

THE INDIAN
IMI
MUSIC INDUSTRY

**THE SYMPHONY
OF SUCCESS:**

**The Rise of
the Indian
Music Industry**

ANNUAL REPORT 2023



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Vikram Mehra, Chairman, IMI

An Overview of the Indian Music Industry 2023

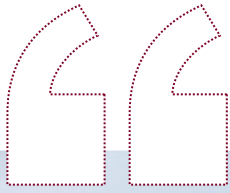
Dear colleagues in the music industry,

As Chairman of the Indian Music Industry, let me begin by placing on record our heartfelt gratitude and thanks to our Honourable Minister Shri Piyush Goyalji (Minister of Commerce and Industry, Consumer Affairs, Food and Public Distribution, Textiles), it is through his intervention that the record labels and the performers resolved a decade long standing dispute, and are now working together. Hon. Minister also engaged with us twice this year and spent quality time understanding the point of view of all the stakeholders. The industry also spent quality time with our Joint Secretary Ms. Himani Pande IAS, Registrar of Copyright Prof. (Dr.) Unnat Pandit and DPIIT Director Mr. Karan Thapar IRS on various occasions, especially during the stakeholder's consultations. We are also glad to read that Dr. G R Raghavendra is back to DPIIT. We look forward to working closely with all of them in the months ahead.

Globally it has been a year of negative news, the prolonged Russia – Ukraine war, the ongoing Israel – Hamas conflict in Gaza, economic data indicating slowdowns and, in some cases, negative growth. India is the shining exception to this narrative. And for the music industry in India, all we can proudly state is that we are finally seeing light at the end of the tunnel. Starting with

a number of audio streaming platforms going behind a paywall and the remaining are expected to follow suit. That's a big plus as, globally, consumers do pay a premium for non-ad supported music. This is not a new phenomenon. The CDs, Cassettes, LPs have been replaced by streaming platforms. An era gone by if you wanted to have easy access to your favourite soundtrack or artists' music, you hopped across to a store and purchased a bunch of CDs. Premium streaming is now offering the consumer much more than what a CD offered and hence, creating a value proposition for the consumer. Keep in mind 90% of our industry revenues comes from digital services. All DSPs are now moving or have plans to move to offer premium services to the consumer and that is a positive sign. A paid ecosystem is beneficiary to all stakeholders. Less than 10 years ago, China was behind India in terms of recorded music market. However, today India ranks 14th and China ranks 4th in the IFPI global music market rankings, all on the back of a paid ecosystem.

Just like in other countries, Short Format Video Apps are growing briskly in popularity in India also. The advertising monies will follow the increasing eyeballs, and then all these Apps are expected to share these revenues with the copyright owners, once again benefiting the entire industry.



No industry forum or keynote can end without the two magical alphabets that has caught the attention of heads of States, attracted over a trillion of dollars in investments, and impacted valuations either positively or negatively - you guessed it right, it is AI



As for the whole music ecosystem, radio continues to grow at a brisk rate (Radio segment revenues in India grew 29% in 2022 to INR 21 billion). Live Events based on industry trends will have the best year ever in 2023. Per the CISAC Global Collections Report 2023, the IPRS (Indian Performing Rights Society) has observed a twelve-fold increase in revenue collection in the last five years with a 92.5 per cent year on year growth. This is what I have mentioned in my earlier addresses, "symphony happens," when all stakeholders work together and all stakeholders across the spectrum benefit, in this case songwriters, lyricists, composers and publishers. Our deal between the labels and Indian Singers Rights Association (ISRA) now rechristened to Indian Singers and Musicians Rights Association (ISAMRA) is in its second year. It's only a matter of time that we will see the increase in public performance revenues. Revenues from public performance benefits singers, musicians, copyright owners. On the subject of public performance, IMI whole heartedly supports the initiative by DPIIT for a "single window clearance" for the individual consumer utilising music for on-ground events.

At the national policy level, we welcome the statement made by the Minister of State for Skill Development and Entrepreneurship and Electronics and Information Technology of India, Shri Rajeev Chandrasekhar that the proposed Digital India Act to reconsider the absolute intermediary safe harbour immunity granted under the IT Act and further tighten the intermediary liability provisions, which is a long-standing demand of the industry. The recent amendments to the Cinematograph Act and the appointment of nodal officers to curb online piracy is welcomed whole heartedly by all stakeholders.

No industry forum or keynote can end without the two magical alphabets that has caught the attention of heads of States, attracted over a trillion of dollars in investments, and impacted valuations either positively or negatively - you guessed it right, it is AI. All that we can say at this moment, the need of the hour is respect for copyright when it comes to generative AI.

I end by wishing you all the very best for 2024.

Generative AI: Guardrails is need of the hour for creative sector

Despite archaic copyright laws and rules, the growth in the recorded music industry in India has largely come about as the record labels have managed to build a very healthy streaming economy, ensuring that Indian consumers have access to content on the backbone of our nationwide digital ecosystem. It has been years of consistent hard work by the record labels by reinventing themselves to cope with the ever-changing digital landscape, grappling with online piracy, signing accords with the creative community and challenging non-compliant platforms. Amongst all this, **human artistry** has been and will always be the epicentre for the recorded music industry.

The old comparison of the music industry being the canary in the coal mine can best be explained as “Whatever technology does to music, it does to every other sector in the media and entertainment landscape five years later”. So, paying attention to tech trends and tech disruptions in the recorded music industry is a must for the whole creative sector and law makers. Kudos to the record labels for early adaptation to digital trends.

The development of the music industry is intricately intertwined with that of technology. Our industry embraces new technologies and the creative and commercial opportunities that these technologies bring about. AI is no exception. The music industry recognizes the potential of many forms of generative AI, from innovating new tools which will enrich creative processes and recommendation tools that will offer consumers a superior offering. The creative community will find amazing new ways to put AI to work as they tell new stories and innovate new sounds.

At the same time, with the generative AI tools available today, it is important to understand the threat generative AI can unleash to human artistry that has always been the central focus of the creative sector.

If generative AI is left unregulated the livelihoods of millions employed in the music ecosystem and the media and entertainment sector in India and globally could be in jeopardy.

Hence the need for guardrails to be put in place which recognises and respects the value of human artistry. For us to reach the goal of a USD 100 billion media and entertainment industry by 2030, it is necessary for the Government of India to install sufficient guardrails for the use of AI to ensure IP rights, including copyright, is respected and that there are robust rules on transparency.



Blaise Fernandes, President and CEO, IMI



The music industry recognizes the potential of many forms of generative AI, from innovating new tools which will enrich creative processes and recommendation tools that will offer consumers a superior offering. The creative community will find amazing new ways to put AI to work as they tell new stories and innovate new sounds.

The key principles to follow when framing a robust policy for the beneficial development of responsible human centric AI are:

- 1.** Copyright protected works must only be used with prior authorisation.
- 2.** Robust transparency obligations must be imposed on AI developers and deployers, to ensure an ethical, responsible and human-centric AI technology. The absence of record-keeping should amount to a presumption of infringement.
- 3.** Purely AI generated works should not be granted copyright protection.
- 4.** Personality/publicity rights of human artists should be respected and adhered to by developers, service providers, and users of Generative AI.

All these measures will help ensure that AI thrives as a technology that enhances rather than threatens human creativity.

IMI welcomes the various initiatives undertaken by the Govt. of India to address the AI concerns relevant to the creative sector as noted below:

- 1.** G20 New Delhi Leaders' Declaration acknowledged use of AI for the public good by solving challenges in a responsible, inclusive and human-centric manner, while protecting people's rights and safety. The declaration also highlighted the important elements of fairness, accountability, transparency and explainability to ensure responsible AI developments and use.
- 2.** The New Delhi Declaration on AI adopted unanimously by 28 countries at the Global Partnership on Artificial Intelligence (GPAI) summit held during 12-14th December addresses various AI including lack of transparency, fairness and intellectual property protection.

3. The UK Bletchley Declaration agreed by 29 countries including India supported the development, deployment and use of AI in a way as to be human-centric, trustworthy and responsible.

4. Communications and Electronics & IT Minister Shri Ashwini Vaishnaw while interacting with representatives from academia, industry bodies and social media companies highlighted the need for an effective response to deepfakes. The Government identified four pillars -Detection, Prevention, Reporting and Awareness - in order to respond to the deepfake concerns.

5. An advisory letter issued by the Ministry of Electronics and Information Technology (MeiTY) to the significant social media intermediaries to ensure that due diligence is exercised and reasonable efforts are made to identify and take expeditious action against deepfakes.

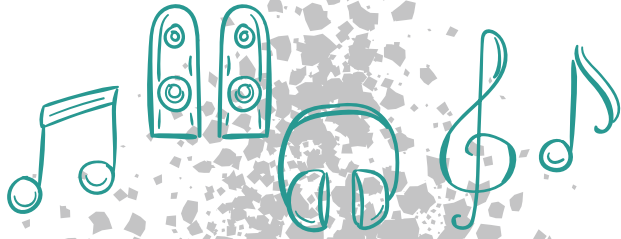
The recent provisional agreement on Artificial Intelligence Act in the European Union is an important step to the right direction and provides a model for the rest of the world. The Digital India Act (proposed), currently in the works, is expected to address the issue of the challenges faced by generative AI. If the rules and the public messaging is not clear then there is a high risk that all the risks and too few of the upsides with AI will be realised.

Changing online piracy landscape and challenges due to Cyberlockers



India has one of the most vibrant and exciting music cultures in the world. Driven by the rich and diverse music of its artists and the work and investment from record companies, India's recorded music sector is seeing strong growth – up 48% in 2022 (according to IFPI's Global Music Report 2023). With Indian music fans having access to more licensed digital services than ever before, the country could soon become one of the world's largest music markets. However, the issue of piracy is holding back its potential and jeopardising the growth prospects of India's music industry.

Melissa Morgia, Director of Global Content Protection and Enforcement - IFPI



According to IFPI's research almost three-quarters of internet users (74%) in India are accessing unlicensed services to listen to music. These illegal services make large amounts of money from music while paying nothing at all back to the Indian artists creating it and the labels that are investing in it. One form of music piracy of particular concern is the use of dedicated file storage and sharing sites (also known as "cyberlockers").

There are many legitimate file storage services that offer the ability to upload and share materials for business and personal purposes, but cyberlockers are quite different. Cyberlockers incorporate various features which are clearly distinct from the functionality offered by legitimate online storage providers

They allow users to upload and store content, and to share links that typically allow an unlimited number of other users to download the content. They are designed for the large-scale hosting and distribution of infringing content and to maximise revenues from this activity. Cyberlockers typically generate revenues via advertising and/or the offering of premium accounts that give users access to faster and simultaneous downloads and larger file sizes and affiliate schemes. Since their financial model is based on the sharing of content, the operators encourage the uploading of content that has a wide audience, such as popular music.

Cyberlockers generally allow users to upload and download content anonymously, which makes them attractive to those that seek to share illicit content. To encourage broad distribution, they enable links to the hosted files to be easily and widely shared including on social media. They also allow download links to be indexed by search engines.

These features make cyberlockers powerful breeding grounds for illegal activity; this includes the unauthorised dissemination of copyrighted materials, such as movies, TV shows, music, software, and audio books, and also other illegal and offensive content including material relating to human trafficking and child-exploitation, extremism and other threats to national security.

In India the use of cyberlockers is a major problem for music right holders. It is estimated that there were over 9M music visits to cyberlockers from India in the twelve months between November 2022 and October 2023.

Cyberlockers are widely used for pre-release piracy. Stolen content which has not yet been commercially released is often sold at a premium and anonymously shared via these services. We are now also seeing cyberlockers used to host and share AI generated content that infringe the rights of record companies and their artists – using their songs and their voices without permission.

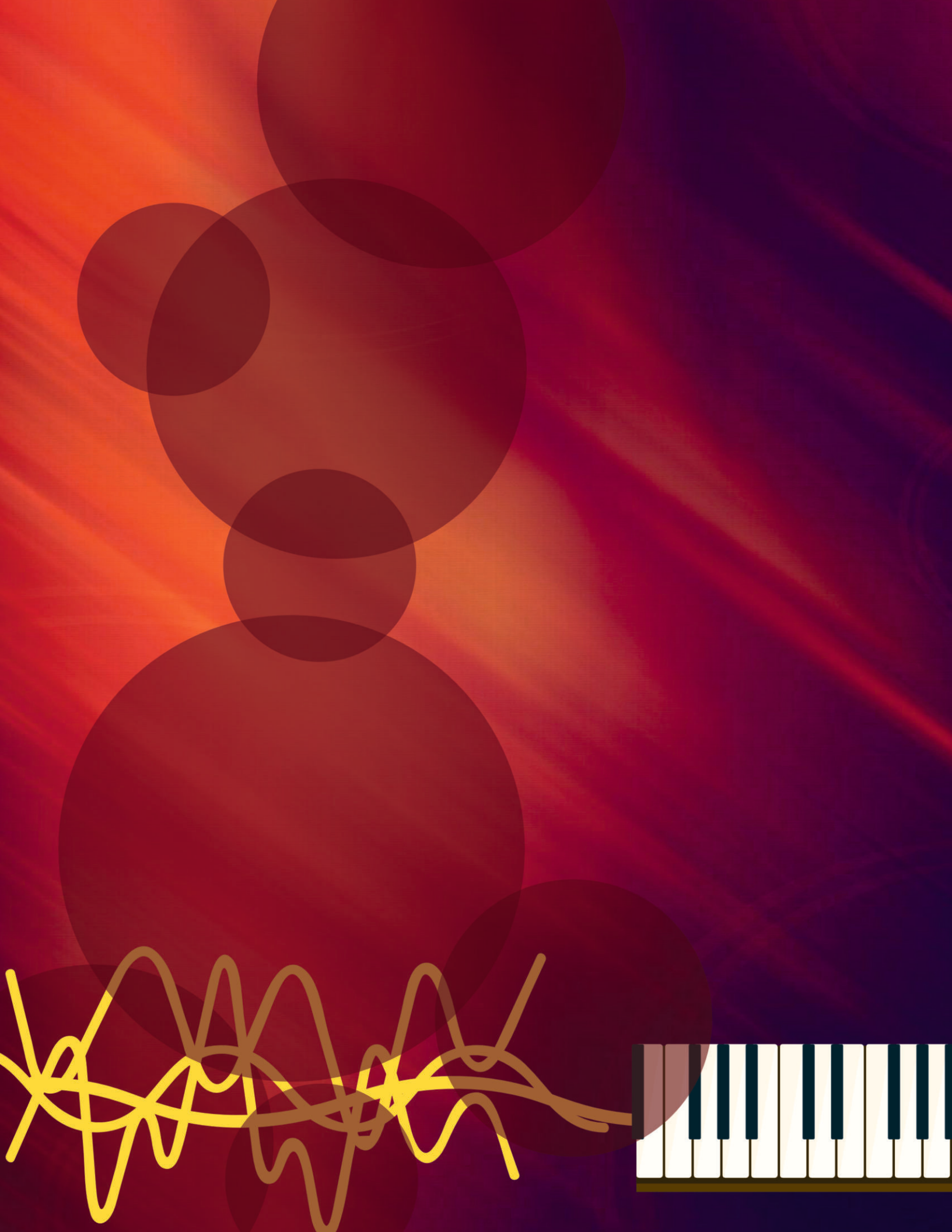
Direct legal actions against cyberlockers are hampered by the fact that operators go to great lengths to hide their true identities and use online intermediaries who turn a blind eye to infringing activities. In these circumstances, effective website blocking by internet service providers is therefore a vital remedy for right holders.

