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Who Owns The Rights in a Song:
Evolving Trends in Music Copyright in India

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It is trite to say that copyright is a bundle of rights. This truism is best demonstrated when a song is played on the radio or performed as part of a cinematograph film. Under the Copyright Act in India, copyright attaches to original literary, musical, artistic and dramatic works; sound recordings and cinematograph films. The creation of a song at the most basic involves the intermeshing of lyrics and musical composition (literary and musical copyrights) to supplement a singer's performance, all these elements reduced to permanent form by way of their confluence in a sound recording or a cinematograph film. When played on the radio or performed as part of the film, the song brings into play a blend of these underlying rights as one final ensemble.

In the words of the celebrated jurist judge, Justice Krishna Iyar in the Indian Performing Rights Society Limited vs. Eastern India Motion Pictures Association (1977), "cinema is more than long strips of celluloid, more than miracles in photography, more than song, dance and dialogue and, indeed, more than dramatic story, exciting plot, gripping situations and marvellous acting. But it is that ensemble which is the finished product of orchestrated performance by each of the several participants, although the components may, sometimes, in themselves be elegant entities."

Enacted in 1957, the Copyright Act (hereinafter, the Act) in India is one of the most modern copyright laws in the world. The Indian Parliament, conscious of the prescriptions of all major international copyright conventions and obligations, has taken steps from time to time to revise the Act to reflect these prescriptions. However, one area where the law has been slower to respond, perhaps due largely to the pulls and pressures of the powerful music and film industry in India (perhaps, the largest in the world), relates to the need to recognise and grant independent rights to the contributions of the several participants in the sound recording or cinematograph film, despite calls for legislative intervention including judicial dicta/footnotes. As a result, in the absence of enabling statutory provisions, the courts in India have been constrained, albeit reluctantly, to apply and interpret the prevailing law to deny protection to such separate rights in recorded music and films, even while acknowledging that these rights need a separate place in the scheme of things.

In response to some of these calls, the Act has undergone two major overhauls, one enacted in 1994 and the other in 2012. While the 1994 amendments inter-alia accorded statutory recognition to the rights of 'performers' as a special right, the 2012 amendments sought to confer independent rights in the hands of authors of lyrics and musical compositions incorporated in sound recordings and cinematograph films.

Prior to the 1994 amendments, it may be worth recalling that the Indian jurisprudential landscape in relation to the authors of underlying works in cinematograph films and sound recordings had been governed by the following binding judicial precedents in terms of the then prevailing statutory framework:

The Indian Performing Rights Society Limited (IPRS) vs. Eastern India Motion Pictures Association (AIR 1977 SC 1443)

IPRS, the appellant before the Supreme Court, was incorporated on August 23, 1959 for the purpose of carrying on business in India of issuing or granting licenses for performance in public of Indian musical works in copyright. It had amongst its members the composers of musical works, authors of literary and dramatic works and artists. On September 27 and November 29, 1969, claiming its title as an assignee of copyrights from its members, IPRS published a tariff of proposed royalties for the grant of licenses for public performance of works. Various associations including those comprising producers of cinematograph films including the sound tracks therein objected to the proposed tariff, averring that their members engaged music composers and song writers under contracts of service to compose their works for incorporation in the sound tracks of their films; that, consequently, all the rights which had subsisted in the music composers and song writers including the right to perform them in public stood transferred and became the property of the film producers; that any assignment purported to have been made in favour of IPRS was void and of no effect.

The Copyright Board to which the objections were referred took the view that the composers of lyrical and musical works could assign their performing rights in public to IPRS. However, an appeal filed before the High Court was allowed. The High Court held that, under proviso (b) to Section 17 of the Copyright Act, unless there was a contract to the contrary, a composer who composed a lyric or music for valuable consideration for a cinematograph film did not acquire any copyright and the producer of the film became the first owner of the copyright in the compositions.

