

THE INDIAN PERFORMING RIGHT SOCIETY LIMITED

TARIFF: - CF: UTILIZATION BY CINEMATOGRAH FILMS ON PHYSICAL MEDIUM AND ELECTRONIC/ DIGITAL MEDIUM BY SALE/ DOWNLOAD/ RENTING/ STREAMING

1. SCOPE OF TARIFF

This Tariff applies for Musical and Literary works rights which are exploited by utilization on Physical medium of its Cinematograph Films on Video Compact Discs, Video DVDs, Vinyls, Memory Chips, or on any physical medium by Sale/Renting/Subscription services and on Electronic/Digital Medium of its Cinematograph Films by Sale/Download/Renting/Subscription/Streaming of the Cinematograph Films including services on Internet and on/by Mobile/Cellular network by a Telecom / Mobile/Cellular Network Operator and billing of the services is by the Mobile/Cellular Network Operator including 2G, 3G, 4G services or any future Generation services.

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 Rates shall apply for utilization of Literary and Musical works by Cinematograph Films on Physical Medium and Electronic/Digital Medium by Sale/Download/Renting/ Subscription/Streaming services

(A) Physical means:

- a. **Sale by Video Cassette, VCD/DVD / Blue Ray, Vinyl, Memory Chips:**
Royalty/License Fee Rate is 3% of the Dealer Price less taxes
- b. **Rental/Subscription Services:** Royalty/License Fee Rate is 3% of the end user (customer) price less taxes and any applicable payment service fees (capped at a maximum of 5%)

(B) Electronic/Digital means: Sale/Download/Rental/Streaming-Limited to General Entertainment Content (Feature Films & Serials –TV, WEB, OTT etc.)

Royalty /License Fee rates for Electronic/Digital means shall be calculated on prorata basis as per below:

Category	Royalty/License Fee Rate is		
	Monthly Users	Greater of	
		Per Active User Monthly Minima (In Rs.)	Royalty/License Fee Rate
Free Service/ Bundled	Upto 0.1 Million	1.00	3% of the Gross Revenue
	0.1 Million to 0.5 Million	0.90	
	0.5 Million to 2.5 Million	0.80	
	2.5 Million -12.5 Million	0.70	
	Above 12.5 Million	0.60	
Paid Service	3% of the Gross Revenue subject to minimum annual royalty/license fee		

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- a. Free Service: Means any services that are offered/accessible to end user/consumer without incurring any subscription charge/s
- b. Minima is a minimum fee per user per month adjustable on prorata basis for each end user (customer).
- c. Gross revenue includes any revenue generated directly or indirectly from such service by subscription, sponsorship, advertising or recurring charges less taxes and any applicable payment service fees (capped at maximum of 5%).

(C) Streaming/Download Services- Music Content

Royalty/License Fee Rate	
Category	Royalty/License Fee % Rate
Advertising Video On Demand (AVOD)	12% of Gross Revenue
Subscription Video On Demand (SVOD)	13.5% of Gross Revenue
Music Content means any Audio Visual File comprising of Music Video, Art Track	

(D) UGC: USER GENERATED CONTENT

The following Royalty/License Fee Rates shall apply for literary and musical works as part of user generated content (video) on Internet by way of on-demand streaming services through a website/app/mobile app:

- a. 12% of gross revenue which includes any revenue generated directly or indirectly from such service by subscription, advertisement, sponsorship or recurring charge for such streaming services

User Generated Content (UGC) are videos uploaded by end user (Non-Owner) that utilize literary and musical works owned or controlled/administered by the society

4. APPLICABILITY OF TARIFF

- a. This Tariff comes into force from the **1st January 2021** and applies to all Royalties/License fee falling due on or after that date.
- b. This tariff is subject to the applicable Minimum Annual Royalty/License Fee and to clause number 14 of the General Terms and Conditions applicable to the Tariffs and Licenses
- c. Non-Compliant Licensees who seek to regularize past infringements / violations / breach of Society's rights and licenses (including non-compliance with agreements, usage without license, vexatious litigation, etc.), a penalty of 30% over the existing tariff shall be applied at the discretion of Society.
- d. 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.
- e. All Royalties/License fee are exclusive of all applicable GST/ taxes / levies.