The need for effective blocking procedures is all the more critical because many cyberlockers take no action in response to infringement notices sent by right holders. Moreover, cyberlockers are not technical, automatic, and passive intermediaries and they should therefore not be able to claim that they are not liable for the content shared on their service in the first place.

As much as been recognised by the Court of Justice of the European Union which recently confirmed that cyberlockers can be held liable for infringing content being shared on their service. According to the court this is the case where the operator has general awareness of copyright infringements and fails to take effective measures to prevent infringements, provides tools specifically intended for the illegal sharing of protected content, or knowingly promotes illegal sharing of protected content.

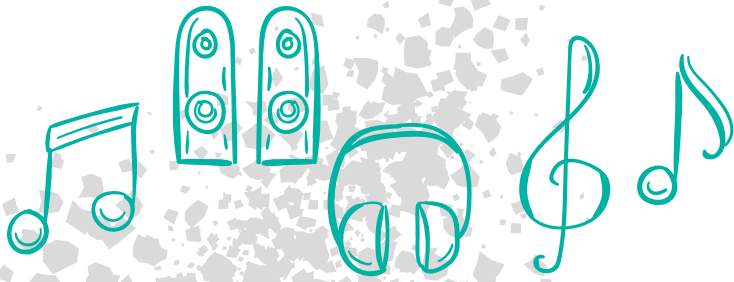
IFPI, together with IMI, will continue to work with the Indian government to use the full force of the law in protecting music copyright, but we need to ensure that there is recognition that infringing business models such as cyberlockers are not able to evade enforcement action and that right holders have effective tools to tackle piracy threats more generally, including administrative website blocking of piracy services and dedicated IP crime units.

The Indian music industry is growing and has the potential to be a cultural and economic force both at home and globally. It is absolutely right that the investment that goes into that receives full protection and we will continue to act against illegal music services.





Expert Speaks



Unveiling Jurisprudence in the changing Intellectual Property Rights landscape.

(As narrated to Jenil Shah)



**Justice Manmohan Singh,
Former Chairperson of IPAB**

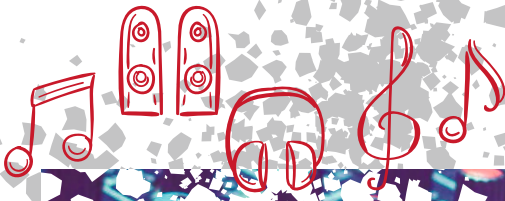
Could you briefly describe your background and what factors influenced you to seek a profession in law and the judicial system? During your tenure as a judge at the Delhi High Court, what were some of the most difficult and satisfying judgments especially in the field of Copyright?

My background was very ordinary and humble. I was born in Kolkata and at the age of 2 years, my father passed away. Both my parents came from Peshawar and, later on, after independence, they resided in Kolkata for a while, however after the demise of my father, my mother who remained a widow for more than 50 years came to Delhi along with me. I was provided education by my maternal uncle Late Sh. Anoop Singh ji, who was a legal luminary practicing in the field of Intellectual Property rights litigation from the pre-independence era and thereafter in Delhi High Court and Supreme Court. I started my career in the Chambers of Sh. Anoop Singh as a graduate and then became a lawyer and worked with him until his demise in the year 1989 and then started practicing independently in the year 1990-1991.

The factors that influenced my decision to become a lawyer and eventually a judge was simply to earn my livelihood as a lawyer as I was not having any other inspiration in the family at that level of education. My immediate family was struggling because of the partition. As for me becoming a judge is concerned, the two reasons that influenced my decision to become a judge were:

The first was that I had seen lots of struggles in my family's life in terms of getting the education and settling after the struggles as a lawyer. My mother had to make so many sacrifices for me in order to ensure that I got an education and become a lawyer. In fact, she always used to have a belief that I will become a Judge in her life time. So, when the moment came, it was quite an emotional moment for me where I found this as a duty entrusted to me by god and also the blessings of my mother that I could not say anything but a simple yes to become Judge despite the fact that at the relevant time my practice was also earning lots of achievements and I would have earned more had I remained as a lawyer.

The second reason was the faith of the Senior Judges over me and my integrity as a person. This was also one of the major factors wherein, I believed that Senior Judges had recommended my name despite the fact that I was not belonging to an affluent family and they were reposing faith on me to do well and excel as a Judge, so, I took this as a very positive sign of my overall growth as a person and accepted the Judgeship with humility.



With respect to the most difficult and satisfying judgments in the field of Copyright, I believe that every judgment writing is itself a project in itself requiring complex legal research and challenges underline the appreciations of facts and evidence. However, to name the few Judgments which are considered by me as satisfying were a. *Music Broadcast limited vs Tips Industries Ltd & Ors*¹ The said Judgment was challenging as it was heard and decided during covid times, in an online mechanism, with the voluminous records, running into entire room full of files. The said judgment was satisfying as it involved legal issues touching upon the rights of the authors to have their share of royalty apart from the other stake holders in the music industry when the sound recording is played on the radio. The Supreme Court, in the case of *Indian Performing Rights Society vs Eastern India Motion Picture Association*² way back in the year 1977, lamented the deprivation of the share of royalties of the authors. Thereafter, despite the amendments in copyright law in the year 2012, the curative interpretation has not been done by the courts and the legal issue continued to be debated upon without any fruitful results. IPAB, proceeded to evaluate the purpose of amendment in the copyright law and upheld the rights of the author. I believe that any interpretation of the

copyright law, where the rights of authors are at stake as beneficiaries should be balanced out with the other competing interests in such a way that the authors are not left out.

In the case of *Institute of Inner Sciences v. Charlotte Anderson*³: This case decided the legal issues which were most modern and contemporary of the times that included whether Asanas or postures of Yoga are copyrightable and also the dramatic works. The facts of the case were that a Philippines-based Institute for Inner Studies (IIS) sought to restrain some persons from teaching the 'asanas' (postures) claimed to be developed by Master Choa Kok Sui, who is the founder of the institute. Institute pleaded that their yoga techniques and 'Pranic healing' were claimed under copyright. IIS claimed copyright over 9 titles of book written by the Master, CD Roms and trade literature where the techniques were compiled. IIS further claimed that the performance of 'Pranic Healing' technique was a work of choreography and hence copyrightable under Section 13(a) of Copyright Act, 1957 as a "dramatic work. So, I had to make a detailed discussion on the subject of the Copyright Law especially the Idea and Expression problem which is a very interesting proposition. So, I proceeded to observe in this case that the mere fact that there is a book recording the Asanas or Techniques of Yoga, that will not give exclusivity to the

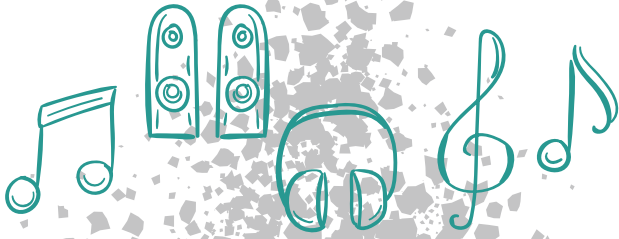
author to practice the Techniques and the Idea of the book cannot become proprietary of the author of the book. This will give patent style monopoly to the author when in fact the purpose of the publication of book is to prevent its replication. This was further supported by the fact that the historical facts or facts which are part of the mythology or culture of the country cannot be monopolized by writing the book. So, this distinction of idea and expression dichotomy which is quite a nuanced legal issue became the reasons for not protecting Yoga as a technique when it's reduced into writing. The famous legal principle cited from US court was "To give to the author of the book an exclusive property in the art described therein, when no examination of its novelty has ever been officially made, would be a surprise and a fraud upon the public. That is the "province of letters-patent, not of copyright". Since, there was no judgement in India on this topic and the legal guidance on the subject was also very less except the US decisions which were also on the lines of the view which I had taken, so it became quite challenging as well as satisfying decision of the times.

Likewise, there were many other times in my tenure as a Judge of the Hon'ble Delhi High Court, when I took the challenge upon myself and gave the judgment in a time bound manner, wherever the need of justice was required.

¹ Music Broadcast limited vs Tips Industries Ltd & Ors Decided on 31.12.2020, by IPAB.

² of Indian Performing Rights Society vs Eastern India Motion Picture Association AIR 1977 SC 1443.

³ Institute of Inner Sciences v. Charlotte Anderson MANU/DE/0084/2014



What changes or developments would you like to see in the Indian Intellectual Property Law in order to strengthen the enforcement and protection of Intellectual Property Rights?

As a person being a part of legal system for more than 40 years, I have seen the amendments that have been carried out number of times in various IP laws including the Trademark Law, Patent Law, Copyright law and Design Law. The legal frame work of substantive IP laws is in consonance with the international standards and the common law jurisprudence existing in various countries. Therefore, one cannot generalize this fact that Indian laws need improvisation on every level rather I would say it is a matter of implementation and procedural that may require improvement on ground level to get the effective result instead of simply making the amendment one after another. Few of the legal steps taken by the court in India in the recent past from the year 2020 onwards can be summarized in the following manner:

Creation of IP Division (IPD) in various high courts across India: This step is taken by the High Court in view of the law framed by the Parliament relating to abolishment of IPAB "Intellectual Property Appellate Board". The creation of IPD in various High Courts have certain benefits attached to the same which are that you will always have the judge to hear the administrative side of cases relating to IP laws like oppositions, rectifications, licensee disputes etc. Bringing all the cases in under one roof also allows the court to have the benefit of forming the overall view of the matter and dispute involved between the parties. The biggest example is the

Cancellation and Suit proceedings being decided together. This step is a welcome step and I am quite hopeful that, in the coming years other courts would also have an IP Division and function in a similar manner like in Delhi where it is already functioning properly.

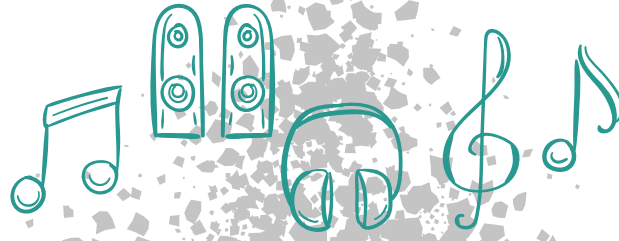
Training of examiners and encouraging them to decide decisions on merits with judicial analysis: The courts are time and again writing judgment against the order of the Registrar of Trademark, Copyright etc. asking them to provide the reasoned decisions and write decisions on merits instead of passing default orders. Default order can bring quick justice to beneficiaries of the system but eventually it leads to log jam of the disputes which merits decision making through legal analysis. Therefore, if the decision making of the IP office's all over India is corrected at ground level, then possibly when it reaches the High Court level or superior court level, the decision will be less susceptible to interference and shall lead to finality and disposition. The system is working in this regard where the new examiners are being hired on contractual basis every year and are showing positive results in their actions. I hope that things will improve in future.

Focusing on rendering final judgment instead of interim order: The Supreme Court of India has already laid down the various cases, that with respect to the IP cases the trial should be conducted at day-to-day basis and should be concluded at the earliest. I personally being an IP practitioner will not say interim order is not necessary rather interim order is necessary and significant in IP case but the final judgement is equally necessary in the interest of justice.

Most of the IP matters which are pending for more than 10-15 years are resolved by the party amongst themselves rather than waiting for the court to decide the case finally. When the cases are finally decided, they become merely academic issue instead of retaining the interest of parties in the matter. Such situation should not happen in IP cases. If we really want to improvise the system, we should adopt some system where the longer roster is given to a Judge so that he can understand and appreciate the evidence and decide the case from initial stage till final stage. This is because the frequent change in the roster system is equally contributing to the pendency in the IP cases.

These are few steps which I believe should improvise on administrative side as well as the enforcement side of IP Law.





What are some of the most key aspects of the Indian IP regime vis-à-vis the international IP regime and how do you navigate conflicts or harmonize interpretation across jurisdiction?

