

**NATIONAL LAW UNIVERSITY JODHPUR
CENTRE FOR INTELLECTUAL PROPERTY STUDIES**

CIPS COPYRIGHT LAW AND RELATED RIGHTS WEBINAR

**12 September 2020
(10:00 am – 1:30 pm)**

**TOPIC: AUTHOR'S REMUNERATION FROM SOUND RECORDINGS: 8 YEARS
AFTER THE 2012 AMENDMENT TO THE COPYRIGHT ACT, 1957**

SPEAKERS – MR. PRASHANT REDDY AND MR. ACHILLE FORLER

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**NLUJ Centre for IP Studies Webinar – ‘Author's Remuneration from Sound Recordings:
8 Years after the 2012 Amendment to The Copyright Act, 1957’**

**September 12, 2020
(10:00 am – 1:30 pm)**

ABOUT CIPS

Centre for Intellectual Property Studies, National Law University promotes research and studies in the field of Intellectual Property Rights. The Centre monitors, designs and disseminates various courses and programmes pertaining to training and research in Intellectual Property Rights.

TOPIC: Author's Remuneration from Sound Recordings: 8 Years after the 2012 Amendment to The Copyright Act, 1957

ABOUT THE WEBINAR

It has been 8 years since the 2012 Amendment (‘The Amendment’) to The Copyright Act 1957 (‘The Act’). Authors of works incorporated in sound recordings and cinematograph films had faced multiple issues in receipt of payments for contributions made by them. These problems were inherent in the drafting of the Chapter in The Act on Copyright Societies for instance, which leaned on the side of owners. The Indian Performing Right Society Limited (‘IPRS’) had struggled for fair treatment of its authors for decades. Incidents of non-payments and the anguish of authors were bleak reminders that all was not well among the two major payment collectors & distributors in the Indian Copyright Circuit – IPRS and Phonographic Performance Limited (‘PPL’). Works incorporated in sound recordings were not being given their worth in monetary terms.

We see that post-2012, issues have not died down. Authors and Artistes are still complaining of mismanagement and there are disputes between IPRS and PPL. In an article Ms. Shubha Mudgal wrote for Firstpost in August 2020, she lamented on the functioning of the IPRS which she says is not sufficiently consultative in their practice. On the other hand, Mr. Javed Akhtar, Chairman of IPRS has continued to play a major role in exposing systemic financial irregularities in payments to authors. Recently, a big payment of around 13 Crore Rupees for synchronization rights was paid by PPL to IPRS authors. Also, hotel owners and other prospective licensees are unclear on who they are supposed to pay for playing music on their premises with demands from both IPRS and PPL among others such as Novex Communications Pvt. Ltd. and Indian Singers’ Rights Association (‘ISRA’). Out of these only IPRS and ISRA are registered under The Act, leading to questions of opaque administration by the unregistered entities.

The IPRS distribution scheme mentions a percentage distribution for its authors and the producer, but it is unclear whether these are objectively followed, and all stakeholders receive payments. It is also unclear what channels of distribution exist between PPL, Novex and IPRS for smooth conduct of affairs concerning payments including equal share of royalties under the Right to Receive Royalties added by The Amendment. There seem to be deep-set underlying problems which still remain 8 years after The Amendment.

To understand these issues better and merge law with industry practice, the webinar brings together two eminent personalities. As an academic expert, Mr. Prashant Reddy's session will help participants to help clearly understand the legal point-of-view involved in author's rights & remunerations for their works incorporated in sound recordings, owner's rights, copyright society management & their inter-relationships and other technical matters under The Act. As an industry expert, Mr. Achille Forler's session will help participants to navigate the practical systems deployed in the industry for collection and distribution of revenue arising from utilisation of sound recordings & the works incorporated in them. Thus, the webinar aims to provide for a holistic learning experience to the participant.

ABOUT THE SPEAKERS

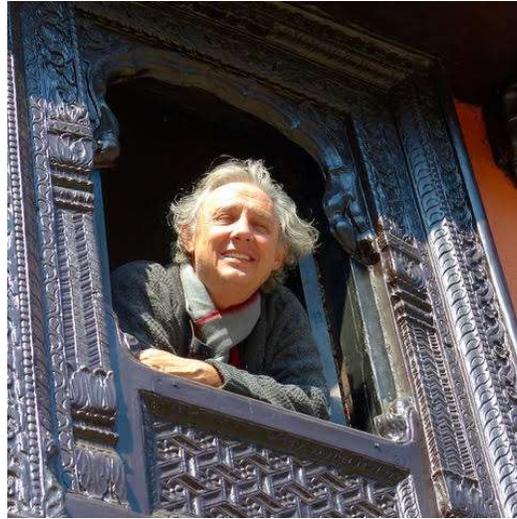
Session 1: Mr. Prashant Reddy



Prashant Reddy is one of India's leading IPR professionals and academicians. He graduated with his B.A. LL.B. (Hons.) degree from National Law School of India University, Bangalore in 2008 and later, completed his LL.M (Law, Science and Technology) from Stanford Law School in 2013. He has worked with Delhi based law firms and in academia in India as well as Singapore. He is the co-author of the book 'Create, Copy, Disrupt: India's Intellectual Property Dilemmas',

