

Dated: 15th February 2020

To,
Mr. Vishal Gondal,
Founder of GOQii Technologies Pvt. Ltd.,
Having its registered office at:
101 Satyam Towers, Sanghavi Corporate Park,
Off BKSD Marg, Govandi, Deonar Mumbai
Mumbai City-400088, India,

LEGAL NOTICE FOR CIVIL AND CRIMINAL DEFAMATION

Sir/s,

On behalf of Mr. Sarthak Mishra, S/o S.K. Mishra, C/o Adv. Satish Shrivastava, R/o D2, 21, Assotech Windsor Hills, Gwalior 474001, I have to serve you with the following legal notice:

1. That my client is an honest tax paying citizen of India and an avid player of online real mobile gaming platforms like including but not limited to Rummy, Poker, and other fantasy league games.
2. That you have made public statements and posts on various social media platforms including but not limited to Twitter, Facebook etc., belittling the aforementioned real money gaming like Rummy, Poker and other fantasy league games, which basically are nothing but 'game of skill' as time and again held by the eminent judges of Supreme Court including the present Chief Justice of India. Furthermore, the Supreme Court in 1996 specifically held that *"if the game involves a substantial degree or 'preponderance of skill', even though such a game shall have money as its sole consideration, it shall not amount to gambling as the outcome of the same is not left completely to chance."*

3. That all such statements made by you that real money gaming which is a game of skill is nothing but a menace to the society and subsequent labeling of the same as 'gambling' has tarnished my client's long standing reputation and image in society among his relatives, peers and friends. My Client has been playing the aforementioned skill based games for more than 10 years and over the period of time he has acquired the skills and learned the nuances of the game. It is really very frustrating and preposterous of you to give out statements comparing such skill based games to the menace of gambling.
4. That pursuant to your statements made on social media platforms and the articles that you've published on various websites wherein you have belittled and defamed the skill based game in complete violation and utter disregard to the judgments of the Supreme Court and the law governing online skill based games and fantasy sports in India, My client's repute in the society and among his colleagues, relatives and family members has been deeply impacted and smeared as now they all have started labeling him as a gambler, many of whom were moved and misled by the statements you made and tweets you published wherein you have portrayed real money gaming and skill based games like rummy, poker etc. to gambling which is an addiction and a threat to the society.
5. That you have and you are misleading the innocent citizens of the country including my client's relatives, family members and colleagues who now have a prejudice held against him owing to your statements and your stance on real money gaming platforms. It is pertinent to mention herein that you have also compared to these skill based games like poker, rummy, teen patti as an addiction equivalent to cocaine which is a drug poisoning the youth which has further soiled my reputation among my family members, relatives and my peers, all of whom have started to distanced themselves from him and his immediate family stigmatizing him as a gambler and an addict owing to your misleading statements and tweets.
6. That it is further apropos to mention herein all the tweets and statements that you have made misleading gullible and innocent citizens of our Country into thinking

that such skill based games are nothing but gambling of sorts. You have published an article titled "In the End, House always Wins" dated 11.01.2021 on Medianama, a website which is a premier source of information analysis on technology policy in India, wherein you have preposterously labelled real money gaming as a "misrepresentation which has just not caused loss of income and economic hardship to lakhs of people and even suicide in certain cases. You have further stated that "The services are designed to be highly addictive and misleading with the potential to cause harm to individuals and society." You even went on to state that "The menace of unregulated gambling existing freely in society will lead to an increase in suicide, crime attributed to gambling" and that "more people will enter into a life of crime to fund the habit". It is not out of place to mention that these false, misleading and preposterous statements published by you, have directly impacted the longstanding reputation that my client had built with hard work over all these years and now owing to your statements and tweets, he is merely reduced to being labelled as a gambler and an addict in the society.