The answer to this question cannot be answered in few words. However, I will try to give some instances and insights:

a) In the field of copyright, there is always a debate internationally with respect to the scope and ambit of moral rights. The similar question arose in the case of *Pee Pee Publishers and Distributors (P) Ltd. Vs. Neena Khanna and Ors*⁴. The question in this case was as to whether the right of retraction or withdrawal of moral right is available in the Indian jurisprudence keeping in view of the French law which provide for said retractions / withdrawal. By placing reliance upon the legal principle laid down by the Supreme Court of India in case of *Vishakha and Ors. v. State of Rajasthan and Ors*⁵, where the Hon'ble Supreme Court has stated that international law can be relied upon in cases where municipal law is silent, I concluded that right of retraction / withdrawal of moral right is not available within the realm of Indian regime on moral rights especially the provisions of Section 57 of the Copyright Act 1957 which does not provide about the said withdrawal.

This case can be said to be an example in order to understand that as to when can the Court take rescue of the international law and when can the Court discard the same when the local law provides for otherwise.

b) Likewise, in the case of *Telefonktiebolaget LM Ericsson (PUBL) Vs. Lava International Ltd.*⁶, which was decided by myself, I relied upon the international law relating to grant of FRAND terms of royalty in the context of standard essential patents and proceeded to observe that FRAND is a balance between ensuring the availability of an open, global standard to a new entrant and incentivizing development of that standard by rewarding those who contributed to the standard with their R&D, at the same time at fair, reasonable, and nondiscriminatory rate. Further proceeded to that FRAND License Agreement is necessary to avoid the injunction in order to utilize the standard essential patented invention.

c) In the case of *John Wiley and Sons Inc. and Ors. Vs. Prabhat Chander Kumar Jain and Ors*⁷. The said case related to copyright infringement involving the legal question as to whether the acts of the defendant of diverting the low-price edition of the books which are meant for sale in India and neighboring states to other countries like US and UK, for which the books are not meant for sale amounts to infringement of copyright or not. While answering the question in affirmative, I had relied upon the international law and proceeded to interpret the provisions of Indian copyright law to observe that defendants being the purchaser of the books from the licensee of the Plaintiffs who are given limited rights to publish the books in few territories only. Therefore, the territorial restrictions that are applicable to the licensees shall also be applicable to the purchaser of the books from the licensee having limited title. Therefore, the diversion of the books through exports to countries other than those for which the license has been provided amounted to infringement of copyright. In this case, the internationally debated principle of Exhaustion of Rights was also argued at great length before the court. However, on the facts of the case, I had rejected the applicability of the said principle, in as much as the purchase made from the licensee having limited title cannot proceed to pass-on better title to the purchaser. The restrictions on the books are self-evident as they are present on the cover page of the books and therefore, the consumer and purchasers are made aware about the said restrictions.

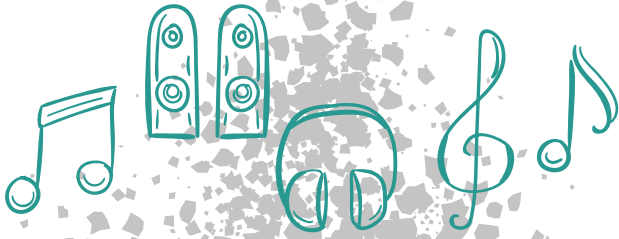
As such, I proceeded to depart from the international exhaustion principle on the different set of facts argued and pleaded before me. The above cases are only handful of few cases where the courts have dealt with the international IP regime and try to mould the same in consonance with the Indian legal position and try to adapt them wherever possible to harmonize Indian law as well as international law. The situations for taking the rescue of international law vary due to the facts and circumstances and the cultural, economical facts and other factors within which the judgment is passed. Therefore, one can only learn from the precedents and where the precedents are not there, then as a judge, one can to decide on first principle while reading the international law and Indian law alongside each other.

⁴ Pee Pee Publishers and Distributors (P) Ltd. Vs. Neena Khanna and Ors. 2010/DHC/3633, MANU/DE/3916/2010

⁵ Vishakha and Ors. v. State of Rajasthan and Ors. AIR 1997 SC 3011,

⁶ Telefonktiebolaget LM Ericsson (PUBL) Vs. Lava International Ltd. MANU/DE/1482/2016

⁷ John Wiley and Sons Inc. and Ors. Vs. Prabhat Chander Kumar Jain and Ors. MANU/DE/1442/2010



The rapid growth of e-commerce and digital platforms raises questions about intellectual property infringement. How do you envision intellectual property laws evolving to effectively tackle the challenges in the digital realm?

The era of e-commerce and digital platform has come with its own share of complexities and legal issues which are debated in the court of law. Whereas in the physical shop, it was pretty easy to fasten the responsibility and liability over infringement of Trademarks and Copyrights. On the other hand, in the cases relating to digital libraries like library genesis and other platforms for purchasing and selling of goods, there are various legal defenses pleaded to seek exemptions from the infringement of intellectual property rights. At the same time, I would not say that the situation is not understood by the courts, the courts are now realising that digital platforms cannot claim in-definite exemptions and rather, the debate in courts have risen to another level, where the courts are limiting the scope of the exemptions granted to various platforms. At the same time the platforms are seeking various different novel arguments to evade their liabilities. I would share a few instances regarding the same.

In the case of *Neetu Singh and Ors. Vs. Telegram FZ LLC and Ors*⁸, the Delhi High court, rejected the claim of the defendant and held that merely because Telegram chooses to locate its server in Singapore, the same cannot result in the Plaintiffs' - who are copyright owners of course materials - being left completely remediless against the actual infringers, especially in order to claim damages and avail of other legal remedies in accordance with law. Hence, the circulations of copyright infringement material shall not be circulated over, any telegram channels. Thereafter in the case of *Swami Ramdev and Ors. Vs. Facebook, Inc.*⁹ and Ors the Delhi High Court held that: all infringing material shall be disabled by the Platforms on their own, in terms of their policies, and as the same is global. So, any uploads made from any part of the world shall be disabled if the same is infringing. Further in the case of *Google LLC v. DRS Logistics (P) Ltd.*¹⁰, the Division Bench of the Delhi High Court held that "the use of the trademark as a keyword in the Google Ads Programme would amount to infringement under the Trade Marks Act, 1999".

The above are only few leading and recent cases wherein the court have protected the rights intellectual property owner against various types of digital platforms. What I see in future, that the quantum of digital style infringement would further increase and become new normal. The courts are already ready with stringent interpretation of the laws on social media platforms like Facebook, Google, Telegram etc, and would strive hard to protect intellectual property, be it physical or digital.

⁸ Neetu Singh and Ors. Vs. Telegram FZ LLC and Ors MANU/DE/3170/2022

⁹ Swami Ramdev and Ors. Vs. Facebook, Inc MANU/DE/3436/2019

¹⁰ Google LLC v. DRS Logistics (P) Ltd, MANU/DE/5136/2023



What recommendations do you have as a seasoned legal professional for young attorneys and others considering a career in intellectual property law or the judiciary?

For the young professionals, I would start with saying that the field of intellectual property law, has a wider scope of creativity and evolution in formulating legal cases and the arguments made before the court of law. In fact, as a judge in the Hon'ble Delhi High Court as well as in IPAB, I have witnessed several young advocates preferring very unique arguments with extensive preparations. Since this law involves legal research, remaining updated with the newer spheres of the ever-increasing realm of intellectual property, it is more beneficial for the young advocates than ever before. During my times, there was no computers and one had to really work hard by sitting in library finding case laws and formulating arguments. I would say in this era of digitalization where the entire case is conducted on computers, the challenges are different as one has to be more systematic, computer literate and reasonable level of preparedness is required to make synchronization with the computer vis-à-vis the Judge. Therefore, there is another level of preparation that is required to present the case in the newer digital format. I think that young generations can very well get along with the technological advancement and is already ready for

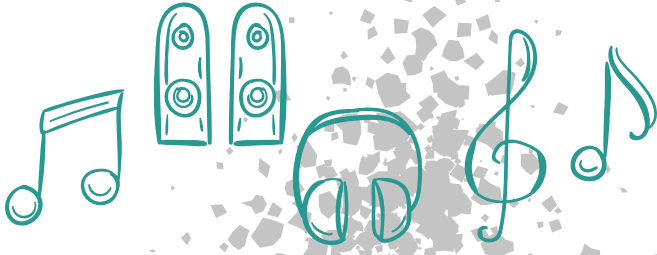
presenting the case in the digital format. Lastly, I would say that young advocates nowadays are coming with their own offices within a short span of time of 2-3 years, although it is encouraging to have one's own practice in this short period, I would still say that in order to gather wider perspective of this field of law and gain knowledge, it is always advisable to have a mentor guiding them for years together. I still remember, that I started my individual practice, the year 1990, after the demise of my maternal uncle, who was the guiding force for me. Therefore, gaining such experience would rather be helpful for the young generations to become more knowledgeable along with being technologically advanced.

Whereas when it comes to young professional considering the judiciary, I would say at the outset that becoming a judge comes with a lot of sacrifices as there exists a code of conduct and discipline attached to functions as a Judge. Moreover, it looks very fascinating when seen from the outside world to become a honorable and respectful judge, however in order to earn that respect and wide acceptability of the bar and public in general, one has to be an extremely responsible and sensitive person to the issues involved in the matters and also to ensure timely justice to the litigant. All this makes this profile of a judge, a hard-working position where one has to be responsible, patient, caring, sensitive

and wise decision maker only then one can think of becoming of Judge. Let me also inform you that the court cases pending before the court of law are too many and one remains short of time when it comes to hearing and deciding of the cases whole due consideration to each and every case. Therefore, another vital factor to be considered prior to pursuing this noble career is to ask oneself a question as to whether I am ready to give substantial amount of time each day regardless of any leaves in the service of reading, writing and appreciating the cases and judgments. This gives one a fair assessment of the role and functioning of the judge if one is to opt for Judgeship as a profession.

The flip side of what, I have said above is quite satisfying, with these sacrifices, you gain acceptability and respect which cannot be equated with anything else. I myself am the beneficiary of the system, as the bar and public have accepted me as a respectable judge and therefore, I would encourage the young lawyers who are enthusiastic and can devote their time and efforts as narrated above to become a judge and set new milestones. The added benefit nowadays is to the lawyers who are practicing intellectual property rights to become an IP judge to decided technical IP cases. Therefore, the house is open for all the young IP lawyers as well as others to become a judge of different courts.





Building Dreams across Boundaries



Vivek Raina,
Believe India
(Managing Director)

How would you describe Believe India's first 10 years in 140 characters?

A decade of empowering local artists and labels across languages and genres to grow their audiences with fairness, transparency, expertise and respect.

In Digital India & Digital Bharat, what are the plans to tap the digital potential of our country?

Most Indians are now active internet users, with 52% of the population (759 million people) accessing the internet monthly in 2022, according to a report by IAMAI and Kantar. By 2025, this number is expected to reach 900 million.

With this growth, we anticipate, based on internal data analysis, that paid streaming users in India to increase from 7 million to 61.4 million by 2032, with market penetration rising from 0.5% to 4.2%. Given the current push for subscriptions, these figures may be achieved even sooner.

In the coming decade, we anticipate a significant surge in digital adoption in the entertainment industry, propelling India's music ecosystem to new heights. This shift will create opportunities for both artists and local labels to establish and develop a sustainable income from digital music consumption.

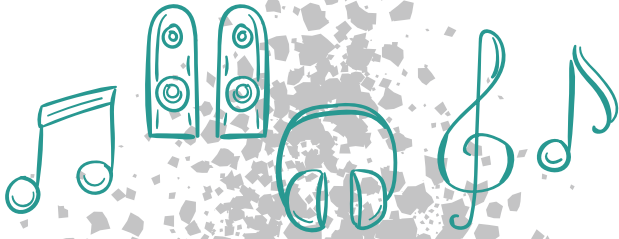
Exploring the full potential of the market, we aim to grow across all languages and geographies, catering to a diverse range of artists and labels and not restrict ourselves to top cities/regions. Given India's rich music culture and heritage, the digitization will pave the way and serve as a pathway for artists from the remotest corners to thrive and earn a livelihood from their music.

What are Believe's plans to engage with an emerging Live?

As the live entertainment ecosystem makes a robust comeback and the market gradually embraces the ticketing model, we are reassessing our approach to forge stronger partnerships in nurturing new talent on the live side, much like the successful development we've achieved on the digital front in the years ahead.

Your vision for the Recorded Music Industry in India pluses and minuses.

Overall, we anticipate that the Asia-Pacific (APAC) region will evolve into one of the world's biggest music markets over the next decade, with India playing a significant role within it. Throughout the past 10 years in India, we have committed to bringing back the attention of the local audiences, and the revenues that come with it, towards local content.



