and mobile network (including its hosted Mobile Virtual Network Operators (MVNOs)), and to whose internet service the system known as RedCard applied, whether optionally or otherwise, the technical means are IP blocking.
- 4 For the avoidance of doubt, paragraph 1 of the Order is complied with if the Second Respondent uses the system known as RedCard or any subsequent system that has equivalent relevant functionality.

In relation to the Third Respondent (Plusnet plc)

- 5 In respect of its customers to whose internet service the system known as RedCard is applied, whether optionally or otherwise, the technical means are IP blocking.
- 6 For the avoidance of doubt, paragraph 1 of the Order is complied with if the Third Respondent uses RedCard or any subsequent system or measure that has equivalent relevant functionality.

In relation to the Fourth Respondent (Sky UK Ltd)

- 7 In respect of its customers to whose internet service the system known as Hawkeye is applied, whether optionally or otherwise, the technical means are IP blocking.
- 8 For the avoidance of doubt, paragraph 1 of the Order is complied with if the Fourth Respondent uses the system known as Hawkeye or any subsequent system that has equivalent relevant functionality.

In relation to the Fifth Respondent (TalkTalk Telecom Ltd)

- 9 In respect of its customers to whose internet access service the measure known as blackholing is applied, whether optionally or otherwise, the technical means are IP blocking.
- 10 For the avoidance of doubt, paragraph 1 of the Order is complied with if the Fifth Respondent uses blackholing or any subsequent system or measure that has equivalent relevant functionality, up to an overall limit under all live s 97A Orders to which the Fifth Respondent is subject of 10,000 simultaneous IP addresses.

In relation to the Sixth Respondent (Virgin Media Ltd)

- 11 In respect of its fixed-line residential and business retail broadband customers to whose internet access service the system known as Web Blocker 3 is applied, or to whose internet access the measure known as blackholing is applied, the technical means are IP blocking.
- 12 For the avoidance of doubt, paragraph 1 of the Order is complied with if the Sixth Respondent uses either the system known as Web Blocker 3 (or any subsequent system that has equivalent relevant functionality) or blackholing.

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Claim No HC-2017-002013

Before: The Hon Mr Justice Richard Meade

Dated: 31 July 2023

BETWEEN:

THE FOOTBALL ASSOCIATION PREMIER LEAGUE LIMITED

Applicant

- and -

(7) BRITISH TELECOMMUNICATIONS PLC

(8) EE LIMITED

(9) PLUSNET PLC

(10) SKY UK LIMITED

(11) TALKTALK TELECOM LIMITED

(12) VIRGIN MEDIA LIMITED

Respondents

ORDER

PUBLIC VERSION

UPON the order of Arnold J dated 25 July 2017 in these proceedings being varied and extended by the orders of Arnold J dated 18 July 2018, 26 March 2019, and 15 July 2019, by the orders of Birss J dated 20 May 2020 and 27 July 2020, and by the orders of Meade J dated 29 July 2021 and 7 December 2022 (as varied, the “**2022 Order**”)

AND UPON the application of the Applicant by notice dated 18 July 2023 to further vary the terms of the 2022 Order (the “**Application**”)

AND UPON reading the documents recorded on the court file as having been read

AND UPON the Court being satisfied on the evidence before it that the operators of the Target Servers (as defined in Confidential Schedule 2 to this Order) use the services of each of the Respondents to infringe the copyrights of the Applicant in the United Kingdom

AND UPON the Court recording that the Respondents are not wrongdoers and have not themselves infringed the Applicant's copyrights

AND UPON considering the application on paper

IT IS ORDERED THAT:

This order contains the following schedules:

Schedule 1 – Match Periods

Schedule 2 – Target Servers (Confidential - omitted)

Schedule 3 – Detection and Notification Criteria (Confidential - omitted)

Schedule 4 – Technical Means

Schedule 5 – Confidential Material

- 1 With effect from the date of this Order, the 2022 Order shall be varied and replaced with an Order in the following terms.

Disabling of access

- 2 The Respondents shall, during each of the Match Periods specified in Schedule 1 of this Order (as may hereafter be varied) or as otherwise required by this Order, block or attempt to block access to each of the IP addresses for the Target Servers (as defined in Confidential Schedule 2 of this Order) which during a Game Week:

- (a) the Applicant or its appointed agent has detected:
 - (i) during one or more Match Periods of that Game Week, is being used to communicate live match footage from a fixture of the 2023/2024 or 2024/2025 Football Association Premier League competitions ("**Match Footage**") to the public without authorisation; or
 - (ii) during the Pre-Monitoring Period (as defined in Confidential Schedule 3 of this Order) preceding one or more Match Periods of that Game Week, is being used to communicate to the public without authorisation live footage from:

- (A) a subscription television channel on which Match Footage is to be broadcast; or
 - (B) a sports-related subscription television channel operated by the same broadcaster as a channel within sub-paragraph (A) above
- (together, “**Channel Footage**”); or
- (iii) meets one or more of the detection conditions specified in Confidential Schedule 3 of this Order;
- (b) the Applicant or its appointed agent has concluded satisfies the requirements of Confidential Schedule 3 of this Order; and
- (c) is notified to the Respondents by the Applicant or its appointed agent in accordance with paragraph 5 of this Order during that Game Week or the immediately preceding Game Week.

3 Upon the expiry of each Match Period, the Applicant or its appointed agent will give a further notice to the Respondents in accordance with paragraph 6 of this Order to unblock all Target Servers that have previously been notified for blocking during that Match Period. The Respondents shall use their best endeavours to ensure that such unblocking occurs as soon as reasonably practicable after the expiry of the Match Period.