Dissatisfied with this decision, IPRS preferred an appeal before the Supreme Court of India. Applying the then existing provisions of the copyright law at the relevant time (Section 17 (b)), the Supreme Court of India agreed with the High Court's interpretation, holding that the author/composer of lyrics or musical work who had authorized a cinematograph film producer to incorporate his work in a cinematograph film ceased to own any independent rights, and the film producer as copyright owner of the film would own all the rights including all the underlying rights.

However, while agreeing with the leading opinion in the said judgment, Krishna Iyer, J authored a footnote, lauding the creative contributions of the authors of the underlying works and calling for a Parliamentary intervention to address the infirmities in the law as it then existed in relation to such authors.

Eastern India Motion Pictures vs. Performing Rights Society Ltd. (AIR 1978 Cal 477)

The 1977 judgment of the Supreme Court was followed by numerous subsequent judgments including a Division Bench judgment of the Calcutta High Court in Eastern India Motion Pictures vs. Performing Rights Society Ltd. and a single judge bench of the Bombay High Court in Music Broadcast Pvt. Ltd. V. IPRS (Suit No. 2401 of 2006), all to the effect that the authors of the original underlying literary and musical works embodied in sound recordings/ cinematograph films had no right to interfere with the rights of owners of such sound recordings/cinematograph films to communicate the same to the public, including by broadcast through radio stations.

International Confederation of Societies of Authors and Composers (ICSAC) vs. Aditya Pandey (2017) 11 SCC 437):

It was a judgment passed by the Supreme Court under the pre-2012 Copyright Act in the context of rights held by the authors and composers of lyrics and music composers against the claims of sound recording companies. Applying the ratio of its 1977 precedent, the Supreme Court again reiterated that the author/composer of a lyric or musical work who had authorized a sound recording producer to incorporate his work in a sound recording, ceased to own his independent rights, and these rights would come to vest in the sound recording producer as owner of copyright.

As the facts involved in this judgment predated the 2012 amendments, the Supreme Court specifically limited its interpretation to the legal regime prior to 2012 and chose not to express any opinion on the scope and effect of the amendments.

While the Copyright Act at least did recognise the separate existence of the rights in the underlying lyrical and musical works (dehors their incorporation in films and sound recordings), there was a complete vacuum under the Act as regards the rights of performers such as singers and actors who had rendered services as contributors to the final ensemble of a song or a film as a whole.

Fortune Films International vs. Dev Anand and Another (AIR 1979 Bom 17)

The statutory vacuum regarding a performer's rights was noted in Fortune Films International vs. Dev Anand and Another. Decided by a two-judge appellate bench of the Bombay High Court, the dispute in the case involved a claim by the celebrated Bollywood cine artiste of yesteryears, Dev Anand that the copyright in the film he had acted in and/or his performance therein was by agreement specifically vested in him. On the other hand, the producer, Fortune Films argued that, under the prevailing law at the relevant time, the copyright in a cine artiste's performance was not any "work" as the said expression related only to what was tangible in nature such as a motion picture, story, scenario or music, but not to the performance of an artiste; that, despite the specific provision in the agreement, there was no legal vesting of such copyright in the cine artiste and any such contractual provision conferred a non-existent right. The cine artiste, inter-alia, contended that the performance of an actor would qualify as an "artistic work" or "dramatic work" as defined in the then extant Copyright Act or a protectable part of the cinematograph film as a work.

Rejecting the contentions raised on behalf of the cine artiste, the High Court of Bombay held that the Copyright Act in force at the relevant time did not recognize the performance of an actor as 'work' protected under the Copyright Act; nor would such performance qualify as a "dramatic work" as a piece for recitation or a choreographic work or entertainment in dumb show as the definition specifically excluded a cinematograph film; nor would a 'performance' qualify as a protectable part of the cinematograph film vested in the artist as it would tantamount to holding multiple owners of portions thereof in negation of the binding ratio of the Supreme Court of India in the Indian Performing Rights Society Ltd. v. Eastern India Motion Pictures Association (supra).

