



The Intellectual Property Appellate Board (IPAB) makes a landmark judgement in favour of The Indian Performing Right Society (IPRS)

~ The judgment will allow IPRS to collect royalties from FM Radio Stations on behalf of its members~

January 2, 2021: The Intellectual Property Appellate Board (IPAB) headed by Chairman Mr. Justice Manmohan Singh and Technical Members Mr. N. Surya Senthil and Mr. S.P. Chockalingam, comprising the expert tribunal under the Copyright Act, 1957, pronounced a landmark judgement on 31st December upholding the rights of the Indian Performing Right Society Limited and its lyricist, music composer and music publisher members to claim royalties in respect of the broadcast of lyrics and music underlying sound recordings by FM Radio Stations in India.

The judgment specifically recognises the rights of lyricists and music composers to claim royalties on the basis of the 2012 amendments to the Copyright Act, 1957.

The judgment also establishes separate royalty rates payable by radio broadcasting stations across India through 2021 in respect of sound recordings as well as literary works and musical works.

The proceedings before the IPAB saw the participation of all major FM Radio Companies, Music Companies and Copyright Society like IPRS to fix royalty rates for radio broadcasting under the statutory license provision of the Copyright Act, 1957.

The Chairman of IPRS Mr. Javed Akhtar welcomed the judgement of the IPAB on behalf of IPRS its Board and all its members. Mr. Akhtar stated, *“This landmark decision has applied the law by recognising the rights of creators like lyricists and music composers to an equal share of royalty from the utilization of the lyrics and music in any form. This judgment will greatly benefit impoverished creators and their families as well as the entire creative community in India and internationally. We sincerely thank the honourable IPAB for its clear and unambiguous recognition of the rights of creators in line with the law and now hope that our colleagues in the radio broadcast sector can now move forward with the creative community in harmony in view of this judgment”.*

Mr. Rakesh Nigam CEO of IPRS stated that *“This Judgement is a fundamental game-changer which will pave the way for IPRS to deliver greater benefits to the creative community in India. The team at IPRS is immensely gratified by the judgment and we are tremendously proud that IPRS was the only registered Copyright society representing the interest of authors and composers and music publishers before the honourable IPAB.”*