4 For the avoidance of any doubt, paragraphs 2 and 3 of this Order are complied with by a Respondent if that Respondent uses the technical means set out in relation to that Respondent in Schedule 4 of this Order, or any alternative and equivalent (including replacement) technical means, provided that the Respondent gives notice to the Applicant of the change, and in respect of the customers identified in relation to that Respondent in Schedule 4 of this Order.

Notifications to the Respondents

5 Any notifications given by the Applicant or its appointed agent under paragraph 2 of this Order must:

- (a) be notified to the Respondents by means of publishing a list of all the IP addresses to be blocked on a secure electronic platform to which each of the Respondents has been given access by arrangement with the Applicant or its agent;
- (b) be published to the said platform at least twice during each Match Period, and (save as set out in paragraph 6 below) not during other periods; and
- (c) be published in such a manner that they are accessible to all Respondents as close to simultaneously as is reasonably practicable.

6 Any notifications given by the Applicant or its appointed agent under paragraph 2 of this Order must be notified to the Respondents by the same means as those specified in paragraph 4 of this Order and given within 15 minutes of the expiry of the relevant Match Period, and shall be effected by publishing an empty list of IP addresses.

Time for compliance

- 7 When blocking access to an IP address pursuant to paragraph 2 of this Order, the Respondents shall use their best endeavours to disable access to the IP address as soon as practicable and subject to the limits of their networks and resources.
- 8 For the avoidance of any doubt, for a Respondent to comply with paragraph 7 of this Order it shall be sufficient for it to use the technical means set out in relation to that Respondent in Schedule 4 of this Order on at least two occasions during and prior to the expiry of a Match Period, or according to such other schedule as may be agreed between all of the Respondents and the Applicant in writing.

Sunset clause

- 9 This Order (save for paragraph 10) shall cease to have effect (i) on 11 June 2025, or (ii) upon completion of the last Match Period of the 2024/2025 Football Association Premier League competition season (whichever is later), unless the Court orders otherwise.
- 10 The Applicant has permission to apply on or before the first Match Period of the 2025/2026 Football Association Premier League competition season to extend the

operation of this Order for a further season, such application to be supported by evidence and on notice to the Respondents.

Notifications to third parties

- 11 Where the Applicant or its appointed agent notifies an IP address for blocking in accordance with paragraph 1 of this Order, it must within a reasonable period of the first occasion when that IP address is notified (being no later than the end of the next Match Period, or until the end of that day, whichever is earlier) send to the hosting provider associated with the IP address an electronic notice which contains the following information:
 - (a) that access to the IP address has been blocked in the United Kingdom by court order;
 - (b) the identity of the party who obtained this Order;
 - (c) a link to an internet location from which the public version of this Order may be accessed; and
 - (d) a statement that affected server operators have the right to apply to the Court to discharge or vary the Order.
- 12 Within 10 working days of this Order being implemented by a Respondent, that Respondent shall take reasonable steps to publish a statement to its customers (identified in relation to it in Schedule 4) in electronic form which contains the following information:
 - (a) that access to a number of (unidentified) servers associated with infringing Match Footage has been blocked by court order, and further similar blocks will continue for the duration of the Football Association Premier League 2023/2024 competition seasons;
 - (b) the identity of the party who obtained this Order; and
 - (c) a statement that affected users have the right to apply to the Court to discharge or vary the Order.

- 13 For the avoidance of doubt, the Respondents are not required to make the information in paragraph 12 of this Order available to their customers at the same time as blocking occurs.

Changes to Confidential Schedule 3

- 14 All parties have permission to apply in writing to vary the contents of Confidential Schedule 3, such application to be supported by evidence and on notice to all the other parties.

Suspension of blocking measures

- 15 A Respondent will not be in breach of this Order if it temporarily ceases to take the steps ordered in paragraph 2 (either in whole or in part) upon forming the reasonable view that suspension is necessary:

(a) in order to:

- (i) correct or investigate over-blocking of material which is, or is reasonably suspected to be, caused by the steps taken pursuant to paragraph 2;
- (ii) ensure the reliable operation of its Internet Watch Foundation blocking system, if it reasonably considers that such operation is otherwise likely to be impaired;
- (iii) maintain the integrity of its internet service or the functioning of its blocking system;
- (iv) upgrade, troubleshoot or maintain its blocking system; or
- (v) avert or respond to an imminent security threat to its networks or systems;

(b) and provided that:

- (i) it notifies the Applicant or its appointed agent of such suspension and the reasons for the same as soon as reasonably practicable; and

- (ii) such suspension lasts no longer than is reasonably necessary.

Permission to apply

- 16 The following persons have permission to apply on notice to vary or discharge this Order insofar as it affects them, namely:
- (a) The operator of any server having an IP address notified under paragraph 2 of this Order;
 - (b) The operator of any website or video streaming service who claims to be adversely affected by this Order;
 - (c) Any recipient of a notice under paragraph 11 of this Order; and
 - (d) Any customer of the Respondents who claims to be adversely affected by this Order.
- 17 Any application under paragraph 16 of this Order shall be on notice to all the parties and be supported by evidence justifying the grounds for the application, including a clear indication of the status of the applicant.

Confidentiality

- 18 In respect of the material identified in Schedule 5 of this Order ("**Confidential Material**"):
- (a) Pursuant to CPR rule 31.22(2), the parties and their external advisors and experts may only make use of the Confidential Material for the purposes of these proceedings, whether or not they are read to or by the Court, referred to at the hearing of the Application or in skeleton arguments;
 - (b) Pursuant to CPR rule 32.13(2), the Confidential Material shall not be open to inspection; and
 - (c) The Confidential Material shall, if mentioned, be excluded from electronic and hard copy transcripts of the proceedings.