The Copyright (Amendment) Act 1994

The legislature intervened in 1994 when the Copyright Act was amended to provide for a special right known as the performer's right. The term 'performer' was defined to include actor, dancer, musician, singer, acrobat, conjurer, snake charmer, juggler, a person delivering a lecture or any other person who makes a performance.

Neha Bhasin vs. Anand Raj Anand and Another (132(2006) DLT 196)

In 2006, the High Court of Delhi had the occasion to apply this special right to the claim of a singer in Neha Bhasin vs. Anand Raj Anand and Another. The claimant singer, Neha Bhasin claimed that she had been approached by the defendant music director for the recording and dubbing of a song to be incorporated in a motion picture under production. Even though no remuneration was settled, she was promised an appropriate compensation once the song had been released and attained popularity in the market. Believing in the assurances of the defendant, Neha attended the studio on several occasions and recorded the song, with the last recording completed with certain modifications including certain backup vocals and a rap portion. For a few months following the last recording, Neha received no news from the defendants nor any payment of promised remuneration. However, later Neha came across a release of the song on television and was shocked to learn that she had not been shown as the lead singer in the credits, but only as one of the backup vocalists. To add insult to injury, the credits mischievously and dishonestly showed a different singer (defendant no. 2) as the lead singer when she had had no role in the same. In other words, Neha alleged that her voice had been "stolen" and falsely attributed and held out to be that of defendant no. 2. It was further claimed that the acts of the defendants also amounted to an infringement of Neha's newly-introduced performer's rights under the Copyright Act.

The defendants argued that the newly introduced 'performance' right meant any visual or acoustic presentation made live by one or more performers; that the plaintiff had no sustainable performer's right as these rights resided only in live performances and not the recorded songs. Rejecting the argument raised and upholding the rights of the singer, the High Court held that 'it is essentially the reproduction of the performance through sound or visual recordings without the permission of the performer that is prohibited'. It went on to further hold that 'every performance has to be live in the first place by one or more performers ...whether it is before an audience or in a studio... If this performance is recorded and thereafter exploited without the permission of the performer, then the performer's right is infringed.'

The Copyright (Amendment) Act 2012

One notable omission in the 1994 amendments continued to be the rights of the underlying works in cinematograph films and sound recordings, governed as they were by the earlier legal regime, thus leaving open the issues for legislative intervention:

Thirty five years after the Supreme Court's 1977 IPRS judgment, the Indian Parliament took notice of the infirmities in the law and sought to nullify the effect of the 1977 IPRS judgment by specifically providing that the rights of the authors of the underlying works (lyrics and music) in films and sound recordings would not be affected by the exclusive rights vested in their producers. The amendments conferred a new independent right to royalty in the hands of composers of lyrics and music even after their works were incorporated in cinematograph films and sound recordings (the only exception being when a cinematograph film was played in a cinema hall, the producer enjoyed all the rights in the film including these underlying rights). This new right was a personal right to royalty not flowing from any provisions of the Act but brought into life as a legislative fiat for the authors to assert against an assignee of their rights, inalienable and non-waivable except to their heirs or a collective society.

The amendments in the form of this new personal royalty right came about because of a concerted and sustained lobbying on the part of these authors against the mighty juggernaut of the producers of films and sound recordings. As a result of these amendments, the authors were conferred inalienable and non-waivable rights to an equal share in the royalties accruing from all forms of exploitation of their works as part of the cinematograph films and sound recordings (with the exception in respect of theatrical exploitation of a cinematograph work).

IPRS v. Rajasthan Patrika Pvt. Ltd (2023 SCC Online Bombay 944)

On April 28, 2023, in a first authoritative judgment on the effect of the 2012 amendments, a single judge of the Bombay High Court, taking note of the Report of the Parliamentary Standing Committee, the Statement of Objects and Reasons and the specific nature of the amendments introduced, held that:

"all of them point towards additional protection of rights envisaged for authors of such literary and musical works, who had hitherto lost their rights once they were assigned to the producers of cinematograph films incorporating sound recordings or sound recording as such."