Keeping this in mind, I can only envision positive outcomes:

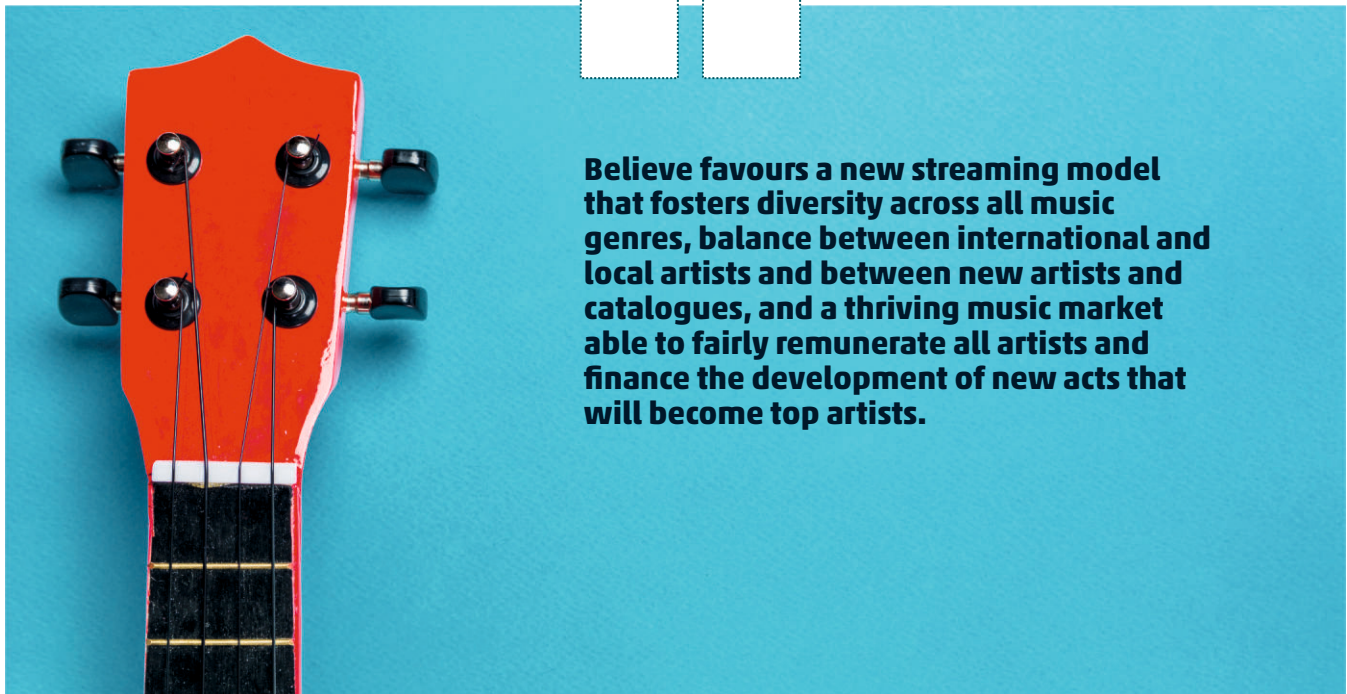
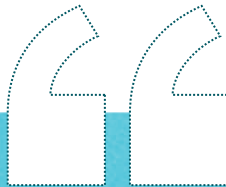
- i)** A more diversified and democratized industry with a robust local market for homegrown artists and labels.
- ii)** An industry where the majority of professional artists can sustain themselves through the recording business, either directly or through the labels they collaborate with, reducing dependence on live performances.
- iii)** A vision for India, as a nation, having dedicated cultural and music development programs for the local market and with policies to export and promote artists and music on a global scale.
- iv)** Additionally, I believe there should be a structured educational program that fosters diversity and attracts fresh talent to the recorded music industry. Media programs typically emphasize traditional media, often overlooking the nuances of the music industry. Hence, the creation of a specialized music business program would be highly beneficial.

Where do you see Believe India in 2033?

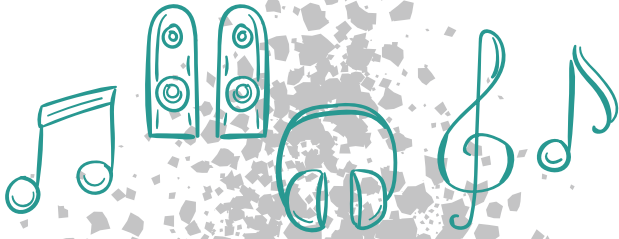
As Believe, we eagerly anticipate remaining at the forefront of India's independent music revolution, shaping a music industry that is fairer, diverse and balanced for labels and artists.

Believe favours a new streaming model that fosters diversity across all music genres, balance between international and local artists and between new artists and catalogues, and a thriving music market able to fairly remunerate all artists and finance the development of new acts that will become top artists.

We see ourselves as a power player in every market segment/genre with a strong presence across all regions. Along with being a trusted partner, we also serve as an educational platform for independent music, fostering strong partnerships and delivering long-term value to our artists, labels, and partners. Finally, our aim is to be the best company for any potential partner looking to forge a strategic alliance and work together to achieve a shared goal.



Believe favours a new streaming model that fosters diversity across all music genres, balance between international and local artists and between new artists and catalogues, and a thriving music market able to fairly remunerate all artists and finance the development of new acts that will become top artists.



Elevating Digital Entertainment over decades



Neeraj Roy,
Hungama
(Managing Director & CEO)

You formerly worked as an investment banker at Prime Securities. What inspired you make this switch to founding a media entertainment business?

I always wanted to be an entrepreneur, from the time I was at business school. At the age of 23 I had founded my first start up, which in those days was an AgriTech manufacturing unit, so it isn't that I was focussed on building a business around media and entertainment. In late 1998, I got to know of the opportunity around the internet and was curious by its possibilities. Within 8 months, I was convinced on the prospects of this amazing technology and that promoted me to found Hungama. Hungama's first avatar was a gaming and quizzing platform, it was digital media, but not entertainment as we know it today. Within 10 months of launch we acquired a Bollywood portal, called IndiaFM and that was rechristened to BollywoodHungama, as we know it today and I reckon with that addition we came closer to the world of film and music, whilst remaining a digital media entity all along.

How has your journey been leading Hungama Digital Media Entertainment as the Managing Director?

I consider myself blessed to have had the opportunity to build Hungama Digital Media. Over the past 2 decades we have seen at least 3 if not 4 distinct pivots to our business. I have always believed that in the world of tech and digital disruption is a constant phenomenon and hence I always believed that if each year, one does become 3 years younger, then in 3 years you would be redundant. This simple mantra has kept Hungama constantly evolve and be relevant to 3 generations of consumers. From the early days of quizzing and



contesting to embracing mobile and building the value-added ecosystem, to transitioning from 3G to 4G and being a part of the OTT revolution. From caller tunes to music streaming, from short videos to producing our own original series and from gaming to mixed reality, Hungama has been at the centre of the digital media entertainment landscape for the past 2 + decades and I love every day of this journey as if it were the first.

You have had a ring side view on the Digital Landscape in the M&E sector a few words on the same from your lens.

In the next 10 years the M&E sector will continue to transform. Content consumption will merge from audio, video, text, gaming and XR. We will move from consumption to commerce and the world of video will no longer remain one creators vision serving millions to infinite possibilities being delivered real time with digital twins at all. It will be an era of massive continued disruption but equally significantly enhanced value as the player becomes the new real estate and media being seen not merely an enabler of audiences but delivering communities with commerce at the core of it all.

How does Hungama Prioritize and address the distinctive needs and preferences of its audience? Are there specific strategies in place to cater to people from different demographics and regions?

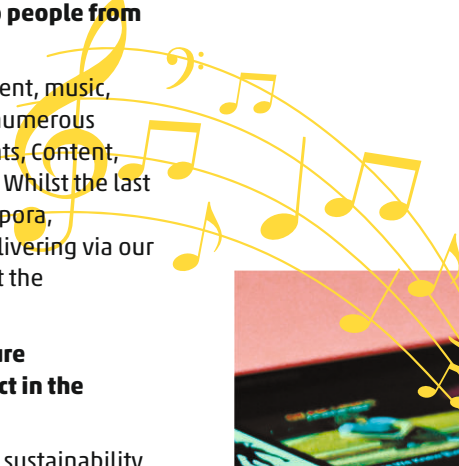
Hungama is present in all things entertainment, music, video, gaming, XR etc and is present across numerous geographies. Our business has 3 key elements, Content, Technology and Distribution, i.e. Commerce. Whilst the last decade saw us focus on the South Asian diaspora, increasingly our international business is delivering via our platforms for numerous other regions whilst the demographics are more or less the same.

What measures is Hungama taking to ensure sustainability and ethical corporate conduct in the rapidly changing digital environment?

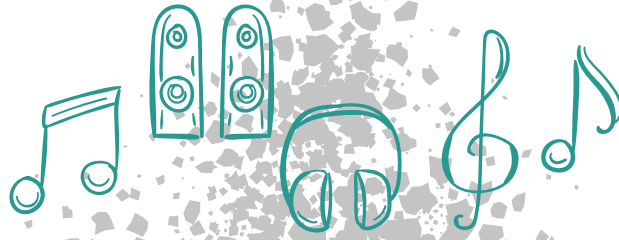
I have been a firm believer and supporter of sustainability and ethical practices in business. For 12 years we have supported initiatives such as the IAA Olive Crown Awards, United Nations' World Environment Day and many more. These values are engrained within the DNA of the organisation and from doing our own contribution we also pride in the communication initiatives we undertake each year to encourage sustainability and a greener planet by bringing more than 30 artists onto such platforms.

What is your vision for the future of Hungama Digital Media Entertainment in terms of expansion of its market share? What major developments and progress do you anticipate in the upcoming years?

Gaming, XR, enhanced use of Tech in our production and leveraging AI to delivering more engaging and immersive experiences for our consumers will remain the principles on which we continue to build our businesses into the future.







Musical Alchemy: Innovative Notes Transforming Soundscapes

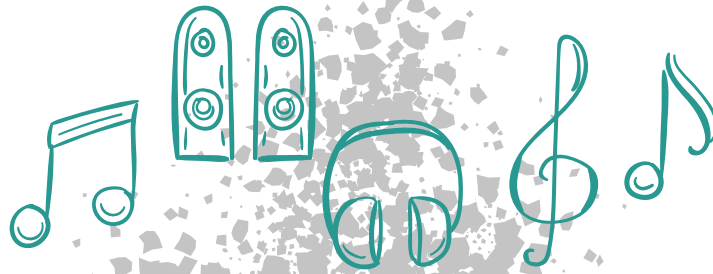


Aashish Rego, SOC Films Pvt. Ltd. (Managing Director)

What sparked your initial interest in music and led you to decide to pursue a career as a composer? Could you also name some of your musical influences and how they influenced your composition style?

I began playing the violin at the early age of 9. I took up the violin as my primary instrument because it was my mother's unfinished dream. She had always wanted to become a violinist, but could never afford the tuition. My early influences were the church choir and later the western classical orchestra I performed with, conducted by my Guru Late Mr. Pervez Doctor. After performing a solo concerto with orchestra at the age of 11, I went on to lead the same orchestra at the age of 15. At that point in time, I never even seriously ever contemplated taking up the violin professionally. But I earned enough playing for orchestras, to pay my way through college. When I was in my Final year B. Sc in 1992 at St. Xavier's College, I had the opportunity to play for a recording at Mehboob studios and impressed with my playing I was called the very next day for another recording by the legendary composers, Laxmikant Pyarelal. That was an overwhelming experience for me and then I also earned the princely sum of Rs. 500/- for a 4-hour recording! After that I began seriously considering music as a career option. I auditioned for membership at the Cine Musicians' Association, and got through in the first shot. Thus began my journey as a session musician in the film industry.

After a few years as a session musician, I began to understand the process of the industry and in 1996, got the opportunity to arrange the music for the Title Track of a TV serial "Gopaljee" for the most popular TV music director at that time Shri Mahesh Naik. Post that I realised that I could compose, and I began composing for albums such as "Yeh Dil Deewana Hai" and "Christmas Fever". My church and orchestral experience shaped my musical style in my initial years as a composer and proved invaluable in arrangements of songs. I also studied Piano and Harmony from the renowned pianist Mr. Tony Pinto. I gradually moved onto Keyboards and Programming, upgrading my skillset, first on Hardware sequencers and then on Software DAWs such as Nuendo and Cubase.

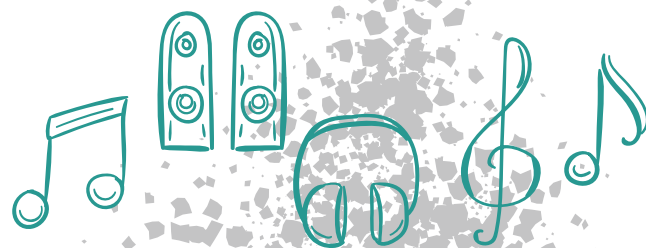
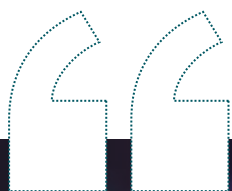


How different was it composing music for television shows vis-à-vis composing music for films. Your music for “Balika Vadhu”, which led to you receiving recognition from the Jaipur International Film Festival for your contribution to Rajasthani music in the show?

I entered Television music as an assistant and later associate to Shri. Mahesh Naik, who in those days was ruling the roost. I joined him in 1997 for a serial on Doordarshan called “Betaal Pachisi”, which was an Indianised version of The Phantom. After assisting him for 5 years during which I did music for iconic shows like Shaktimaan, Aryamaan, Saturday Suspense, Choodiyan etc I got my first break as an independent composer for the TV series “Kagaar” on Sahara TV. I received a lot of my musical grounding from Umesh Padalkar and Jeetu Chawla at Aqua Pictures and expanded on my repertoire and skillset even more. I learnt what music should be placed where with Shri Mahesh Naik, at Aqua Pictures. I learnt the importance of silences and out of the box thinking. That training provided me with the mindset and edge necessary to succeed. Background score composition for TV was different than for films. One needs the following qualities to succeed 1) Scheduling 2) Multitasking 3) Musical Versatility 4) Persistence and Resilience 5) Stamina

While Film composition mostly requires Focus and Specialisation, I had to develop these other qualities to be successful in TV, which at that time was regarded as the “small screen” and the “small sibling” of the big screen aka “Bollywood.” Today Television is a much bigger industry worth around 710 Billion Rupees while the Film Industry is worth only around 172 Billion Rupees. But one thing I realised is that I needed to familiarise myself with folk music as much as possible as many shows required a distinct local musical flavour. Before Balika Vadhu, the TV industry was following the “Balaji” pattern of music which had more Bangs and Impacts in the music than actual music itself. Even if I attempted to do something creative and musical, prior to that I received feedbacks asking me to provide more “Impactful” music. But Balika Vadhu changed all that. For the first time ever, I received complete freedom to score as I wished, both in the themes and the score. The show was an excellent one with a deep social message, and not what one would term as “commercial”. It had a great ensemble cast and storyline with an edit pattern that actually provided space for music. I felt I could actually breathe while doing the music. It was an opportunity to learn a whole new folk style for me and collaborate with new artists. It was also the beginning of a very fruitful association with my arranger and colleague Jitendra Javda, who was a friend from my orchestra days. We recorded an extensive set of Rajasthani folk instruments and vocalists for the score with our own conviction, and at our own cost, and that worked wonders. We used a minimal score with a lot of soul and that acted as a breath of fresh air to the audiences. We had an extremely supportive creative team then, both at the Production House and the Channel, and that is one of the few reasons why the music turned out the way it did. That kind of support is a rarity in this industry, where most people provide their own preconceived notions to music creators rather than allowing them to create. The music of Balika Vadhu embodied the spirit of Rajasthan, and took it to every household. I received numerous awards and accolades for the same which was one of the most popular TV series in India of all time.