Interpretation

19 In this Order:

- (a) A reference to a **“Match Period”** is to be taken as a reference to any time which falls during one of the Premier League competition matches identified in Schedule 1 of this Order (whether that match in fact takes place at the time or on the date specified in Schedule 1), and includes:
 - (i) The kick-off times which may in the future be published by the Premier League for any match fixture which has yet to be scheduled for broadcast;
 - (ii) Any changes to the kick-off time or date for a match fixture which are published by the Premier League from time to time; and
 - (iii) The period ending 30 minutes after the (currently or subsequently) scheduled end time for a match fixture.
- (b) A reference to a **“Game Week”** is to be taken as a reference to the period between the first and last Match Period within each group of matches identified in Schedule 1, provided that if, as a result of re-scheduling of any match fixture, a match is in fact played during any of the times between the dates identified in Schedule 1 for each group of matches, the immediately previous Game Week (as identified in Schedule 1) will be treated as having been extended so as to include the period of that match.
- (c) A reference to **“the Applicant or its appointed agent”** is to be taken as a reference to Football Association Premier League Limited or its appointed agent for the purposes of online enforcement, including the third party mentioned in Confidential Schedule 3 or such other agent as may be appointed from time to time.

Other

20 Upon details of the Match Periods and Game Weeks for the 2024/2025 Football Association Premier League competition being finalised by the Applicant, the Applicant shall serve an updated copy of Schedule 1 of this Order upon each of

the Respondents by no later than two weeks before the first Match Period of that competition is due to commence.

- 21 The proceedings shall be stayed, save for the purposes of any application to give effect to the terms of this Order and save that the parties have permission to apply on notice in the event of any material change of circumstances including, for the avoidance of doubt but without limiting the generality of the foregoing, in respect of the costs, consequences for the parties and effectiveness of the aforesaid technical means from time to time.
- 22 Costs reserved, as to which the parties have liberty to apply.
- 23 This Order shall be served by the Applicant upon each of the Respondents.

Service of the Order

The Court has provided a sealed copy of this Order to the serving party: DLA Piper UK LLP, 160 Aldersgate Street, London, EC1A 4HT, solicitors for the Claimant (Ref: RPH/HC/85207.120103).

Schedule 1: Match Periods

The Match Periods for the 2023/2024 Football Association Premier League competition are as follows:

Date	Kick-off time	Home side	Away side
Game Week 1			
11 August 2023	20:00	Burnley	Man City
12 August 2023	12:30	Arsenal	Nott'm Forest
12 August 2023	15:00	Bournemouth	West Ham
12 August 2023	15:00	Brighton	Luton
12 August 2023	15:00	Everton	Fulham
12 August 2023	15:00	Sheffield Utd	Crystal Palace
12 August 2023	17:30	Newcastle	Aston Villa
13 August 2023	14:00	Brentford	Tottenham Hotspur
13 August 2023	16:30	Chelsea	Liverpool
14 August 2023	20:00	Man Utd	Wolves
Game Week 2			
18 August 2023	19:45	Nott'm Forest	Sheffield Utd
19 August 2023	15:00	Fulham	Brentford
19 August 2023	15:00	Liverpool	Bournemouth
19 August 2023	15:00	Wolves	Brighton
19 August 2023	17:30	Spurs	Man Utd
19 August 2023	20:00	Man City	Newcastle
20 August 2023	14:00	Aston Villa	Everton

Date	Kick-off time	Home side	Away side
20 August 2023	16:30	West Ham	Chelsea
21 August 2023	20:00	Crystal Palace	Arsenal
Game week 3			
25 August 2023	20:00	Chelsea	Luton
26 August 2023	12:30	Bournemouth	Spurs
26 August 2023	15:00	Arsenal	Fulham
26 August 2023	15:00	Brentford	Crystal Palace
26 August 2023	15:00	Everton	Wolves
26 August 2023	15:00	Man United	Nott'm Forest
26 August 2023	17:30	Brighton	West Ham
27 August 2023	14:00	Burnley	Aston Villa
27 August 2023	14:00	Sheffield Utd	Man City
27 August 2023	16:30	Newcastle	Liverpool
Game week 4			
1 September 2023	20:00	Luton	West Ham
2 September 2023	12:30	Sheffield Utd	Everton
2 September 2023	15:00	Burnley	Spurs
2 September 2023	15:00	Chelsea	Nott'm Forest
2 September 2023	15:00	Man City	Fulham
2 September 2023	17:30	Brighton	Newcastle
3 September 2023	14:00	Crystal Palace	Wolves

Date	Kick-off time	Home side	Away side
3 September 2023	14:00	Liverpool	Aston Villa
3 September 2023	16:30	Arsenal	Man Utd
Game week 5			
16 September 2023	12:30	Wolves	Liverpool
16 September 2023	15:00	Aston Villa	Crystal Palace
16 September 2023	15:00	Fulham	Luton
16 September 2023	15:00	Man Utd	Brighton
16 September 2023	15:00	Spurs	Sheffield Utd
16 September 2023	15:00	West Ham	Man City
16 September 2023	17:30	Everton	Arsenal
17 September 2023	14:00	Bournemouth	Chelsea
17 September 2023	16:30	Newcastle	Brentford
Game week 6			
23 September 2023	15:00	Chelsea	Aston Villa
23 September 2023	15:00	Crystal Palace	Fulham
23 September 2023	15:00	Luton	Wolves
23 September 2023	15:00	Man City	Nott'm Forest
23 September 2023	17:30	Brentford	Everton
23 September 2023	20:00	Burnley	Man Utd
24 September 2023	14:00	Arsenal	Spurs
24 September 2023	14:00	Brighton	Bournemouth