Vodafone Idea Ltd. v. Saregama India Ltd. (judgment delivered by the Calcutta High Court on 17 May 2024)

Continuing with and following the aforesaid path-breaking judicial interpretation set by the Bombay High Court (supra), the Calcutta High Court added its own judicial imprimatur to the additional rights conferred on authors of literary and musical works within the ambit of the 2012 amendments. Agreeing with the contentions raised by IPRS, the Calcutta High Court held that the categories of works (including literary and musical works and the exclusive rights granted under Sections 13 and 14 of the Act) are expressly subject to the other provisions of the Act (such as the additional rights created under Sections 18 and 19) and passed an order of injunction, restraining the defendants from infringing IPRS's copyright without seeking a licence.

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It may be noted that collective societies have been central to administering performance rights in recorded film and non-film music. The legal developments described above underscore the role they have played in shaping the changes in the legislative framework of rights under the Act. In keeping with their central role, one of the crucial changes brought about by the 2012 Amendments relates to the functioning of these societies in carrying out their business. The amendments mandate that the business of issuing or granting license in respect of literary, dramatic, musical and artistic works incorporated in a cinematograph film or sound recording can be carried out only through a copyright society duly registered under the Act. The amendments further provide that all the societies existing as of the effective date of the 2012 Amendments must get themselves re-registered within a period of one year from such date.

Currently, primarily the following societies/entities are operating in India in the business of issuing licenses in India:

The Indian Performing Rights Society (IPRS)

IPRS came into existence on 23 August 1969 as a representative body of owners of music viz. composers, lyricists etc. Following the mandate of the 2012 amendments, IPRS re-registered itself as a copyright society on 28 November 2017.

Phonographic Performance Limited (PPL)

PPL was founded in 1941 as a representative body, licensing its members' sound recordings for communication to the public in the areas of public performance and broadcast. In compliance of the applicable 2012 mandate, PPL re-applied for registration in 2018 (its initial application made in May 2013 was sought to be withdrawn as it considered itself to be a private company and not a collective organisation). The Registrar refused the withdrawal request, thus precipitating a stand-off between PPL and the Government in the High Court of Delhi). On 25 May 2021, the Registrar of Copyrights rejected PPL's application not only as belated, but also in view of the fact that its earlier application had been withdrawn.

As of today, in the absence of re-registration under the Act, PPL has been operating as a private company as an assignee to grant licenses on behalf of its members.

The Recorded Music Performance Ltd. (RMPL)

In 2018, a new body, RMPL applied for registration under the Act as a representative body to represent and administer public performance rights on behalf of its members' sound-recordings – a function overlapping that of PPL. On June 18, 2021, the Registrar of Copyrights granted RMPL's application, paving the way for it to commence its business of licensing and managing copyrights on behalf of its sound recording members.

Novex Communications Private Limited (Novex)

Besides the above legal entities, Novex Communications Private Limited, a company established in 2002 under the Companies Act, 1956, has also been operating in the business of issuing copyright licenses under assignments of well-known and established music labels like Zee Entertainment Limited, Eros International Media Limited, Tips Industries, Yash Raj Films Pvt. Ltd. etc. By virtue of the assignments obtained from these music labels, Novex has been acting as a representative owner of a large number of sound recordings on behalf of its members, licensing public performance of these sound recordings on a commercial basis to hotels, restaurants, lawns, discotheques, resorts, malls and venues.

Like PPL, Novex also does not enjoy any registration under the Copyright Act.

There has been a spate of litigation in the courts where the locus of PPL/Novex to issue licenses for public performance of their sound recordings has been challenged by the aggrieved parties sued for copyright infringement arising out of their claimed unauthorised public performance of their works in their premises.