The transition from being a music composer to an entrepreneur is equivalent to a journey from the left brain to the right brain.

On the occasion of the 74th Independence Day, the MCAI had 100 renowned composers come together and make a new version of Vande Mataram amidst the COVID-19 Pandemic, how different was the process of composing this song engaging with 100 composers as opposed to any other song that you composed?

Vande Mataram was not only a turning point, but also a big milestone for me in both my musical journey and my life journey. It was produced and released during the lockdown which made it not only extremely challenging but also at the same time possible. The core concept emerged during the lockdown, which invited us to explore new approaches. We were all placed in an unimaginable unprecedented situation, way outside our comfort zones where uncertainty was the new normal and survival was paramount in everyone's mind.

I decided to make a track for Independence day. Had been planning one for many years but the lockdown provided the perfect time to create such a track. So on July 31st, I made the base melody and got in the guitarist to play on it. We added some vocals and solo violin and it sounded beautiful. We began to realise that the song deserved much more. It wasn't an ordinary song and needed something big and totally different. On Aug 1st, I called my friends Justin – Uday and Somesh Mathur and asked them if they would collaborate on it. They loved the track and we had a zoom meeting and then a crazy idea struck : What if we could get many more composers/ singers to be a part of it ? As we were all on the MCAI committee we decided to have MCAI present the song as a symbol of Creation, Collaboration and Celebration as a beacon of hope in these troubled times. The message was clear : Its time we looked at each other as collaborators rather than competitors if we want to survive and be relevant in a post Covid world. This also synergised with our Prime Ministers call for an "Atmanirbhar Bharat".

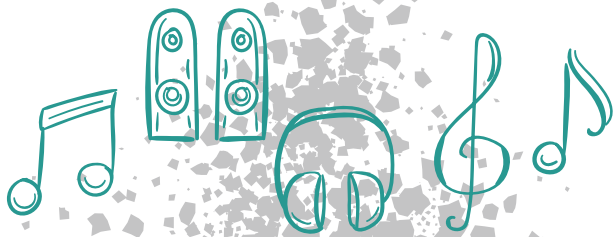
With the valuable assistance of Raviraj Pranami (August 2nd) we began enlisting all those that we knew first. We contacted Tapas Relia and Vipin Mishra and they too were

excited by the idea. Then we called up many many more and by August 7th we reached a figure of 50 composers/singers who committed to feature in the song/video. At that point in time another crazy thought struck and we thought: What if we get 100 composers/ singers to feature in the song and video? And then we began with renewed vigour, the sheer magnitude of the goal spurring us on. We then connected with Anil Wanvari, (Chairman Indian TeleVision.com) by August 9th and he agreed to wholeheartedly support us in the PR and Publicity. Simultaneously the song track was being finalised and the edit too. Neither was easy, as the inputs of so many different music creators in both audio and video had to be first assimilated in the song and then in the video, synchronising both to make sense independently.

Tapas came up with a mindblowing promo design and Vipin with some thought-provoking lyrics. By this time we were working day and night feverishly to meet the deadline, and this is where my Television experience came in most useful: Relentless pursuit of a non-negotiable seemingly impossible goal!! We had by now roped in singer composers/ from the East, Northeast and a good number from the South. Now we spoke to legends from the Ad industry and they too sportingly agreed. Since the song was releasing on TV we came across a new challenge: It needed to be censored !! So now the entire process of censorship began on August 12th by which time we finalised the song and video and had commenced Mixing.

We got the Censor certificate, the Mix Master and the Final video with all versions ready by August 14th day end. A mammoth Herculean task had come to an end, or had it?

There was no time to waste or rest now. The most important phase was yet to commence: The Song and Video release!!! Ravirajji took the publicity material to our living musical legend and then Chairman of MCAI: Shri Anandjibhai Shah (who had very kindly consented to performing the honours) on the morning of the 15th and it went live. The song was now public, and it garnered



tremendous attention all across the country by its sheer uniqueness and profile. It was playing on many TV channels and sites and generating huge positive feedback. The crowning glory being the Prime Ministers tweet of appreciation for our effort on the evening of the 15th.

Now the entire team celebrated by having a drink together over a zoom call and later some much-deserved sleep!!

How has the transition been from a music composer to an entrepreneur?

The transition from being a music composer to an entrepreneur is equivalent to a journey from the left brain to the right brain. A hitherto entire unexplored world for me that now stood necessitated by choice and compulsion. Let's face it: We are in the Music business. In today's time and age one cannot survive by simply creating (Definitely not in India at least!) We need an in depth understanding of the Music AND the Business. This not only assists us in understanding how best our music can be exploited but also the challenges faced by those that exploit it.

My experience as an entrepreneur in the Cosmetics industry served me in good stead and I realised that a soap and a song are both products. Looking at a musical work objectively rather than emotionally is a total mindset shift. This journey is something that many creative persons are unable to navigate. Hence, they commit two popular cardinal errors that are committed:

1) Emotional Attachment:

Business is not about emotional attachment but about service. If we look at the song objectively as a product for sale then we will be able to rationally value it as per its commercial worth rather than as what we emotionally believe it to be. The journey from being a Manufacturer to being a Brand Owner or Brand is what many composer/songwriters need to navigate. Those that change their mindset and perception are successful as businessmen.

2) The Me-Too syndrome:

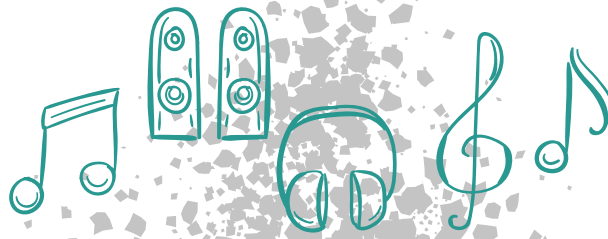
The trend of following and creating a song or type of song that has attained massive success is what I prefer to refer to as the "Me Too" syndrome. Many imitations spawn up in pursuit of the success that the original song received but simply fall by the wayside, lost in the dust storm of obscurity, in the oblivion. The song like a product needs to be either unique in the content or unique in the promotion. That only will enable it to stand out and be noticed among the crowd.

As manufacturers we (songwriters/creators) need to understand that the contribution of the Brand Owner (Publisher/Label) and vice versa. Both have an intrinsic contribution to the Music Business and need to appreciate that. A Composer/ Songwriter needs to develop and acquire a whole new skillset and mindset to think like a businessman, some of which I am enumerating below:

- 1) Vision**
- 2) Passion & Belief**
- 3) Persistence & Consistency**
- 4) Finance**
- 5) Integrity**
- 6) Marketing & Promotions**
- 7) Sales and the most important of all**
- 8) Discipline & Focus**
- 9) Systemisation**
- 10) Resourcefulness**

These qualities are essential to becoming a successful entrepreneur.





In an interview, you mentioned about the NGO you were building named "TINTE" that stood for This Is Not The End which is being made for the welfare of senior citizens and animals, how far is it from it being established?

I am proud to say that TINTE has established its first centre 4 months back at Amboli (Andheri west – Mumbai) for animal care and since then has been running to capacity. We have been using the pilot version of TINTE to understand the challenges and perfect a self-sufficient system for running the Foundation on autopilot.

The TINTE of the future will be designed as a residential facility for senior citizens and other non-human species. What we realised is that Senior Citizens have a wealth of experience and wisdom to offer and they are at a stage in life where their priorities have changed from material pursuits to those that are more congruent to spirituality. Both they and the other species understand and require the non-verbal communication of love and can provide the recognition to each other that they both require.

Having acquired the data from our Pilot centre, we are currently in the process of setting up an accessible expanded centre which can cater as a residence to many more animals. We are looking at a larger ground floor area in an around Mumbai to setup our new shelter. We are also in the process of setting up our Animal Ambulance facility to cater to the ever increasing need to transport injured animals from their location to the foster and medical centres.

There are many other plans that I am currently not at liberty to reveal but we are definitely looking for substantial CSR funding to take this initiative pan-India to every state and large town. We aim to create independent self-sustaining townships, a new Shambhala or Garden of Eden back on Earth. An invigorated Green Earth, sustaining on renewable non-polluting energy sources is what we believe to be the way forward for humanity, living in peaceful co-existence with all species.



State of the current music publishing market

As a music curator and distributor, what are the key factors you consider when selecting artists, music publishers for distribution or curation?

Individuality. For me, a pop star needs to have something unique. It could be anything from a distinctive voice to superior singing ability with a personality that has an "X Factor". A combination of these makes for the ultimate artiste.

As a publisher, one also considers the ability to compose and write songs that either have immediate appeal or will sustain in popularity for a long period of time.

The music publishing market through the decades 2000 2010 and now?

The music publishing business in India started getting recognition as a separate professionally managed business vertical from the turn of the century.

Credit must be given to Achille Forler for his role in the collection of mechanical royalties for international publishers in India.

At about that time, I joined Saregama and set up a network of international publishers for the company. The other major Indian label / publishers followed suit.

The period between 2000 and 2010 saw a lot of sync and sampling business for Indian works in international markets, such as the Peugeot ad that used Ananda Shankar's 'Distant Drums', 'Chhamma Chhamma' being used in Baz Luhrmann's 'Moulin Rouge', 'Chhaiyya Chhaiyya' in Spike Lee's 'Inside Man', the Black Eyed Peas' sampling and adaptation of the 'Ae Naujawan Sab Kuchh Yahan' song to create 'Don't Phunk With My Heart' and many other such instances. This was because the Indian publishers had organized their business in those markets.

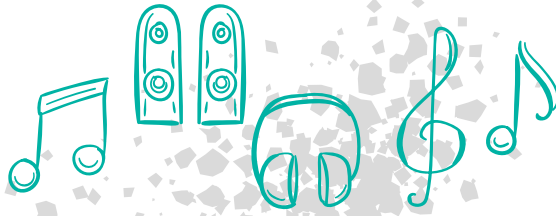
Unfortunately, in India the label / publishers and the songwriters were at loggerheads over the assignment of works and royalties due to differing interpretations of past contracts.

This standoff led to the Copyright Amendment of 2012 that stipulated royalties were mandatory for creators.

This started a new era in the chapter of music publishing in India as IPRS was revamped in 2017 and the publishers and composer / writers buried their differences and worked as one towards growing the business.



Atul Churamani,
Turnkey Music & Publishing Pvt. Ltd.
(Managing Director)



Every annual CISAC report sees India scaling new heights, can we scale higher?

For the last three years, IPRS has been the fastest growing society in the world, yet, in my view this is just the tip of the iceberg.

The publishing business still suffers from a lack of compliance by users. A lot of cases end up in court, as is the position with FM radio. The case has been in court for 16 years with pretty much no revenue being paid to IPRS.

Of the multiple television networks, only the Sony and Zee networks pay IPRS. Conversations are on with a few others but these take a long time to fructify and sadly, we have had aged and infirm creators pass away without seeing their due royalties.

Our three largest domestic audio streaming services have not paid anything to IPRS since their inception, which is anywhere between 12 to 15 years or more of unpaid royalties. One must mention here that Hungama has been the first digital streaming service to pay IPRS in addition to paying for sound recording licenses.

Worst of all is the situation with establishments where only about 15,000 between malls, shops, restaurants, bars, clubs etc pay IPRS. In terms only of hotels and restaurants, the number supposedly is four million in the organized sector and 23 million in the unorganized sector. If these establishments are harnessed, then the true potential of the publishing business will be realized in India.

My own estimate is that IPRS can grow from the current Rs. 565 crores to at least Rs. 5,000 crores if users were compliant.

Yes, the solution is definitely policy change so that the Copyright Act is unequivocal and not open to interpretation about publishing royalties needing to be paid by users in addition to sound recording royalties.

In addition, all establishments must comply with paying an annual music license fee to play music. This can also be achieved through government legislation.

Increased payments are also beneficial to the economy since there is an 18% GST component involved.

The SYNC market in India for beginners

Sync has increased manifold since the advent of OTT platforms since the number of films and series being produced in all languages has exploded.

A lot of popular songs are being used as background music

in these productions or even being recreated to make a new sound recording. Some of the recreations have done fantastically which is what all publishers aspire for.

The sync fee charged by publishers is always a negotiation between the producer of the audio visual and the publisher. Large catalogue owners with classic hits of course are able to command a handsome price for sync usage.

Singer-songwriters who do not go through publishers normally cannot negotiate a high price for their work, especially the up-and-coming acts. They need the exposure so tend to agree to lower fees for syncing of their songs.

This is hardly a new phenomenon and has happened down the years even before OTT but with the rise of independent music, producers are looking beyond established catalogues and are homing in on independent creators. To secure a good sync fee and to not sign any document blindly, these creators would benefit by going through publishers.

Independent artistes also need to be cognizant of the fact that sync is a pull business where the requirements of the audio-visual production determine the kind of song that is licensed. Too often I hear young acts wanting to create music that will be 'perfect for sync'. There's no such thing. Create a song that has its own character and if the situation arises, it will find its own sync opportunity.