Date	Kick-off time	Home side	Away side
24 September 2023	14:00	Liverpool	West Ham
24 September 2023	16:30	Sheffield Utd	Newcastle
Game week 7			
30 September 2023	12:30	Aston Villa	Brighton
30 September 2023	15:00	Bournemouth	Arsenal
30 September 2023	15:00	Everton	Luton
30 September 2023	15:00	Man Utd	Crystal Palace
30 September 2023	15:00	Newcastle	Burnley
30 September 2023	15:00	West Ham	Sheffield Utd
30 September 2023	15:00	Wolves	Man City
30 September 2023	17:30	Spurs	Liverpool
1 October 2023	14:00	Nott'm Forest	Brentford
2 October 2023	20:00	Fulham	Chelsea
Game week 8			
7 October 2023	15:00	Arsenal	Man City
7 October 2023	15:00	Brighton	Liverpool
7 October 2023	15:00	Burnley	Chelsea
7 October 2023	15:00	Crystal Palace	Nott'm Forest
7 October 2023	15:00	Everton	Bournemouth
7 October 2023	15:00	Fulham	Sheff Utd
7 October 2023	15:00	Luton	Spurs

Date	Kick-off time	Home side	Away side
7 October 2023	15:00	Man Utd	Brentford
7 October 2023	15:00	West Ham	Newcastle
7 October 2023	15:00	Wolves	Aston Villa
Game week 9			
21 October 2023	15:00	Aston Villa	West Ham
21 October 2023	15:00	Bournemouth	Wolves
21 October 2023	15:00	Brentford	Burnley
21 October 2023	15:00	Chelsea	Arsenal
21 October 2023	15:00	Liverpool	Everton
21 October 2023	15:00	Man City	Brighton
21 October 2023	15:00	Newcastle	Crystal Palace
21 October 2023	15:00	Nott'm Forest	Luton
21 October 2023	15:00	Sheffield Utd	Man Utd
21 October 2023	15:00	Spurs	Fulham
Game week 10			
28 October 2023	15:00	Arsenal	Sheffield Utd
28 October 2023	15:00	Aston Villa	Luton
28 October 2023	15:00	Bournemouth	Burnley
28 October 2023	15:00	Brighton	Fulham
28 October 2023	15:00	Chelsea	Brentford
28 October 2023	15:00	Crystal Palace	Spurs

Date	Kick-off time	Home side	Away side
28 October 2023	15:00	Liverpool	Nott'm Forest
28 October 2023	15:00	Man Utd	Man City
28 October 2023	15:00	West Ham	Everton
28 October 2023	15:00	Wolves	Newcastle
Game week 11			
4 November 2023	15:00	Brentford	West Ham
4 November 2023	15:00	Burnley	Crystal Palace
4 November 2023	15:00	Everton	Brighton
4 November 2023	15:00	Fulham	Man Utd
4 November 2023	15:00	Luton	Liverpool
4 November 2023	15:00	Man City	Bournemouth
4 November 2023	15:00	Newcastle	Arsenal
4 November 2023	15:00	Nott'm Forest	Aston Villa
4 November 2023	15:00	Sheffield Utd	Wolves
4 November 2023	15:00	Spurs	Chelsea
Game week 12			
11 November 2023	15:00	Arsenal	Burnley
11 November 2023	15:00	Aston Villa	Fulham
11 November 2023	15:00	Bournemouth	Newcastle
11 November 2023	15:00	Brighton	Sheffield Utd
11 November 2023	15:00	Chelsea	Man City

Date	Kick-off time	Home side	Away side
11 November 2023	15:00	Crystal Palace	Everton
11 November 2023	15:00	Liverpool	Brentford
11 November 2023	15:00	Man Utd	Luton
11 November 2023	15:00	West Ham	Nott'm Forest
11 November 2023	15:00	Volves	Spurs
Game Week 13			
25 November 2023	15:00	Brentford	Arsenal
25 November 2023	15:00	Burnley	West Ham
25 November 2023	15:00	Everton	Man Utd
25 November 2023	15:00	Fulham	Wolves
25 November 2023	15:00	Luton	Crystal Palace
25 November 2023	15:00	Man City	Liverpool
25 November 2023	15:00	Newcastle	Chelsea
25 November 2023	15:00	Nott'm Forest	Brighton
25 November 2023	15:00	Sheffield Utd	Bournemouth
25 November 2023	15:00	Spurs	Aston Villa
Game week 14			
2 December 2023	15:00	Arsenal	Wolves
2 December 2023	15:00	Bournemouth	Aston Villa
2 December 2023	15:00	Brentford	Luton
2 December 2023	15:00	Burnley	Sheffield Utd

Date	Kick-off time	Home side	Away side
2 December 2023	15:00	Chelsea	Brighton
2 December 2023	15:00	Liverpool	Fulham
2 December 2023	15:00	Man City	Spurs
2 December 2023	15:00	Newcastle	Man Utd
2 December 2023	15:00	Nott'm Forest	Everton
2 December 2023	15:00	West Ham	Crystal Palace
5 December 2023	19:45	Aston Villa	Man City
5 December 2023	19:45	Brighton	Brentford
5 December 2023	19:45	Everton	Newcastle
5 December 2023	19:45	Fulham	Nott'm Forest
5 December 2023	19:45	Luton	Arsenal
5 December 2023	19:45	Sheffield Utd	Liverpool
5 December 2023	19:45	Spurs	West Ham
5 December 2023	19:45	Wolves	Burnley
5 December 2023	20:00	Crystal Palace	Bournemouth
6 December 2023	20:00	Man Utd	Chelsea
Game week 15			
9 December 2023	15:00	Aston Villa	Arsenal
9 December 2023	15:00	Brighton	Burnley
9 December 2023	15:00	Crystal Palace	Liverpool
9 December 2023	15:00	Everton	Chelsea