7. That your subsequent tweets which you have published namely tweet dated 30.01.2021 wherein you have smeared the real money gaming in skill based games like rummy, poker etc., to be disguised as gambling problem which can cause anxiety and depression leading to an incredible sense of despair ensuing gambling related suicides. Your retweet dated 01.02.2021 wherein it has been stated that "how hypocritical of the regulators! It's like saying cocaine, but with a dosage limit, legally addicting the next generation of the junkies: Gambling Junkies." Such statements made by you have smeared my client's reputation and has caused him immense distress, pain and mental trauma and has further impaired his good reputa over a game of skill which he has learned over the years of practice. Being an avid player of rummy in particular he is now being labelled and being called names like an addict, junkie and a gambler.
8. That your statements and tweets so published by you has resulted in great damage to my client's reputation in society, among family members and peers, all of them are now distancing themselves from him owing to the statements that you have

made labeling online skill based games as gambling and equivalent of menace like cocaine, a prohibited substance, which has further stigmatized the players of these online skill based games like rummy, poker and other fantasy leagues.

9. That it is apropos to mention herein that the statements and tweets published by you in articles on various websites and on social media platforms, has defamed and destructed my client's long standing repute in the society, leading to a situation in my life, where my client is now being targeted and stigmatized as a gambler despite of the fact that rummy, poker etc. are merely games based on skill. But ignoring the facts and truth, you have misled the innocent and gullible citizens of the country.
10. That all of your tweets and statements made on public fora are blatant lies and misleading, it seems you are lobbying against one particular section of gaming by intentionally spreading rumors and false information which has harmed my Client's reputation and has decreased the respect, regard or confidence in which my Client was held. Furthermore, you statements on twitter and articles that you've published on various websites, induced disparaging, hostile and disagreeable opinions and feelings against a certain specific class of society who avidly play rummy or other similar skill based games. Your statements are false, deceptive and preposterous in nature and must be retracted by you, failing which, my Client reserves a right to file a criminal complaint with Cybercrime Investigation Cell.
11. That due to your deliberate act of classifying online skill based games as gambling, you have defamed and smeared my client's reputation among his family & peers. It is further stated that your statements and tweets are nothing but a farce, false and are nothing but a concocted story based on conjectures and surmises. Hence, you are liable for defamation under section 499-502 of Indian Penal Code, 1860 and also for cyber defamation under section 67 of Information Technology Act, 2000. Furthermore, my Client reserves the right to initiate criminal proceedings by filing criminal complaint for defamation and spreading fake narratives which mislead gullible minds of the innocent citizens and causes disharmony and pillories the

reputation of players as a class in itself by comparing them to addicts, junkies and gamblers.

12. That your deliberate act of belittling the skill based games with an ulterior motive to unlawfully and unethically get rid of genuine and fair competition in the market in furtherance of promoting your own substandard ventures amounts to disparagement and unfair trade practices under Intellectual Property Laws, for which you shall be brought to the books, if not complied with the present legal notice.
13. That although, the harm that has been done cannot be compensated in monetary terms but to deter you in future from committing such crimes and making such statements having a bearing on lives of people, the damages for my client are quantified at Rs. 5,00,000/- (Rupees Five Lakh only) along with an unconditional apology on your social media platforms including twitter for belittling, smearing and stigmatizing online skill based games as gambling, within 15 days of receipt of this legal notice
14. You are notified accordingly.

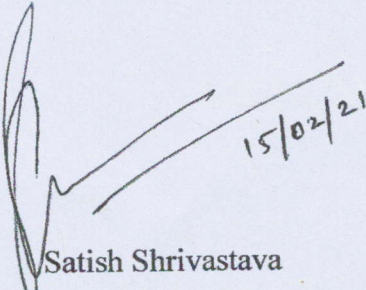
In view of the above, kindly treat this as last and final notice and last opportunity to pay my client aforementioned damages for smearing his reputation and sully his good image in the society and among his relatives and family members. You will also have to assure not to engage in such narratives in future. Furthermore, my Client reserves the right to initiate criminal proceedings by filing criminal complaint in nearby Police Station against your statements and tweets along with your interviews wherein you have published false information and soiled the reputation of certain section of society who play aforementioned skill based games, in order to induce or cause disharmony in the society.

You are hereby called upon to release the aforementioned damages within 15 days of receipt of this notice, failing which our Client would be constrained to take appropriate legal action, for defamation, both civil and criminal, in appropriate Courts of law against you and other reliefs as are available to our Client.

Please further note that in the event of such proceedings, you the Addressees alone will be liable for all the costs and consequences resulting there from. You are further called upon to pay Rs. 50,000/- as legal charges and cost of this legal notice.

Govern yourself accordingly.

Copy kept for reference.



15/02/21

Satish Shrivastava
(Advocate)