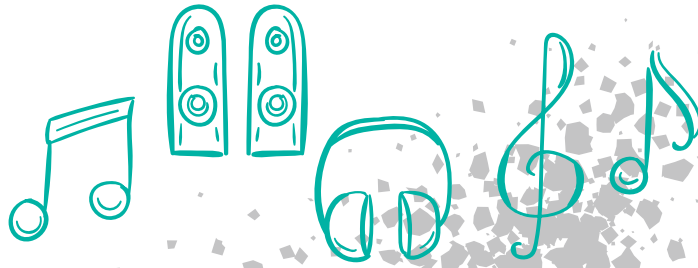
Also remember that the competition out there is all the music that has been released in the world till today and then 120,000 new songs a day from tomorrow!

Are music publishers organised like other markets?

By virtue of the fact that labels owned the underlying works to their catalogues, made all associations and industry bodies representative of both the sound recording owners and the publishers. So, to that extent, Indian publishers were well organized and also made up the IPRS Board, taking decisions on licensing of underlying works.

However, the growth of the business, especially the independent creative sector, and the entry of international standalone music publishers, necessitates an association of publishers. Just as the IMI represents the interests of the sound recording owners when it comes to policy and industry agreement, there needs to be a parallel set up for publishers even if those publishers own sound recordings.

First steps have been taken with the incorporation of the



Federation of Indian Music Publishers (FIMP) a body that is currently putting together the issues that need addressing and will then embark on a membership drive.

Internationally publishers have the International Confederation of Music Publishers (ICMP), headquartered in Brussels which has also been keen to support an Indian association of the kind. Given that Sony Music Publishing has now set up an India office and that significant publishers like Kobalt and BMG plus a host of smaller ones have sub-publishers in India, FIMP becomes all the more important.

Comments on the “live entertainment industry and ecosystem in India”

The past few years have seen the live music market explode in India. If my understanding is correct, approximately 60% of concert revenue now is generated through ticket sales as opposed to 18% a few years ago!

This is a very important development for the industry per se because it establishes the fact that consumers are willing to pay for music! For too long, there was trepidation about the price of subscriptions, whether the streaming services would ever be able to break out of

the freemium model and indeed whether the platforms would be able to garner sustained advertising bucks.

The live industry has shown the way and it is now up to the other verticals to have a think on what is possible. One thing that's clear is that quality counts. The production of music performances today is at par with most countries in the world, with the infrastructure and facilities on ground providing unforgettable experiences for the consumer. That is why he is willing to pay high prices for concert tickets.

If this were carried forward across other segments in the business instead of merely commoditising music, if more time was spent on presentation and curation to offer an enhanced listening experience, there could be great financial results all round.

All users of music, be it radio, television, audio streaming services, OTT platforms and others, are partners of music labels, publishers and artistes. If one suffers, everyone suffers. We have to support each other and jointly make great offerings to the consumer who is ultimately the person who pays. Conversations need to become more inclusive and creative. That's when the true soft power of music will be realised.



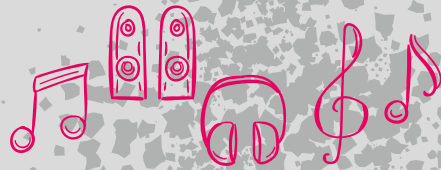


Artist Voice

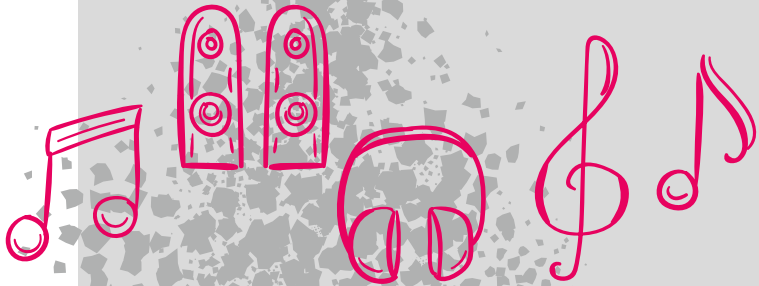




EAST



Subhamita

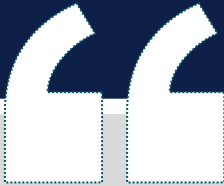


Your journey from Malda to Kolkata? No doubt your father was your first mentor and guru but who are the other names that you would like to mention, these legends have shaped your career?

My father Late Sri Yashoda Dulal Das of Benaras Gharana was my first guru upto my 18 years of age. After H.S. exam came to Kolkata for further learning. Selected as a General Class student (gradually got A grade scholarship) at Sangeet Research Academy under Guru Pt Ulhas Kashalkar of Gwalior- Jaipur Gharana, still learning from him. Besides music completed hons & M.A. in English literature. Learned light classical music like thumri dadra kajri chaiti from Late Bidushi Purnima Choudhury of Benaras Gharana. Meanwhile learned from Aniruddha Bhattacharjee of Kirana style for a few days. All my gurus have great influence in shaping my career as a professional vocalist.

Your recent tour to the US and the demand for Bengali Music outside India, your personal insights.

The audience abroad has always been very eager to listen to us, because they don't get the chance to attend our concerts regularly. So every time I travel anywhere outside India I experience a full house auditorium with a very attentive audience...very inspiring to me always and feeling proud for Notun Bangla Gaan which I always cater to my audience.



Learning and regular practice should be our way of life...only talent is not sufficient to survive for a long period of time ...if you want to live with music, you have to live for music, you have to serve music with heart& soul...that's all I can tell aspiring talents.

As an artist, how did you handle COVID pandemic?

These consecutive three years is really a nightmare to all of us...we have lost so many near & dear ones, a couple of celebrated musicians...this is a huge loss for us. So far as concerts are concerned there was a complete full stop for all of us. Everybody struggled a lot. On the contrary I got the chance to spend more time for practice (riyaz), got opportunity to think more of how can I improve my performance, how I can use my voice more properly while rendering for any background song for film or tele serials and all.... I believe in a very simple truth that there cannot be any stagnant situation, everything will be normal again...you have to pass the storm with patience and perseverance. I am a very believer kind of person, so I think that when chances come for self-improvement you should utilise it fully. If you become unable to see the other side of darkness survival becomes more difficult. It's absolutely my opinion.

Your legacy how would you like your fans to remember you?

I would like to be remembered as a educated vocalist...not mere a singer or stage performer.

Any advice for aspiring talent?

Learning and regular practice should be our way of life...only talent is not sufficient to survive for a long period of time ...if you want to live with music, you have to live for music, you have to serve music with heart& soul...that's all I can tell aspiring talents.





SOUTH

Yuvan Shankar Raja, your influence on South Indian Music is unparalleled. How do you perceive the evolution of the Industry over the years, and how has your musical journey adapted to these changes?

Thank you for your kind words. The evolution of the South Indian Music Industry has been a fascinating journey. Over the years, we have witnessed a shift in musical preferences, the introduction of new genres, and advancements in technology. This dynamic landscape has allowed me to explore diverse musical elements and experiment with different styles. The evolution of the South Indian music industry has presented both challenges and opportunities. It has motivated me to push boundaries, experiment with new sounds, and continue evolving as an artist. I am grateful for the unwavering support of my fans and the vibrant musical community that surrounds me, propelling me forward on this exhilarating musical journey.

With a vast discography spanning various genres, your compositions have stood the test of time. How do you maintain such timeless appeal, and what principles guide your creative process when working on a new project?

Creating music with timeless appeal involves staying true to emotion and melody. My creative process is guided by the essence of the story or emotion my director or aims to convey. I focus on crafting melodies that resonate emotionally, transcending trends. It's a blend of authenticity, emotional connection, and a willingness to experiment that keeps the music relevant across genres and time.



Yuvan Shankar Raja

From "Poovellam Kettupar" to "Ae Kaatil", your collaborations with directors and lyricists have been pivotal. Can you share some memorable moments from your creative collaborations, and how do these partnerships contribute to the magic of your music?

Memorable moments often arise during discussions where we exchange ideas and delve into the essence of the narrative. These collaborations contribute significantly to the magic of my music by bringing diverse perspectives to the table. Whether it's understanding a director's vision or capturing the nuances of a lyricist's words, these partnerships enhance the emotional depth of the compositions. The synergy between music, direction, and lyrics is what creates the cinematic magic that resonates with the audience.



Your ability to seamlessly blend traditional South Indian sounds with contemporary styles is widely appreciated. How do you strike a balance between preserving musical heritage and embracing innovation in your compositions?

I respect and draw inspiration from our rich musical heritage, infusing traditional elements into my compositions. Simultaneously, I embrace innovation by experimenting with modern arrangements and instrumentation. The key lies in maintaining the soul of tradition while exploring new sonic territories, creating a harmonious blend that resonates with diverse audiences.

As a composer, singer, and lyricist, you wear many hats. How does your multifaceted approach contribute to the depth and richness of your musical creations and which role do you find most fulfilling?

Doing different things as a composer, singer, and lyricist lets me approach making music from all angles. Each role brings something unique to the depth and richness of my songs. As a composer, I decide how everything will sound. Singing allows me to explore emotions into the songs, and when I write lyrics, I can express emotions in a detailed way.

South Indian Film music has a global fan base. How do you envision the future of South Indian music on the international stage, and what role do you see yourself playing in the expansion?

South Indian film music has fans worldwide, and I believe it will keep gaining popularity globally. I see myself contributing to this by bringing innovation and collaborating with artists from around the world. In Chennai, independent music is booming, and I'm excited about it. I'm currently working on some independent projects, including a song called "She is a Killer." It's a cool project, and I'm thrilled to be part of the expanding reach of South Indian music on the global stage.

Looking back on your illustrious career, are there any milestones or achievements that hold special significance for you, and what goals or projects do you still aspire to achieve in the future?

Reflecting on my career, several milestones hold special significance. However, what truly stands out is the unwavering support from my fans. Their loyalty and encouragement are the driving force behind my musical journey, making every moment special. Looking ahead, I aspire to explore new musical genres, collaborate with international artists, and take my music to global audiences. The prospect of experimenting with fresh sounds and connecting with diverse talents, supported by the Believe LAS team, excites me. I'm enthusiastic about doing more concerts and shows to connect directly with my fans. There are so many possibilities ahead, and I can't wait to keep going on this musical journey with the same passion and dedication my fans have seen all these years.



WEST

Aditya and Payal, your collaborations have produced chart-topping hits such as “Baarishon”, “Tu Aashiqui Hai Meri” and “Nazar Na Lage”. How do you approach the creative process when working on a new track, and what elements do you believe contribute to the success of your music?

Aditya - We don't really have a formula or a process, it's as natural as you know it is, Payal creates a melody and I design it with production. Best of our music has been made in the shortest of the time and that's what we believe is the factor that contributes to the success, since it's organic and straight from our hearts.

“Baarishon” has reached 10 million views on Youtube, “Tu Aashiqui Hai Meri” with 27 million views, and “Nazar Na Lage” with 13 million views. How does the audience response to your musical influence your future projects, and what significance do platforms like Youtube hold for your music's visibility?

Payal- Every artist wants that his music resonates with the audience that its catering to. In our country we have a very diversified audience and it's still evolving, so we like to keep experimenting with the sounds. Youtube has been very significant in making our music reach to its audience.

With the increasing popularity of reels on platforms like Instagram, “Nazar Na Lage” has gained 2.7 million reels, and “Tu Aashiqui Hai Meri” has gained 1 million reels. How do you see the impact of short-form content on the reach and engagement of your music, and do you consider this when creating your songs?

Payal - Absolutely, we need to keep that in mind that a major chunk of our audience is on social media, the reels and stories helps in promoting the song and making it reach to wider audiences that the “AI and Algorithm” wouldn't have understood. It's highly unlikely that a song that has good number of reels hasn't performed on YT or audio platforms.



Aditya Dev & Payal Dev



Your music spans across various genres and emotions. How do you navigate the diverse landscape of the music industry, and what challenges and opportunities do you find in experimenting with different styles?

Payal - God has been kind to us. We try to make our music reach and liked by the diversified audience that we have. I recently composed for Telugu audience and i want to tell you that melody has no language, i had no words in my mind when i created that melody and i can assure you that it will sound exactly as beautiful in Hindi lyrics as it sounded in Telugu.

Aditya - There are multiple challenges for musicians here, but we have to hold our head high and not complain. When you are working for other labels, you are not completely free to experiment and maybe that's why we thought of having "Apni Dhun", a label where all artistes are free to share their ideas in the most organic way.

Aditya, as a music composer, and Payal, as a versatile playback singer, how do your individual strengths complement each other in the collaborative process? Can you share insights into the dynamics of your creative partnership?

It's not that we don't follow trends, but we don't follow them blindly, in the process we make sure we don't lose our individuality. We have been working on many songs that we feel are modern and will create a league of music that has not been paved yet. Fingers crossed.

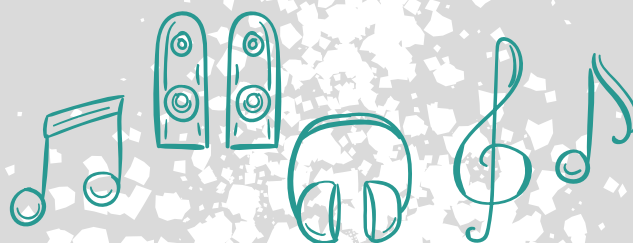
Considering the ever-evolving music scene, what trends do you foresee in the Hindi music industry, and how do you aim to stay innovative and relevant in your future projects?

Apni Dhun is a lockdown baby for us, the musical content was not releasing much by other labels, now as a musical artist, we didn't have any lock down to our creativities, it was flowing and we needed a platform where we can release music, hence, Apni Dhun came to rescue. The vision is very clear, to give audience an unadulterated version of all their favourite artists. With our partner Believe, we have had long discussions on the trend in the music scene and we are glad that we trust each other on the content that we would like to put out on Apni Dhun.

Lastly, could you give us a sneak peek into any upcoming projects or collaborations that your fans can look forward to?