Date	Kick-off time	Home side	Away side
9 December 2023	15:00	Fulham	West Ham
9 December 2023	15:00	Luton	Man City
9 December 2023	15:00	Man Utd	Bournemouth
9 December 2023	15:00	Sheffield Utd	Brentford
9 December 2023	15:00	Spurs	Newcastle
9 December 2023	15:00	Wolves	Nott'm Forest
Game week 16			
16 December 2023	15:00	Arsenal	Brighton
16 December 2023	15:00	Bournemouth	Luton
16 December 2023	15:00	Brentford	Aston Villa
16 December 2023	15:00	Burnley	Everton
16 December 2023	15:00	Chelsea	Sheffield Utd
16 December 2023	15:00	Liverpool	Man Utd
16 December 2023	15:00	Man City	Crystal Palace
16 December 2023	15:00	Newcastle	Fulham
16 December 2023	15:00	Nott'm Forest	Spurs
16 December 2023	15:00	West Ham	Wolves
Game week 17			
23 December 2023	15:00	Aston Villa	Sheffield Utd
23 December 2023	15:00	Crystal Palace	Brighton
23 December 2023	15:00	Fulham	Burnley

Date	Kick-off time	Home side	Away side
23 December 2023	15:00	Liverpool	Arsenal
23 December 2023	15:00	Luton	Newcastle
23 December 2023	15:00	Nott'm Forest	Bournemouth
23 December 2023	15:00	Spurs	Everton
23 December 2023	15:00	West Ham	Man Utd
23 December 2023	15:00	Wolves	Chelsea
26 December 2023	15:00	Arsenal	West Ham
26 December 2023	15:00	Bournemouth	Fulham
26 December 2023	15:00	Brentford	Wolves
26 December 2023	15:00	Brighton	Spurs
26 December 2023	15:00	Burnley	Liverpool
26 December 2023	15:00	Chelsea	Crystal Palace
26 December 2023	15:00	Everton	Man City
26 December 2023	15:00	Man Utd	Aston Villa
26 December 2023	15:00	Newcastle	Nott'm Forest
26 December 2023	15:00	Sheffield Utd	Luton
Game week 18			
30 December 2023	15:00	Aston Villa	Burnley
30 December 2023	15:00	Crystal Palace	Brentford
30 December 2023	15:00	Fulham	Arsenal
30 December 2023	15:00	Liverpool	Newcastle

Date	Kick-off time	Home side	Away side
30 December 2023	15:00	Luton	Chelsea
30 December 2023	15:00	Man City	Sheffield Utd
30 December 2023	15:00	Nott'm Forest	Man Utd
30 December 2023	15:00	Spurs	Bournemouth
30 December 2023	15:00	West Ham	Brighton
30 December 2023	15:00	Wolves	Everton
Game week 19			
13 January 2024	15:00	Arsenal	Crystal Palace
13 January 2024	15:00	Bournemouth	Liverpool
13 January 2024	15:00	Brentford	Nott'm Forest
13 January 2024	15:00	Brighton	Wolves
13 January 2024	15:00	Burnley	Luton
13 January 2024	15:00	Chelsea	Fulham
13 January 2024	15:00	Everton	Aston Villa
13 January 2024	15:00	Man Utd	Spurs
13 January 2024	15:00	Newcastle	Man City
13 January 2024	15:00	Sheffield Utd	West Ham
Game week 20			
30 January 2024	19:45	Aston Villa	Newcastle
30 January 2024	19:45	Fulham	Everton
30 January 2024	19:45	Luton	Brighton

Date	Kick-off time	Home side	Away side
30 January 2024	19:45	Nott'm Forest	Arsenal
30 January 2024	19:45	Spurs	Brentford
30 January 2024	19:45	West Ham	Bournemouth
30 January 2024	19:45	Wolves	Man Utd
30 January 2024	20:00	Crystal Palace	Sheffield Utd
31 January 2024	20:00	Liverpool	Chelsea
31 January 2024	20:00	Man City	Burnley
3 February 2024	15:00	Arsenal	Liverpool
3 February 2024	15:00	Bournemouth	Nott'm Forest
3 February 2024	15:00	Brentford	Man City
3 February 2024	15:00	Brighton	Crystal Palace
3 February 2024	15:00	Burnley	Fulham
3 February 2024	15:00	Chelsea	Wolves
3 February 2024	15:00	Everton	Spurs
3 February 2024	15:00	Man Utd	West Ham
3 February 2024	15:00	Newcastle	Luton
3 February 2024	15:00	Sheffield Utd	Aston Villa
Game week 21			
10 February 2024	15:00	Aston Villa	Man Utd
10 February 2024	15:00	Crystal Palace	Chelsea
10 February 2024	15:00	Fulham	Bournemouth

Date	Kick-off time	Home side	Away side
10 February 2024	15:00	Liverpool	Burnley
10 February 2024	15:00	Luton	Sheffield Utd
10 February 2024	15:00	Man City	Everton
10 February 2024	15:00	Nott'm Forest	Newcastle
10 February 2024	15:00	Spurs	Brighton
10 February 2024	15:00	West Ham	Arsenal
10 February 2024	15:00	Wolves	Brentford
Game week 22			
17 February 2024	15:00	Brentford	Liverpool
17 February 2024	15:00	Burnley	Arsenal
17 February 2024	15:00	Everton	Crystal Palace
17 February 2024	15:00	Fulham	Aston Villa
17 February 2024	15:00	Luton	Man Utd
17 February 2024	15:00	Man City	Chelsea
17 February 2024	15:00	Newcastle	Bournemouth
17 February 2024	15:00	Nott'm Forest	West Ham
17 February 2024	15:00	Sheffield Utd	Brighton
17 February 2024	15:00	Spurs	Wolves
Game week 23			
24 February 2024	15:00	Arsenal	Newcastle
24 February 2024	15:00	Aston Villa	Nott'm Forest