In Novex Communications v. Trade Wings Hotels Limited, the Bombay High Court in a detailed opinion dated January 24, 2024 rejected the challenge, inter alia, holding that:

(1) PPL and Novex as assignees/owners of copyrights under Section 30 of the Act enjoy the power to grant any interest in the copyright by license which would include the interest of communicating the sound recordings to the public.
(2) Further, Section 30 also empowers a "duly authorised agent" of the owner to grant license.
(3) The second proviso introduced through the amendments of 2012 is not applicable to sound recordings. By its express language, the second proviso is confined to authors of underlying works (literary, dramatic, musical and artistic works incorporated in films or sound recordings). By adding the second proviso in 2012, the Parliament did not contemplate that Section 33(1) barred every owner of a copyright from carrying on the business of licensing his works.
(4) By its very nature, a copyright society may wear two hats i.e. (i) as an authorised agent and (ii) as an assignee. The effect of the 1994 amendments was to protect and facilitate the exercise of "owner's" rights, not to restrict or diminish them in any way. The copyright society fundamentally operates on an "authorisation" from the owners as a duly authorised agent, to administer rights either licensed and/or assigned to them. The owner continues to simultaneously have rights to deal with the copyright in the work.
(5) Read in the context of the other relevant provisions (Section 34(1) and (3)), it was clear that it could never have been the intention of the legislature that once

an author/owner withdraws the authorisation from a copyright society, that work cannot be licensed by anyone, especially an owner. This would undermine the public interest in making a copyrighted work available to the public.

(6) Section 33(1) cannot curtail the power of the owner to grant any interest in the copyright by license under Section 30 of the Act. The reference in Section 33 (1) to "no person" cannot be interpreted to include an "owner" of copyright. Both Section 30 and Section 31 operate in different fields under separate chapters. Section 30 is the source for granting of licenses by the owner of copyright.

(7) The word "business" would include the grant of licenses by the owner of a copyright.

Phonographic Performance Limited (PPL) v. Azure Hospitality Private Limited & others

In contrast to the view taken in the Novex line of cases including the January 2024 opinion of the Bombay High Court, an appellate two-judge bench of the Delhi High Court has taken a contrary view in a recent opinion on April 15, 2015 in the following facts and circumstances:

(1) Before the Single Judge:

PPL as a representative body, administering the performance rights in sound recordings on behalf of its members, discovered during a visit by its representatives to the restaurants being operated by the defendant that they were exploiting in their premises the sound recordings belonging to PPL. As the defendant did not respond to PPL's cease and desist notice, PPL sued the defendant for a claim of copyright infringement before the High Court of Delhi.

PPL relied on the ratio of the Novex line of cases including the opinion in Novex Communications v. Trade Wings (supra) and reiterated the submissions advanced therein. In particular, it submitted that the second proviso to Section 33(1) does not extend to the rights in sound recordings or cinematograph films.

In rebuttal of PPL's submissions, the defendants argued that the interpretation placed by PPL on Section 33 and its proviso would amount to rewriting the 2012 amendments; that a holistic reading of Section 33 and the second proviso would indicate that the business of issuing licenses must be conducted through copyright societies duly registered under the Act.

Agreeing with the submissions and the caselaw cited on behalf of PPL, the single judge held that:

(1.1) Section 30 of the Act permits the owner or an assignee to grant a license in respect of his works either by himself or through an agent.

(1.2) Section 33 comes into play only where owners, who are members of a copyright society, have assigned the right to give licenses to a copyright society. The section does not extend to owners who are not members.

(1.3) The first proviso clarifies that such owner is free to grant licenses in respect of his works in his individual capacity subject to a limitation that he cannot grant such license in respect of a work which he has exclusively licensed to a copyright society.

(1.4) The right to grant licenses under Section 30 would include "the business of issuing or granting licence" within the meaning of Section 33 and the second proviso. The said proviso cannot put any fetters on the inherent right of an owner to grant licenses.

