

THE INDIAN PERFORMING RIGHT SOCIETY LIMITED

TARIFF: -MRT: Utilization by Sound Recording on Physical Medium or Electronic Digital Medium by Sale/Electronic Digital Download

1. SCOPE OF TARIFF

This Tariff applies for Musical and Literary works rights which are exploited by utilization on Physical and Electronic-Digital Medium of its Sound Recording on Audio Cassettes / Compact Discs / Audio DVDs / Vinyls and Memory Chips or any physical medium, and Electronic /Digital Downloading of the Sound Recording.

2. GENERAL CONDITIONS

This Tariff is subject to the Society's General Conditions applicable to Tariffs and Licenses.

3. ROYALTY/ LICENSE FEE RATES

The following Royalty/License Fee shall apply for utilization of literary and musical works by Sound Recording on Physical Medium or Electronic Digital Medium by Sale/Electronic Digital Download by:

(A) Physical means:

- a. Sale by Audio Cassettes, Audio CD, Audio DVDs, Vinyls, Memory Chips: Royalty/License Fee Rates is 5.50% of Dealer Price less taxes.
- b. Physical devices where stored music is one of many features of the device will attract royalty/license fee at $5.50\% \times \text{Dealer Price Less Taxes} \times \% \text{ Component of music storage in device} \div 100$

(B) Electronic/Digital Means:

- a. Sale/Download: Royalty/License Fee Rate is 8% of end user (customer) price less taxes and any applicable payment service fees (capped at a maximum of 5%)

4. APPLICABILITY OF TARIFF

- a. This Tariff comes into force from the 01-April-2018 and applies to all Royalties/License fee falling due on or after that date.
- b. Non-compliant Licensees seeking to resolve and regularize past or existing infringement, violation, or breach(s) of the Society's rights and licenses or license terms (including but not limited to failure to adhere to agreement(s) terms, unauthorized use, or vexatious litigation) may be subject to a higher royalty rate [(i.e., existing tariff plus a minimum of 50% of the existing tariff ("additional fee/royalty")), at the Society's discretion. The additional fee/royalty quantum may be assessed by the Society in its sole discretion depending on the nature and/or extent and/or duration and/or egregious nature of the (past or existing) infringement, violation, or breach(s) of the Society's rights and licenses or license terms as being higher than 50% of the existing tariff.

- c.** Royalty/License Fee rate shall be adjusted to reflect the increase, if any, in the general price level (inflation), as measured by the Consumer Price Index. Such adjustment in royalty/license fee rate can be yearly or cumulative over a period of time.
- d.** All Royalty/License Fee are exclusive of all applicable GST/ taxes / levies.