Date	Kick-off time	Home side	Away side
24 February 2024	15:00	Bournemouth	Man City
24 February 2024	15:00	Brighton	Everton
24 February 2024	15:00	Chelsea	Spurs
24 February 2024	15:00	Crystal Palace	Burnley
24 February 2024	15:00	Liverpool	Luton
24 February 2024	15:00	Man Utd	Fulham
24 February 2024	15:00	West Ham	Brentford
24 February 2024	15:00	Wolves	Sheffield Utd
Game week 24			
2 March 2024	15:00	Brentford	Chelsea
2 March 2024	15:00	Burnley	Bournemouth
2 March 2024	15:00	Everton	West Ham
2 March 2024	15:00	Fulham	Brighton
2 March 2024	15:00	Luton	Aston Villa
2 March 2024	15:00	Man City	Man Utd
2 March 2024	15:00	Newcastle	Wolves
2 March 2024	15:00	Nott'm Forest	Liverpool
2 March 2024	15:00	Sheffield Utd	Arsenal
2 March 2024	15:00	Spurs	Crystal Palace
Game week 25			
9 March 2024	15:00	Arsenal	Brentford

Date	Kick-off time	Home side	Away side
9 March 2024	15:00	Aston Villa	Spurs
9 March 2024	15:00	Bournemouth	Sheffield Utd
9 March 2024	15:00	Brighton	Nott'm Forest
9 March 2024	15:00	Chelsea	Newcastle
9 March 2024	15:00	Crystal Palace	Luton
9 March 2024	15:00	Liverpool	Man City
9 March 2024	15:00	Man Utd	Everton
9 March 2024	15:00	West Ham	Burnley
9 March 2024	15:00	Wolves	Fulham
Game week 26			
16 March 2024	15:00	Arsenal	Chelsea
16 March 2024	15:00	Brighton	Man City
16 March 2024	15:00	Burnley	Brentford
16 March 2024	15:00	Crystal Palace	Newcastle
16 March 2024	15:00	Everton	Liverpool
16 March 2024	15:00	Fulham	Spurs
16 March 2024	15:00	Luton	Nott'm Forest
16 March 2024	15:00	Man Utd	Sheffield Utd
16 March 2024	15:00	West Ham	Aston Villa
16 March 2024	15:00	Wolves	Bournemouth
Game week 27			

Date	Kick-off time	Home side	Away side
30 March 2024	15:00	Aston Villa	Wolves
30 March 2024	15:00	Bournemouth	Everton
30 March 2024	15:00	Brentford	Man Utd
30 March 2024	15:00	Chelsea	Burnley
30 March 2024	15:00	Liverpool	Brighton
30 March 2024	15:00	Man City	Arsenal
30 March 2024	15:00	Newcastle	West Ham
30 March 2024	15:00	Nott'm Forest	Crystal Palace
30 March 2024	15:00	Sheffield Utd	Fulham
30 March 2024	15:00	Spurs	Luton
2 April 2024	19:45	Arsenal	Luton
2 April 2024	19:45	Bournemouth	Crystal Palace
2 April 2024	19:45	Brentford	Brighton
2 April 2024	19:45	Burnley	Wolves
2 April 2024	19:45	Nott'm Forest	Fulham
2 April 2024	19:45	West Ham	Spurs
3 April 2024	19:45	Chelsea	Man Utd
3 April 2024	19:45	Newcastle	Everton
3 April 2024	19:45	Liverpool	Sheffield Utd
3 April 2024	19:45	Man City	Aston Villa

Date	Kick-off time	Home side	Away side
Game week 28			
6 April 2024	15:00	Aston Villa	Brentford
6 April 2024	15:00	Brighton	Arsenal
6 April 2024	15:00	Crystal Palace	Man City
6 April 2024	15:00	Everton	Burnley
6 April 2024	15:00	Fulham	Newcastle
6 April 2024	15:00	Luton	Bournemouth
6 April 2024	15:00	Man Utd	Liverpool
6 April 2024	15:00	Sheffield Utd	Chelsea
6 April 2024	15:00	Spurs	Nott'm Forest
6 April 2024	15:00	Wolves	West Ham
Game week 29			
13 April 2024	15:00	Arsenal	Aston Villa
13 April 2024	15:00	Bournemouth	Man Utd
13 April 2024	15:00	Brentford	Sheffield Utd
13 April 2024	15:00	Burnley	Brighton
13 April 2024	15:00	Chelsea	Everton
13 April 2024	15:00	Liverpool	Crystal Palace
13 April 2024	15:00	Man City	Luton
13 April 2024	15:00	Newcastle	Spurs
13 April 2024	15:00	Nott'm Forest	Wolves

Date	Kick-off time	Home side	Away side
13 April 2024	15:00	West Ham	Fulham
Game week 30			
20 April 2024	15:00	Aston Villa	Bournemouth
20 April 2024	15:00	Brighton	Chelsea
20 April 2024	15:00	Crystal Palace	West Ham
20 April 2024	15:00	Everton	Nott'm Forest
20 April 2024	15:00	Fulham	Liverpool
20 April 2024	15:00	Luton	Brentford
20 April 2024	15:00	Man Utd	Newcastle
20 April 2024	15:00	Sheffield Utd	Burnley
20 April 2024	15:00	Spurs	Man City
20 April 2024	15:00	Wolves	Arsenal
Game week 31			
27 April 2024	15:00	Aston Villa	Chelsea
27 April 2024	15:00	Bournemouth	Brighton
27 April 2024	15:00	Everton	Brentford
27 April 2024	15:00	Fulham	Crystal Palace
27 April 2024	15:00	Man Utd	Burnley
27 April 2024	15:00	Newcastle	Sheffield Utd
27 April 2024	15:00	Nott'm Forest	Man City
27 April 2024	15:00	Spurs	Arsenal