(1.5) Further, the said proviso clarifies that the "business of issuing or granting of licenses would vest with a copyright society only in respect of "literary, dramatic, musical and artistic works incorporated in a cinematograph films or sound recording" and not in the "cinematograph film" or "sound recording" itself.

(1.6) Section 33 cannot override the provisions of Section 30 which gives an absolute right to an owner to grant any interest in his copyrighted work by way of a license. That a copyright society continues to be subordinate to an owner is recognized in Sections 34 and 35.

(1.7) The fact that PPL has surrendered its registration under the Act does not affect its locus to sue as an owner.

(1.8) In the facts and circumstances of the case, the acts of the defendants constitute infringement of PPL's copyright and thus liable to be injuncted.

(2) Aggrieved by the Single Judge's order, the defendants preferred an intra-court appeal before a two-judge Bench of the High Court ('the Division Bench'). It was submitted on their behalf:

(2.1) The objective underlying the scheme envisaged by Section 33(1) is the regulation of the business of bulk copyright holders granting licenses in respect of the copyright in the sound recordings and thus prevent cartelization, monopolisation and syndicating.

(2.2) Once it is found that a particular entity is carrying on the business of issuing or granting licenses in respect of the copyrighted works, Section 33(1) applies, and such business can be carried on only in accordance with a registration as a copyright society under Section 33(3) in the manner prescribed in the Act. The proviso to Section 33(1) cannot be so interpreted as to defeat the object and scheme of the main section.

(2.3) the impugned judgment effectively permits an entity such as PPL to circumvent the regulatory scheme put in place by Section 33(1) read with Section 33A by not registering itself as copyright society and granting licenses as owner in respect of a bulk of sound recordings at exorbitant rates.

(2.4) there is already another registered society, RMPL operating in the field of granting licenses for sound recordings. However, faced with the menace of cartelisation permeating the music industry, few original copyright owners of sound recordings have granted license to RMPL as the bulk of such licenses has remained the monopoly of PPL. Copyright, as a fundamental principle, is not intended to confer unguided monopoly on persons.

Finding merit in the submissions on behalf of the defendants, the Division Bench allowed the challenge, inter alia, holding that:

(1) Section 33(1) of the Act prohibits the carrying on of business of issuing or granting licences in respect of (i) any copyrighted work or (ii) any other rights conferred by the Copyright Act, except under or in accordance with the registration granted under Section 33(3) to a copyright society.

(2) PPL is an association of persons, admittedly carrying on the business of granting licenses as a registered society from 7 May 1996 to 21 June 2014 and as an unregistered society thereafter. Accordingly, it cannot contend that the requirement of Section 33 does not apply to it. It is, therefore, proscribed from granting any licence in respect of the assigned works except under or in accordance with the registration granted under Section 33(3).

(3) Viewed in isolation, the requirement of Section 33(1) is absolute and non-negotiable. PPL can grant licenses only if it is either a registered society or a member of another registered society, i.e. RMPL.

(4) PPL is unquestionably the owner of the sound recordings in its repertoire of assigned rights therein. Such an interpretation would, however, render Section 33(1) completely otios and redundant. Further, the first proviso to Section 33(1) proceeds on the accepted premise that the owner of copyright who carries on business of issuing licenses is a member of a registered copyright society. There is no escaping the position that the concerned copyright owner, who desires to grant licenses in respect of his own works, has, firstly, to be a member of a registered copyright society, and, secondly, can exercise the right to grant licenses in respect of his own works only consistent with its obligations as such member.

(5) The judgments in the two Novex decisions relied upon by the single judge proceed on the basis that Section 33(1) does not curtail the power of the owner to grant any interest in the copyright by license under Section 30. However, the judgments fail to notice that the words "or in respect of any other right conferred by this Act". Thus, the right conferred by Section 30 is also made subject to Section 30(1).

In view of these findings, the Division Bench found the Single Judge's order unsustainable. However, it felt necessary as an equitable arrangement to modify the order by directing PPL to become a member of RMPL and grant a license to the defendants at the tariff rates prescribed by RMPL as a registered society.