which was published by Oxford University Press in 2016. He is the author of many insightful research papers. His 2012 article titled "The Background Score to the Copyright (Amendment) Act 2012" published in the NUJS Law Review is an essential read for anyone who wants to understand the motivations, efforts and objectives of the amendment, helping us appreciate the theme of this webinar.

Session 2: Mr. Achille Forler



Achille Forler has four decades of a uniquely diversified experience in the creative industries – founder of a cultural center, public servant (French Ministry of Foreign Affairs), elected member, and serial entrepreneur. He understands the role of creative industries in a country's development; the economic, political and social determinants that underlie creativity; the relationship between economy and culture; the role of the State and the global management of copyrights.

Career Highlights

1981-1989: Creator and director of the Alliance Francaise of Ahmedabad (while researching, in parallel, for his Ph. D. in Sanskrit)

1990-1994: Attaché for Copyright Industries & Communications, French Embassy, New Delhi

1995: Co-organiser of the first *Euro-Asian Symposium on Intellectual Property rights in the cultural industries in Asia today* Goa (India), with delegates from 7 Asian countries.

1996: Founder of India's first full-service music publishing company, Deep Emotions Publishing, acquired by Universal Music Publishing in 2012.

1999-2000: Three-Member Task Force for Restructuring Prasar Bharati, with Padma Bhushan Prof. P. V. Indiresan and Dr S. L. Rao (www.slrao.com)

2004: Panel Member from India, along with Mr Pravin Anand: "*Creative Industries and Development*" UNCTAD XI (Sao Paulo).

1988-2007: Elected Member (representing South Asia) to the Assembly of the French Abroad (member of the Commission on Education, Communication and Culture), French Senate.

2011: Represented CISAC (Confédération Internationale des Sociétés d'Auteurs et Compositeurs) before the Joint-Parliamentary Committee for the Copyright (Amendment) Bill, 2010.

2012-2016: Managing director of Universal Music Publishing, India.

2014-to date: Founder of Music Curator – www.musicurator.com

2017-to date: Advisor to the Board of the Indian Performing Right Society (IPRS), to implement the 'best in class' IT infrastructure and align the Society's operations with the best international practices.

ELIGIBILITY CRITERIA

The webinar is open to:

1. 3 year LL.B. Course and 5 year integrated LL.B. Course enrolled in any recognized University in India;
2. LL.M. students enrolled in any recognized University in India; and
3. Researchers, Academicians and Industry Professionals.

All participants will be provided with Certificates of Participation.

REGISTRATION PROCESS

1. Students and Researchers shall register by paying a fee of Rs. 500 at <http://www.nlujodhpur.ac.in/fee.php> at 'Payment Other than Semester Fee' specifying the purpose of payment as 'CIPS Copyright Webinar' latest by September 11th September, 2020 (11:59pm).
2. Academicians and Industry Professionals shall register by paying a fee of Rs. 1000 at <http://www.nlujodhpur.ac.in/fee.php> at 'Payment Other than Semester Fee' specifying the purpose of payment as 'CIPS Copyright Webinar' latest by September 11th September, 2020 (11:59pm).
3. The payment receipt shall be emailed at cips@nlujodhpur.ac.in. The subject of the e-mail shall be 'Registration Receipt: CIPS Copyright Webinar'.

IMPORTANT DATES

1. **Last Date of Registration:** 11th September 2020 (by 11:59 pm)
2. **Date of Webinar:** 12th September 2020 (10:00 am – 1:30 pm)

Session 1: 10:00 am – 11:30 am : **Mr. Prashant Reddy**

Session 2: 12:00 pm – 1:30 pm : **Mr. Achille Forler**

The last half hour in every session will be open to participants for Q&A.

PLATFORM: CISCO WebEx

PROGRAM COORDINATOR

Mr. Rohan Cherian Thomas

Assistant Professor (Faculty of Law)

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CONTACT PERSON

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