Date	Kick-off time	Home side	Away side
27 April 2024	15:00	West Ham	Liverpool
27 April 2024	15:00	Wolves	Luton
Game week 32			
4 May 2024	15:00	Arsenal	Bournemouth
4 May 2024	15:00	Brentford	Fulham
4 May 2024	15:00	Brighton	Aston Villa
4 May 2024	15:00	Burnley	Newcastle
4 May 2024	15:00	Chelsea	West Ham
4 May 2024	15:00	Crystal Palace	Man Utd
4 May 2024	15:00	Liverpool	Spurs
4 May 2024	15:00	Luton	Everton
4 May 2024	15:00	Man City	Wolves
4 May 2024	15:00	Sheffield Utd	Nott'm Forest
Game week 33			
11 May 2024	15:00	Aston Villa	Liverpool
11 May 2024	15:00	Bournemouth	Brentford
11 May 2024	15:00	Everton	Sheffield Utd
11 May 2024	15:00	Fulham	Man City
11 May 2024	15:00	Man Utd	Arsenal
11 May 2024	15:00	Newcastle	Brighton
11 May 2024	15:00	Nott'm Forest	Chelsea

Date	Kick-off time	Home side	Away side
11 May 2024	15:00	Spurs	Burnley
11 May 2024	15:00	West Ham	Luton
11 May 2024	15:00	Wolves	Crystal Palace
Game week 34			
19 May 2024	16:00	Arsenal	Everton
19 May 2024	16:00	Brentford	Newcastle
19 May 2024	16:00	Brighton	Man Utd
19 May 2024	16:00	Burnley	Nott'm Forest
19 May 2024	16:00	Chelsea	Bournemouth
19 May 2024	16:00	Chrystal Palace	Aston Villa
19 May 2024	16:00	Liverpool	Wolves
19 May 2024	16:00	Luton	Fulham
19 May 2024	16:00	Man City	West Ham
19 May 2024	16:00	Sheffield Utd	Spurs

All times in this Schedule 1 are given in Greenwich Mean Time or British Summer Time, as the case may be.

Schedule 4: Technical Means

In relation to the First Respondent (British Telecommunications plc)

- 24 In respect of its customers to whose internet service the system known as RedCard is applied, whether optionally or otherwise, the technical means are IP blocking.
- 25 For the avoidance of doubt, paragraphs 1 of the Order is complied with if the First Respondent uses RedCard or any subsequent system or measure that has equivalent relevant functionality.

In relation to the Second Respondent (EE Limited)

- 26 In respect of its customers whose internet service is provided through its fixed line network currently known as EE Home line and mobile network (including its hosted Mobile Virtual Network Operators (MVNOs)), and to whose internet service the system known as RedCard applied, whether optionally or otherwise, the technical means are IP blocking.
- 27 For the avoidance of doubt, paragraph 1 of the Order is complied with if the Second Respondent uses the system known as RedCard or any subsequent system that has equivalent relevant functionality.

In relation to the Third Respondent (Plusnet plc)

- 28 In respect of its customers to whose internet service the system known as RedCard is applied, whether optionally or otherwise, the technical means are IP blocking.
- 29 For the avoidance of doubt, paragraph 1 of the Order is complied with if the Third Respondent uses RedCard or any subsequent system or measure that has equivalent relevant functionality.

In relation to the Fourth Respondent (Sky UK Ltd)

- 30 In respect of its customers to whose internet service the system known as Hawkeye is applied, whether optionally or otherwise, the technical means are IP blocking.

- 31 For the avoidance of doubt, paragraph 1 of the Order is complied with if the Fourth Respondent uses the system known as Hawkeye or any subsequent system that has equivalent relevant functionality.

In relation to the Fifth Respondent (TalkTalk Telecom Ltd)

- 32 In respect of its customers to whose internet access service the measure known as blackholing is applied, whether optionally or otherwise, the technical means are IP blocking.
- 33 For the avoidance of doubt, paragraph 1 of the Order is complied with if the Fifth Respondent uses blackholing or any subsequent system or measure that has equivalent relevant functionality, up to an overall limit under all live s 97A Orders to which the Fifth Respondent is subject of 10,000 simultaneous IP addresses.

In relation to the Sixth Respondent (Virgin Media Ltd)

- 34 In respect of its fixed-line residential and business retail broadband customers to whose internet access service the system known as Web Blocker 3 is applied, or to whose internet access the measure known as blackholing is applied, the technical means are IP blocking.
- 35 For the avoidance of doubt, paragraph 1 of the Order is complied with if the Sixth Respondent uses either the system known as Web Blocker 3 (or any subsequent system that has equivalent relevant functionality) or blackholing.

Schedule 5: Confidential Material

The Confidential Material is:

- 36 The Confidential Schedules to the Orders of Mr Justice Arnold dated 8 March 2017 and 10 May 2017 in claim number HC-2017-000458.
- 37 The material identified in Confidential Schedule 5 of the Order of Mr Justice Arnold Dated 8 March 2017, and Confidential Schedule 2 of the Order of Mr Justice Arnold dated 10 May 2017 in claim number HC-2017-000458.
- 38 The matters identified as confidential by highlighting in paragraphs 18, 21, 22, 25 to 29, 30.2, 31.1, 31.2, 31.3, 33 to 48, 59, 61 to 68, 71, 76 to 78, 83 to 85, 87, 89.2, 89.3, 89.5, and 93, of the expert report filed on behalf of the Applicant dated 13 July 2017 and exhibits 1, 3 and 4 thereto.
- 39 The matters identified as confidential by highlighting in paragraphs 14.1, 14.2, 14.3, 21 to 23, 25, and 31, and Exhibits KP1 and KP2 of the witness statement of Kevin Plumb dated 14 July 2017 on behalf of the Applicant.
- 40 The matters identified as confidential by highlighting in paragraphs 7, 13, 14, 16 and its table, footnotes 1 and 2, 17, 22 to 25, 27, 31, 32, and 33 of the witness statement of Robert Konrad Kiessling dated 13 July 2017 on behalf of the Fourth Respondent.