Aditya - There are many upcoming projects, and we are very excited about them. From Jeet Ganguly to Ankit Tiwari, Meet Bros, Javed-Mohsin, there is lot on the plate.

Payal - I'm also collaborating with some phenomenal artists, soon our audience will see some very exciting projects. Our team at Apni Dhun and our partners Believe are working hard to bring you the best of us, the music that will stay with you!!





WEST

Your journey in the Marathi music scene has been phenomenal. What specific experiences or influences have shaped your distinctive musical style and approach over the years?

I started off with an intention to become a rapper. I just wanted to put out music videos on YouTube I had no idea about DSPs etc. Thanks to Believe, I know a little more now. In fact, I had also released a Hindi song. But it never worked. I was born and brought up in the interiors of Maharashtra, I thought I should switch to Marathi and I wrote this song Dimple. And it worked...I got great success. Today Dimple has more than 50mn views on YT and people recognized me with that song. But I got my true recognition across the country through Nauvari. It broke all barriers and just worked for everyone. I have always been influenced by hip hop and all my songs have a little bit of rap in it. That's the way I look at Marathi Pop. Writing relatable words, keeping the essence and add a hip-hop flavor to it.

Nauvari, Dimple, Bullet Wali became massive hits. How do you choose the themes for your songs, and what do you believe resonates most with your audience?

I usually look at a few of things.

1. How to keep the Marathi essence alive
2. My brother G - Spark who's my co composer in all the songs brings in the current sonic reference in his production.
3. The rap element
4. Simplicity of the language that makes the song relatable.

How do you go about curating a beautiful video idea that suits the best for the song?

When I write songs, I have the habit of visualizing the entire song. This allows the story to flow seamlessly into the music, eliminating the need to exert extra effort in creating something new. Having always lived in villages, the settings for all my videos reflect the charm of quaint, small villages. However, I am keen on maintaining the highest quality in my videos, ensuring they appeal to audiences in both rural and urban areas.

What do you think is the future of Marathi pop music?

Marathi is a language closely related to Hindi, with some words easily crossing over. It's a language that has the potential to resonate nationwide, like how Punjabi has. I aspire to take Marathi music beyond the geographical boundaries of Maharashtra and make it relatable to audiences across the country. I draw inspiration from artists like Prashant Nakti and Preet Bandre, who are creating captivating sounds for their audiences. I am excited to bring this music to a much wider audience.



Sanju Rathod



NORTH



Parmish Verma

Parmish, your journey in the Punjabi music scene has been phenomenal. What specific experiences or influences have shaped your distinctive musical style and approach?

I got accepted and appreciated by the audiences without a trained singing background, so I take my job very seriously. Where one might think of singing as a blessing or a natural talent, I consider it as a responsibility - a task that I must finish well and for that I have to work extra hard be it the music production, video production or content creation in general.

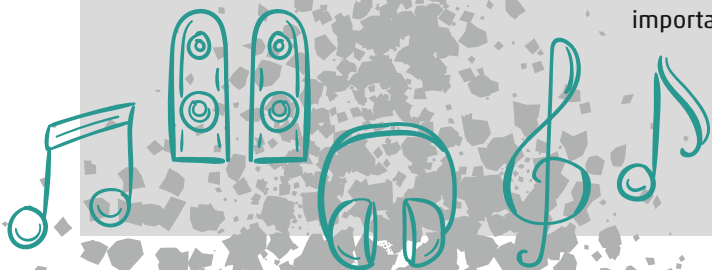
Will Smith/Stormzy and other such artists are my influences. They are not limited to singing but are involved 360 degrees in their projects - they focus on the overall Entertainment and Experience of the audiences.

"Gaal Ni Kadni" and "Shada" became massive hits. How do you choose the themes for your songs, and what do you believe resonates most with your audience?

I think if you can connect with the audience in a way where they see themselves as the Lead of the song or they feel that the song is about them then You've hit the Spot.

My song AAM JAHE MUNDE is also a song that reflects this. We also add a few lines/references of our own lives and experiences which makes it a little bit personal for the artist as well. I do try and keep an open-ended part in the song which people could connect with like "Rubicon Drill" had a line -

"Feature Dekh k car ni lainde, Engine Takde Chakide" meaning even if you don't have a Mercedes Car, Thar or a Rubicon, You could still Flex an ENGINE which you feel is Powerful and is more important than a Fancy Car.





Your music videos are known for their creativity and storytelling. Can you walk us through the process of creating a visual narrative that complements your music, and how important is it to you as an artist?

I think with changing times, music videos are also changing. My style of videos was never commercial beat tracks. I've always been a storyteller being from theatre and acting background. My videos were always about a story, an emotion so I think My music and My Videos are 2 different sides of me. I've been meaning to connect these two, but my business side takes over my creative self. But then my inner artist revolts and makes songs like "Na Jatta Na" and "Farmaish" which then don't do as well as my commercial songs and then I Circle back to staying commercial. Hahah!

But now with Believe's (L&AS) team onboard they're trying hard to keep a balance between Art and Commerce.

Shoutout to Vinay, Ishan, Punita and Team

Transitioning seamlessly between music and acting, you've made a mark in both industries. How do these two artistic expressions complement each other in your career?

Acting keeps me sane and Music pays my Bills. As an actor I limit myself to only such films/web series which I truly believe in but my music helps me stay true to that craft because all my bills get paid through music and shows. Limiting my acting gigs gives me extra time and all of that and efforts goes into music and exploring new limits that I can reach. I feel with music I have just started.

The Punjabi music industry has evolved significantly. How do you see the future of Punjabi music, and what role do you envision playing in its continued growth and innovation?

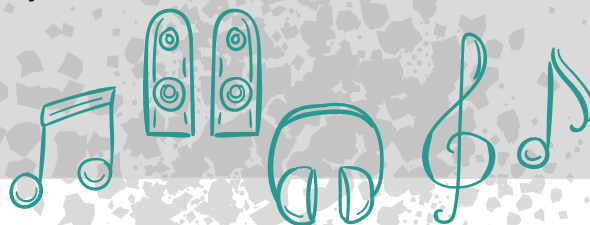
Punjabi music has always been ahead of its time. We were the first to an independent music industry. I feel blessed to be born and raised in Punjab. I'm proud of my mother tongue. I don't think any individual can claim the growth, it's the Growth that sometimes claims us and makes us feel special. I'll continue to work hard and consistently. I'm on a journey and I'm cherishing every step.

Collaborations are a significant trend in the music industry. Are there any artists you're particularly keen on working with, and why?

I've always been a Bohemia fan and wanted to work with him. Last month i got to meet him and we just finished a track. It's in my album releasing January 2024! #TrueFlex

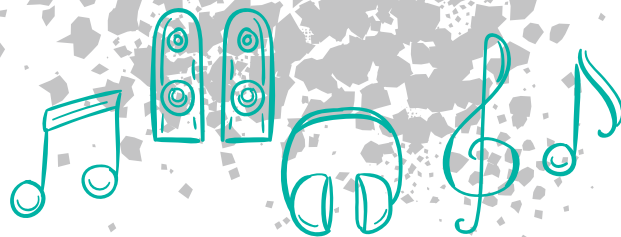
As you reflect on your journey so far, what advice would you give to aspiring Punjabi artists looking to make their mark in the industry?

Don't be afraid to fail. Don't be afraid to release a song just because you think it might not go viral. Hard Work is more important than Talent, but Consistency is more important than Hard-Work. Love what you do and do it over and over and over again, money and success then become its by product.

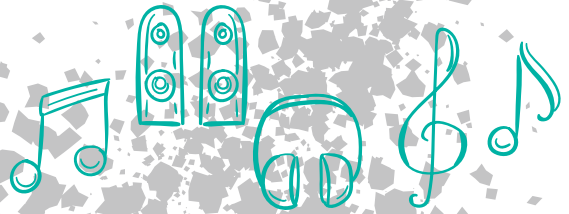




ALL IN THE FAMILY



Duet of Creativity: Pioneering Journey with Asha Audio.



Laharida, you cut your teeth in the recorded music industry, tell us about your journey till date?

I have spent over four decades in the recorded music industry; it's been a roller-coaster ride. Personally, I have witnessed the industry evolving from EPs & LPs to cassettes to laser discs & compact disc. I have witnessed the peaks and valleys in the industry revenues. In every capacity that I have worked over the decades, I have been a foot soldier, and this has helped me to stay as close to reality and try and adapt to what's happening around the industry and that has been the secret of our success at Asha Audio. But what I always cherish is the relationships that I built with the community be it the trade or talent they are always a phone call away from me and likewise for them. These relationships can't be measured, they are eternal.

Apeksha, you worked closely with your late mum Mrs. Mahua Lahiri, she was the backbone at Asha Audio what were the lessons you picked up from her?

The first thing is that she was all about the personal, I mean you just have that you don't learn it. But she taught me everything from scratch, to handle pressure and to the most important thing about how you will get your job done.

Circa 2023 when it comes to Asha Audio how does father and daughter deal with every situation ranging from A&R, Marketing, Finance?

The key is discussion, we sit through and figure out an easy working process and try to be on the same page. Manage situations on each other's behalf, I think that's the pillar.

Apeksha you are also a gourmet restaurateur, what gets more priority Asha Audio or the Café Yellow Turtle?

This question is really unfair, I mean one is my baby and one is my heritage. To nurture a baby, you need to give more care.

Lahrida, your prediction for the recorded music industry in Bengal?

Bengali music will travel far and wide thanks to the digital era. I am very confident that one of these days a Bengali artist will break out on the global stage. There is a market for independent Bengali music. Based on reports, there are 272 million people on this planet who speak Bengali, that's the inner circle, and millions of people who understand Bengali culture across the globe. I have many asks of the Govt of India. These are decade long asks starting from increase of radio and TV royalties to public performance royalties. These asks have always fallen on deaf years. I joke with my friends and colleagues, that the station manager of a radio station in Kolkata earns more than what the whole Bengali industry makes from radio royalties. My one request today is to protect our content from being pirated, that is the first step towards Bengali music going global.



D.S. Lahiri
Apeksha Lahiri

Asha Audio







Regional Trends

From Beats to Business



S.L. Saha,
Inreco Entertainment Pvt Ltd
(Managing Director)

Given that you are a Chartered Accountant by profession, how did you then join the music industry? What inspired you to make a significant shift in your career path, and how has this change been instrumental in your professional goals and aspirations?

A graduate was simply not enough in 1967 in my scheme of things. IIMs were still at its most formative stage. I chose to try for Chartered Accountant more to broaden my horizons than with any intention to pursue it as a profession. There was never any doubt in my mind that I would join my father, Chandi Charan Saha, in the Music Business he had started in 1932. You may recall that he was a signatory to the Memorandum of The Indian Phonographic Industry (now IMI). We had the first Indian Label HINDUSTHAN, my father was trained in Germany by Georg Neumann in recording and the Company he started was mentored by Rabindranath Tagore. He inaugurated the Hindusthan Studio and gave us a glorious start by singing and reciting for the Label.

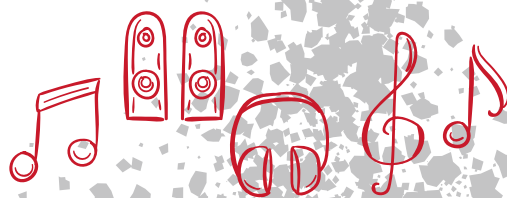
It was the height of the Nationalist Movement and HINDUSTHAN was at the forefront of it musically. The National Anthem to-be was recorded under Rabindranath's direction in 1936!! The 78 RPM Record Label is attached. The Record was manufactured at the Dum Dum Factory of The Gramco Calcutta. The following 16 years were the best years with the galaxy of Artistes like Pankaj Mullick, Sachin Deb Burman, K.L.Saigal, Ustad Faiyaz Khan, Ustad Bade Gulam Ali Khan among others joining the ranks. It is said that till 1948, the manufacturing facilities of Gramco. was 30% used for HINDUSTHAN.

Post the Second World War, "Shellac Shortage" caused a disruption in The Gramco's manufacturing policy towards Labels like HINDUSTHAN.

Since, Inreco Entertainment Pvt Ltd was established in the year 1973 it has been over 50 years since its inception. How do you remain relevant at all and stay ahead of trends in this rapidly evolving industry?

The change in Gramco's policy post-1948 did have some positive effect on HINDUSTHAN. Deprived of access to "Bollywood" and fighting for a share in the rapidly dwindling Bengali Film market, the Company had to turn to less competitive markets like Assam, Orissa, Nepal and Bhojpur. Busy with a monopolistic situation in the film industry in Bombay, Chennai and Calcutta, these niche contents were given scant attention to by Gramco. Manufacturing for HINDUSTHAN gave them "a share of the pie" without the effort. Left to its own devices HINDUSTHAN managed to eke out an existence along with the formidable catalogue it had created from 1932 to 1948.

Also, HINDUSTHAN had established itself as the Company to go to for Tagore songs. Artistes still recorded for HINDUSTHAN, famous among them Debabrata Biswas. It was his genius that pulled the Company from 1961 till 1976.



What sets Inreco Entertainment Pvt Ltd apart from the others in this competitive entertainment industry? What makes your value proposition so special?

Merging the catalogue of HINDUSTHAN with that of the nascent INRECO was initially the separator. It gave INRECO the head start that any Record Company could dream of. It gave INRECO the staying power while it forayed into creating new repertoire. Unburdened from the manufacturing controls imposed by Gramco, INRECO picked up Films from all Film Centres - Tamil, Malayalam, Bengali, Marathi, Bhojpuri, Odia, Punjabi and ultimately Hindi. Even the odd Kannada and Telugu Film were snapped up.

This was coupled with a strong entry into the non-film sector of each of the regions of the country.

Given that the Indian market is skewed towards cinema music, how can regional and non- film music expand their market reach?