(3) PPL filed a Special Leave to Appeal (SLP) before the Supreme Court of India, challenging the order passed by the Division Bench. On April 21, 2025, the Supreme Court issued notice in the SLP with the additional direction that the orders passed by the Division Bench and the Single Judge would stand stayed pending hearing and final disposal of the SLP.

So, what is the effect of the stay granted by the Supreme Court? Since neither the Single Judge's order of injunction nor the Appellate Court's directions in modification thereof are today in force, technically Azure can continue playing the works of PPL at its restaurants without any obligation to pay royalty fees to PPL or RMPL, that is, at least till the Supreme Court is able to finally hear and decide the controversy.

Predictably, following the Supreme Court's stay order, several third parties started using the order to avoid paying PPL its license fees for playing the sound recordings in its repertoire. This forced PPL to approach the Supreme Court for clarification. On June 19, the Supreme Court clarified that its order dated April 21 is binding inter se between the parties to the lis pending before the High Court. In effect, the said order is an order does not apply to third parties.

In Al Hamd Tradenation v. PPL decided on 13 May 2025, a single judge of the Delhi High Court was called upon to decide a petition moved by Al Hamd, seeking directions for grant of a compulsory license from PPL. It was the case of the petitioner that PPL's tariff of license fees for performance of its repertoire of sound recordings was unreasonable and prohibitory, thus effectively amounting to a refusal to allow public performance rights and warranting directions for a compulsory licence.

The Single Judge took the view that monopoly is not encouraged in our constitutional scheme of statute and, if the terms of a license fee are unreasonably high, it would constitute refusal on the part of the owner of copyright. Taking note of the developments relating to PPL's rights pending adjudication before the Supreme Court, the Single Judge issued directions for a compulsory license subject to the outcome of the pending proceedings before the Supreme Court.

Conclusion

This article seeks to capture the evolving copyright trends in the music industry in India over the past few decades. The current balance of underlying rights at play in the industry is still in its nascent stage and may call for more judicial and legislative intervention to ensure that the various participants in the final ensemble of their orchestrated performance in recorded music feel suitably rewarded and are able to exercise their rights in a certain legal framework. The courts in India have shone the light on the grey areas of the law from time to time and thus paved the way for legislative intervention to fill in these lacunae. The judgments described in the article represent some of these important milestones in the evolution of copyright law in India and are bound to act as galvanizing precedents to bring about greater legal certainty in the balance of rights under the law.

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As IP Head, he has had the privilege of filing and prosecuting of trade mark applications in more than 120 countries across the globe and enforcing the rights by way of diverse oppositions/cancellations and court actions in various Middle East and South Asian countries. He has 20 years of rich experience in the field of IP starting from conceptualization, prosecution of IP, included but not limited to strategizing complex IPR litigation.

Usha International Ltd. an Indian multinational manufacturer and marketer of Home Appliances and other consumer durable products that include sewing machines, electric fans, electrical and household appliances, water coolers, juicer mixer grinders, electric Irons, toasters and Inverters etc. These products are sold under the renowned and well-known mark USHA which was adopted in the year 1936.

The company headquartered in Gurgaon, Haryana is part of the Sidharth Shriram Group and is today amongst Indiaâ€™s most dynamic and reputed business houses since 1934. The Company has an annual revenue of Indian Rupees 3000 crores with 5000 employees working from 16 regional office, head offices, manufacturing plants in Kolkata and Hyderabad and overseas offices in China and Sri Lanka.

The Company has a All-India retail presence with 60 company showrooms and logistics supported by 33 warehouses.

The International operations of the Company started in the year 1946 and at present the company is exporting its products to 32 countries of the world.

International Tie -ups

Currently, the Company has an association with Hunter Fan Company, USA, Janome Sewing Machine Company, Japan, Midea Appliances, China.

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