The further Confidential Material added by Order dated 18 July 2018 is:

- 41 The matters identified as confidential by highlighting in paragraphs 1, 5.5, 6, 6.1, 6.2, 11.1, 11.2, 11.3, 12.1, 12.2, 15 to 21, 23, 24, 26, 26.1, 26.2, 27, 28, 30, 31, 33, 36, 36.1, 36.2, 37.2, 37.4, 38.1, 38.2, 38.3, 40 to 51, 52.1, 52.2, 54.1, 54.2, 56 to 95, 97 to 99, 102 to 104, 106.2, 106.7, 106.8 and 107 of the second expert report filed on behalf of the Applicant dated 2 July 2018.
- 42 The matters identified as confidential by highlighting in paragraphs 7.1, 10, 12, 13, 16 to 18 and 21 of the witness statement of Kevin Plumb dated 29 June 2018 on behalf of the Applicant.

- 43 The matters identified as confidential by highlighting in paragraphs 4 and 9 of the witness statement of Andrew David Middleton dated 2 July 2018 on behalf of the Fourth Respondent.

The further Confidential Material added by Order dated 25 March 2019 is:

- 44 The expert report filed in support of the application dated 15 March 2019, together with its exhibits.
- 45 The confidential skeleton argument of the Applicant dated 15 March 2019 in support of the said application.

The further Confidential Material added by Order dated 15 July 2019 is:

- 46 The matters identified as confidential by highlighting in paragraphs 7, 5.3, 12.1 to 12.3, 13.1, 13.2, 16 to 18, 20, 21, 23.1 to 23.3, 23.5, 23.5.2 and 26 to 38 of the expert report filed in support of the application dated 11 July 2019, together with its exhibits.

The further Confidential material added by Order dated 27 July 2020 is:

- 47 Confidential Schedules 2 and 3 of the 2020/2021 Order.
- 48 The matters identified as confidential by highlighting in paragraphs 3 – 7, 7.1, 7.3, 11, 15.1 – 15.4, 19, 19.1, 20 – 23, 27, 31.6, 45 – 52, 59 – 61, 63, 63.2 – 63.7, 64.2, 64.3, 65, 68 – 75, 76.2, 76.3, 77 – 92, 94.1, 94.2, 94.5, 97 – 99, 101, 102.1, 102.2, 104 – 106, 108 – 110, 112 – 115, 117, 117.2, 120.2 – 120.5, 122 – 184, 186, 187, 189 - 191, 192.1, 192.2, 195, 197, and 200 - 334 of the expert report dated 10 July 2020 filed in support of the Application, together with Annexes C to E, and the exhibits thereof.
- 49 The matters identified as confidential by highlighting in paragraphs 10.1, 11.1 - 11.3, 12, 46, 46.3, 48, 53, 55, 60.1, 60.2 – 60.4, 65, 71 - 74, 76.2.2, 77.2, 77.4, 78, 79, 80, 83, 83.1 – 83.4, 89, 90 and 94 of the witness statement of Kevin Plumb dated 10 July 2020 filed in support of the Application.

50 The matters identified as confidential by highlighting in paragraphs 8 to 34 of the witness statement of Robert Kiessling dated 10 July 2020 filed in support of the Application, and exhibit RKK4 thereof.

51 The confidential skeleton argument of the Applicant dated 27 July 2020 in support of the Application.

The further Confidential Material added by Order dated 21 July 2021 is:

52 Confidential Schedules 2 and 3 of the 2021 Order.

53 The matters identified as confidential by highlighting in paragraphs 1, 3, 4, 8, 11, 14 - 16, 18, 19.1, 21 – 24, 26, 28, 30, 31, 33, 33.2, and 34 - 100 of the expert report dated 9 July 2021 and the exhibits thereof, filed in support of the application dated 9 July 2021.

54 The matters identified as confidential by highlighting in paragraphs 8.2, 11, 12.1 – 12.3, 13, 29, 31, 33 – 34, 36, 38, 40.2 and 40.4 of the witness statement of Kevin Plumb dated 9 July 2021 filed in support of the application dated 9 July 2021.

The further Confidential Material added by Order dated 7 December 2022 is:

55 Confidential Schedules 2 and 3 of this Order.

56 The expert report dated 7 November 2022 filed in support of the Application and its accompanying exhibits.

The further Confidential Material added by Order dated 31 July 2023 is:

57 Confidential Schedules 2 and 3 of this Order.

58 The expert report dated 18 July 2023 filed in support of the Application.

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF
ENGLAND AND WALES
INTELLECTUAL PROPERTY LIST (ChD)

Claim No HC-2017-002013

Before: The Hon Mr Justice Richard Meade

Date: 31 July 2023

BETWEEN:

**THE FOOTBALL ASSOCIATION PREMIER
LEAGUE LIMITED**

Applicant

- and -

(1) BRITISH TELECOMMUNICATIONS PLC

(2) EE LIMITED

(3) PLUSNET PLC

(4) SKY UK LIMITED

(5) TALKTALK TELECOM LIMITED

(6) VIRGIN MEDIA LIMITED

Respondents

ORDER

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