There is a common conception that film music is the driver for the Music Industry. It is high profile "in the face" repertoire which cloaks music in the country. It is 60%-70% of the music sold. Even now with "buying" music not in vogue, viewership of the OTT music platforms is skewed to film tracks.

Up to the Cassette stage, reaching music to a possible listener in a country like ours was a stretch. Reaching the film music aficionado was the low hanging fruit, especially with the film doing the marketing.

In the last 5 years or so, a sea-change has occurred. Internet and broadband have made music available in the remotest corners of the country. There is a "yen" to listen to one's own language in song or in speech. Along with the expansion of the market, the regional space is also expanding. There is a larger array of music to savour from. Whether you are a Tamilian living in Delhi or a Marathi in Guwahati, the thrill of accessing a favourite in one's spoken tongue is palpable. Even overseas this nostalgic effect seems to hold and also grow.

Could you provide insights into the company's future projects? What can the audience expect from Inreco Entertainment Pvt Ltd in the near future?

We have found our "place in the sun" in the regions. The country is rich and true to its musical heritage. Backed by our history and "The Long Tail" we have identified certain areas where we will delve deep to unearth treasures long lying unexploited. Our country is blessed to have a history so varied that we are a WORLD on our own.

We intend to present this variety to listeners in the country and abroad. The diaspora is a great advantage and the adage "distance makes the heart go fonder" is an apt one to emulate.



Melodies in Motion



**Anand & Shyam Chhabria,
Anand Audio**

The promotion of Kannada music has been significantly aided by Anand Audio. Can you talk about the methods you used to promote and encourage Kanada films and Kannada artists?

Marketing and Promotions have always been our greatest strength since Cassette and Cd days. And now, with social media being in the limelight of promotional and marketing tool, we as Anand Audio have been much appreciated by the way we have made a difference in these platforms as well. It's the era of reels and short videos, so we keep hunting for dialogues from teaser/trailers, hook step from a song or even a simple reaction video from artist, whatever makes it viral on the platforms.

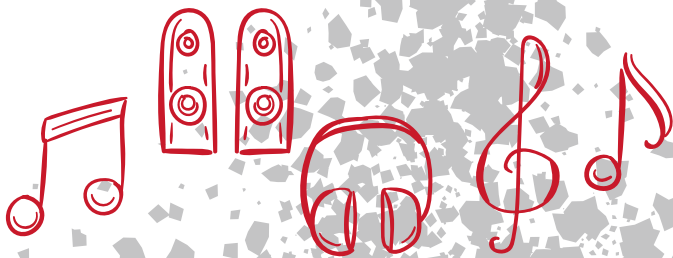
From comedy to action or a hero introduction video song or a love song, we keep making efforts to make sure the promotions are in full swing on all Social Media platforms. But the most important part is the Quality of Content that we promote, we ensure that only good quality content is picked up by us.

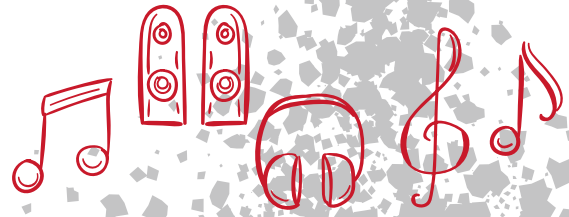
In 2021, Sony Music Publishing India and Anand Audio signed a global agreement. What prompted you to take this decision?

The consumption of Kannada Songs globally started only recently in big number and Publishing outside India was a new subject for us. So we were hunting for partners who have global presence and have one point of contact rather than having to associate with various societies outside of India. So, Sony Music Publishing was the Ideal Partner for us.

At Anand Audio you have seen the Kannada Music Industry go through various phases. Your description and learnings for each phase.

The Kannada music industry was just normal like any local music industry in India, it had its ups and downs but we always managed to sail through. The only thing that kept us alive was the selection of right kind of films. Until recently when the entire





focus of the Indian Audience shifted from Bollywood to the South Industry. We were no longer considered the small language in the ecosystem. Ofcourse it was Telugu that was and is dominating, but films like KGF and Kantara helped fuel the fire for our Industry. Audience all across India and globe started recognising our language.

With each phase we realised that the music is always growing, content will always be king, no matter the situation, always focus on good quality songs and also play some risk here and there to be in the game.

How has the emergence of digital platforms impacted your business model and marketing tactics for Kannada music?

During the Cd and Cassette days, we were able to track the number of physical stocks sold, we could also predict how many we can sell, but the Digital Music completely changed the game. Now we know it's that just 1 song that will sell from the entire album. So, the entire Marketing and promotion shifted from the entire Albums to Single Songs. And the Digital platforms have helped us to reach beyond the Kannada consumer itself. Music is no longer restricted to people who understand the language, and that helped us amplify our growth. India is still 80% of our consumption, and 20% Globally. But the global number was much less few years ago.

Can you elaborate on Anand Audio's long-term goals? Are you thrilled about any upcoming projects, partnerships or initiative?

2024 is a very special year for us as ANAND AUDIO enters its 25th Year in the Industry.

We have a lot of projects like Kateera, Karataka Dhamanaka, Bad Manners, Bheema and many more, which are the major projects till mid of 2024.

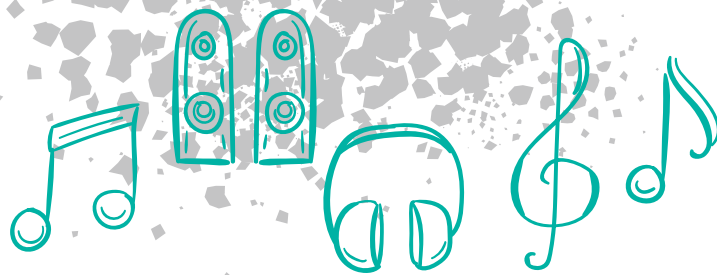
We will also be venturing into production of Films and Music Albums.

We have also diversified into streaming Kannada Sports content, with the recent Broadcasting of Dr. RAJ cup – a Kannada Celebrity Cricket league that is going on in 5 different countries in Sri Lanka, Malaysia, Singapore, Oman and Dubai. We have also signed 2 more tournaments that will be broadcasted in Jan and Feb 2024. Also have 2 TV serials due to go on floors soon.





IMI INSIGHTS



Need for policy safeguards that promotes responsible, accountable and human-centric AI developments

Summary by Mr. Jenil Shah, Asst. Manager (Legal), IMI

Presented at "Let's Talk on AI" event held by Indian Singers Rights Association on 31st July 2023

Theme – Rapid technology advancements in Generative AI and need for a unified voice amongst music stakeholders to address the potential concerns posed due to AI.



There is need to sustain an AI sphere that upholds the guiding principles of responsibility, accountability and human creativity.

IMI participated at "Let's Talk on AI" event held by Indian Singers Rights Association to discuss on the subject of "Rapid advancement on AI and its potential impact on the music stakeholders including singers, musicians and rightsholders". The discussion covered several areas including as opportunities that the technology brings to the music sector, concerns arising from GenAI and the need to sustain an AI sphere that upholds the guiding principles of responsibility, accountability, and human creativity.

Potential for the Indian Media and Entertainment exports:

From the lens of the Korea Copyright Protection Agency (KCOPA)



Media and entertainment exports play a pivotal role in enhancing a country's economic activity, contributing significantly to the growth of the domestic creative sector. This phenomenon is evident in countries such as the USA¹¹ and South Korea¹², where the media and entertainment industries have reached substantial market values with a flywheel effect causing a cultural export of products and M&E content. Specifically, the music sector's thriving exports have widespread positive effects on various related industries, including music publishing, online platforms, live events, instrument manufacturing, and more. In the United States, the music industry exports amounted to USD 9.08 billion in 2019¹³, and the UK music exports were valued at £2.5 billion (USD 3.07 billion) in 2021¹⁴ (up to 4 billion pounds in 2023)¹⁵. South Korea experienced a remarkable increase in music exports, rising from £10.8 million in 2007 to £604 million in 2021¹⁶, owing much of this growth to robust overseas copyright protection and the promotion of Korean content facilitated by the Korea Copyright Protection Agency (KCOPA)¹⁷.

The KCOPA, established in 2016, operates under the Ministry of Culture, Sports, and Tourism in South Korea. It actively combats online piracy through collaborations with copyright enforcement bodies and online monitoring groups. With a focus on contributing to cultural development and supporting copyright protection policies, KCOPA's organizational structure includes the Management Planning Office, the Infringement Response Headquarters, and the Protection Support Headquarters¹⁸.

¹¹ M&E industry reached USD 660 billion in 2020, <https://www.trade.gov/media-entertainment>

¹² M&E industry reached USD 16.15 billion in 2021, <https://www.mcst.go.kr/english/statistics/statistics.jsp>

¹³ https://www.riaa.com/wp-content/uploads/2021/02/The-U.S.-Music-Industries-Jobs-Benefits-2020-Report_Executive-Summary.pdf

¹⁴ <https://exxfmt5ydc6.exactdn.com/wp-content/uploads/2023/03/Export-Opportunities.pdf>

¹⁵ <https://www.prsformusic.com/m-magazine/news/uk-music-deliver-4-billion-boost-to-uk-economy-this-is-music-2023-report>

¹⁶ <https://www.statista.com/statistics/625158/south-korea-export-music-industry/>

¹⁷ <https://www.trade.gov/media-entertainment>

¹⁸ KCOPA Report, 2022 - A study on measures to improve the efficiency of overseas copyright protection systems

Role of Indian Diaspora

The role of the Indian diaspora has become instrumental in propelling Indian content to global audiences through platforms like Netflix, Amazon, Zee5, and Hoichoi. Indian films, TV series, and music are gaining widespread international viewership, evident in the success of the Amazon original series "Farzi," which was streamed in 170 countries and entered top trending lists on Prime Video across multiple nations¹⁹. Songs like "Kesariya" (from Brahmastra), followed by "Besharam Rang" (from Pathaan), and "Jhoom Jo Pathaan" (from Pathaan) were among the top 10 streamed songs during May-end 2022 and May-end 2023 in a majority of the largest diaspora markets, including the US, the UK, UAE, and Australia²⁰. However, despite the immense export potential, challenges such as online piracy and inadequate copyright protection pose immediate threats to the sector. Between January and August 2022, global piracy site visits increased by 21.9%, with India ranking as the third most popular country for piracy, emphasizing the need for robust measures to safeguard the Indian creative sector against piracy and ensure the successful export of its content globally²¹.



Recommendations

In order to address the aforementioned issues, the IMI policy insights titled "Potential for Indian media & entertainment exports – need to stop the leakage" suggests establishing an administrative agency under the Ministry of Commerce, following the model of successful agencies such as the Korean Copyright Protection Agency. Such administrative agency should be entrusted with functions to enforce IP rights, remove/block pirating websites/content, impose fines for non-compliance, and block ad revenue on infringing platforms. It is also imperative to facilitate joint partnerships between the proposed enforcement agency and overseas content promotion associations via the establishment of reciprocal agreements with global law enforcement authorities in key markets like the UK, Brazil, and the US to protect rights holders against online piracy overseas²².

¹⁹ https://www.yahoo.com/entertainment/next-decade-belong-indian-stories-115010340.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xLLmNvbS8&guce_referrer_sig=AQAAAMxe_GkvvQpTvGYNklZyH_qL5H8ENUJrKa6RrVI3IHrWN3SxFQULSueBHlls7brh3RGd8dyqdG4sJ-mAMVRHESN5kAvmkbKTEOQ9dM4PdN MiQmmAkLrTtdeEINGeruF_jYXFujc6Xn8MwJTAQd11Y4cbKXLxFFkLP2D0aT9-Lh

²⁰ <https://newsroom.spotify.com/2023-08-07/broadcasting-desi-music-to-new-homes-around-the-world/>

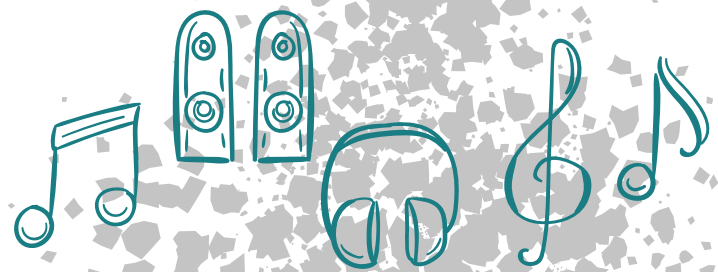
²¹ <https://angle.ankura.com/post/102i6m4/more-than-seven-billion-visits-to-content-piracy-websites-originated-from-india>

²² <https://www.servicesepec.org/home/aboutUs>.



IN CONVERSATION WITH LAURI RECHARDT, CHIEF LEGAL OFFICER, IFPI

Jenil Shah, Asst. Manager – Legal, IMI
Arasha Khan, Associate, IMI



"Policy around online liability framework becomes an important point of discussion for copyright industry stakeholders as well policy makers in light of the expanding role of internet services"

In conversation with Mr. Lauri Rechartd, we delved into the relevance of online liability framework, especially in light of the proliferation of internet services and the challenges faced by copyright holders in the digital era. Mr. Lauri Rechartd discussed the global online liability framework, broad interpretation of safe harbour protection by certain online user generated platforms, relevant remedial measures taken by the European Union in addressing the problems and what can India learn.

The conversation can be accessed at
<https://www.youtube.com/watch?v=LbuwABGRfVA&pp=ygUVamVuaWwgc2hhaCBpZnBpIGxhdXJp>





THE INDIAN
IMI
MUSIC INDUSTRY

About IMI

The Indian Music Industry (IMI) is the apex body that represents the interest of the music companies a.k.a. record labels on a pan-India basis. IMI is an IFPI affiliate which is the global body that represents the recorded music industry worldwide. All major music labels in India are part of this association. IMI is the leading force in India's fight against music piracy and establishing IP rights.

Project Manager : Mr. Jenil Shah

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IMI Social Media Handles



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