



PRESS RELEASE

New Delhi, November 22, 2019: The Indian Music Industry (IMI), in association with the International Federation of the Phonographic Industry (IFPI) and Federation of Indian Chambers of Commerce & Industry (FICCI), organised a seminar on Digital Piracy yesterday on *November 21, 2019*. The objective of the seminar was to discuss pertinent issues relating to digital piracy including intermediary liabilities and preventive measures to effectively tackle digital piracy.

The Keynote addresses were given by Mr. Narendra Sabharwal, Chair, FICCI IPR Committee and Former Deputy Director General, WIPO, and Mr. Lauri Rechartd, Chief Legal Officer, IFPI.

Dr. David Price, Director of Consumer Insight and Analysis, IFPI, presented on the Music Listening and Piracy habits of consumers in India, in comparison to global trends. Ms. Jenny Wong, Asia Regional Director, IFPI discussed China's "Sword Net Action" measures to deal with digital piracy and the implementation of similar administrative website-blocking measures in India.

The first panel discussion on "Preventive Measures Now and Going Forward: The Best Possible Scenario" saw participation from different stakeholders in the music industry in India including Mr. Amarjit Singh Batra, Managing Director, Spotify India; Ms. Oindrila Maitra, Director (Legal and Business Affairs), Jio Saavn; Mr. David Price, Director, Consumer – Director of Insight and Analysis; Mr. Sanjay Tandon, CEO, ISRA; and Mr. Raju Singh, Board Member, Music Composers' Association and IPRS. Moderated by Mr. Vipul Maheshwari, Co-Chair, FICCI IPR Committee, the key preventive measures identified by the panellists to prevent digital piracy included legislative frameworks that introduce stringent penalties and enforcement guidelines that discourage users from engaging with pirated sources to access music, educating users about the already available free music streaming channels, which also offer personalized user experience, as an alternate to pirated means of consuming music. The panellists concluded by emphasising on the need for collective effort from all stakeholders in the music industry to fight against digital piracy.

"Intermediary Liabilities" was the second topic of discussion in the seminar. The panel comprised of Mr. Lauri Rechartd, Chief Legal Officer, IFPI, Ms. N.S.Nappinai, Legal Activist & Advocate, Supreme Court and Bombay High Court, Mr. Nikhil Pahwa, Founder, Medianama and Mr. G.R. Raghavender, Joint Secretary, Department of Justice, Ministry of Law & Justice, Government of India. Safe harbors extended to Internet Service Providers was debated upon with each panelist voicing their opinion on the much-talked about topic of intermediaries, in light of the Draft Information Technology Intermediaries Guidelines (Amendment) Rules, 2018, expected to be finalized by beginning of 2020.

Mr. Rechartd stated that, “India, with its rich musical heritage and passionate music fans, has the potential to move from its current position as the 15th largest music market in the world into the top 10 in the next few years. To achieve this, we must tackle the issue of piracy and allow legitimate music services to thrive. More effective procedures are needed to ensure that unlicensed services cannot be accessed from India. The law should ensure that all online platforms negotiate licences for the music that they distribute. We hope India will seize the wonderful opportunity it has and begin the next chapter on its rich and exciting global music journey.”

In conclusion, Mr. Blaise Fernandes, President & CEO of IMI, noted, “There are many livelihoods involved in the creation of music and the entire creative process has investments and economics driving the sector. But, as long as there are revenue leakages in the chain of monetisation because of piracy, fair value to all these livelihoods will always remain a pipe dream. The time has come for the government to introduce administrative measures to empower the executive and bring immediate but also long-term relief from this cancer called music piracy.”