



## Intellectual Property Appellate Board

Delhi Registry –Cum-Bench

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New Delhi – 110 066

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**Original Petition No.**

**OP (SEC-31D)/3/2020/CR/NZ**

1) MUSIC BROADCAST LIMITED

APPLICANT/PETITIONER

Versus

1) TIPS INDUSTRIES LTD

RESPONDENT

2) EROS INTERNATIONAL FILMS PRIVATE  
LIMITED

3) PHONOGRAPHIC PERFORMANCE  
LIMITED INDIA

4) SAREGAMA INDIA LIMITED

5) SONY MUSIC ENTERTAINMENT PVT. LTD.

6) SUPER CASSETTES INDUSTRIES PRIVATE  
LIMITED

7) THE INDIAN PERFORMING RIGHTS  
SOCIETY LIMITED

Counsel for the Applicant/Appellant : Mr. Sagar Chandra, Ms. Surabhi Iyer, Ms. Shubhie Wahi, Mr. Raghu Vinayak Sinha & Ms. Garima Raonta – advocates

Counsel for the Respondent : **TIPS INDUSTRIES LIMITED**  
Mr. Harsh Kaushik, Mr. Abhay Chattopadhyay, Ms. Anushree Rauta, Ms. Parul Sharma, Mr. Navankur Pathak and Ms. Pranita Saboo – Advocates

**EROS INTERNATIONAL MEDIA LTD**

Mr Neel Mason, Ms Ridhima Pabbi, Mr Vihan Dang, Mr Uday S Chopra, Ms Sanyukta Banerjee, Ms Ekta Sharma, Mr Shivang Sharma, Ms Ramya Ramkumar and Ms Megha Sharma – Advocates

**PHONOGRAPHIC PERFORMANCE LIMITED**

Pragyan Sharma, Neeraj K Gupta and Liliaan Daas – Advocates

**SAREGAMA INDIA LIMITED**

Mr Ankur Sangal, Ms. Sucheta Roy and Mr. Shantanu Rawat – Advocates

**SONY MUSIC ENTERTAINMENT PVT. LTD.**

Mr. Mukul Rohatgi, Sr. Advocate, Mr. Sudhir Chandra, Sr. Adv. along with Mr. Amit Jamsandekar, Mr. Rishi Agarwal, Mr. Vaibhav Shukla – Advocates

**SUPER CASSETTES INDUSTRIES PRIVATE LIMITED**

Mr Neel Mason, Ms Ridhima Pabbi, Mr Vihan Dang, Mr Uday S Chopra, Ms Sanyukta Banerjee, Ms Ekta Sharma, Mr Shivang Sharma, Ms Ramya Ramkumar and Ms Megha Sharma – Advocates

**INDIAN PERFORMING RIGHTS SOCIETY LTD.**

Mr. Saikrishna Rajagopal, Mr. Ameet Datta,  
Mr. Himanshu Bagai, Ms Pallavi Sondhi,  
Ms Deepshikha Sarka & Mr. Vivek Prasad- Advocates

**Original Application No.**

**OP (SEC-31D)/4/2020/CR/NZ**

1) ENTERTAINMENT NETWORK (INDIA) APPLICANT/APPELLANT LIMITED

Versus

1) PHONOGRAPHIC PERFORMANCE LIMITED INDIA RESPONDENT

2) TIPS INDUSTRIES LTD

3) SAREGAMA INDIA LIMITED

4) SONY MUSIC ENTERTAINMENT PVT. LTD.

5) THE INDIAN PERFORMING RIGHTS SOCIETY LIMITED

Counsel for the Applicant/Appellant : Mr. Abhishek Malhotra, Ms. Shilpa Gamnani, Mr Gurmukh Choudhri and Ms. Atmaja Tripathy, Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**  
Pragyan Sharma, Neeraj K Gupta and Liliaan Daas – Advocates

**TIPS INDUSTRIES LIMITED**

Mr. Harsh Kaushik, Mr. Abhay Chattopadhyay, Ms. Anushree Rauta, Ms. Parul Sharma, Mr. Navankur Pathak and Ms. Pranita Saboo – Advocates

**SAREGAMA INDIA LIMITED**

Mr Ankur Sangal, Ms. Sucheta Roy and Mr. Shantanu Rawat – Advocates

**SONY MUSIC ENTERTAINMENT PVT. LTD.**

Mr. Mukul Rohatgi, Sr. Advocate, Mr. Sudhir Chandra, Sr. Adv. along with Mr. Amit Jamsandekar, Mr. Rishi Agarwal, Mr. Vaibhav Shukla - Advocates

**INDIAN PERFORMING RIGHTS SOCIETY LTD.**

Mr. Saikrishna Rajagopal, Mr. Ameet Datta,  
Mr. Himanshu Bagai, Ms Pallavi Sondhi,  
Ms Deepshikha Sarka & Mr. Vivek Prasad- Advocates

**Original Application No.**

**OP (SEC-31D)/5/2020/CR/NZ**

1) D B CORP LTD. APPLICANT/APELLANT

Versus

1) PHONOGRAPHIC PERFORMANCE LIMITED INDIA RESPONDENT

2) TIPS INDUSTRIES LTD

3) SAREGAMA INDIA LIMITED

4) SONY MUSIC ENTERTAINMENT PVT. LTD.

5) THE INDIAN PERFORMING RIGHTS SOCIETY LIMITED

Counsel for the Applicant/Appellant : Mr. Abhishek Malhotra, Ms. Shilpa Gamnani, Mr Gurmukh Choudhri and Ms. Atmaja Tripathy, Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**  
Pragyan Sharma, Neeraj K Gupta and Liliaan Daas – Advocates

**TIPS INDUSTRIES LIMITED**

Mr. Harsh Kaushik, Mr. Abhay Chattopadhyay, Ms. Anushree Rauta, Ms. Parul Sharma, Mr. Navankur Pathak and Ms. Pranita Saboo – Advocates

**SAREGAMA INDIA LIMITED**

Mr Ankur Sangal, Ms. Sucheta Roy and Mr. Shantanu Rawat – Advocates

**SONY MUSIC ENTERTAINMENT PVT. LTD.**

Mr. Mukul Rohatgi, Sr. Advocate, Mr. Sudhir Chandra, Sr. Adv. along with Mr. Amit Jamsandekar, Mr. Rishi Agarwal, Mr. Vaibhav Shukla - Advocates

**INDIAN PERFORMING RIGHTS SOCIETY LTD.**

Mr. Saikrishna Rajagopal, Mr. Ameet Datta, Mr. Himanshu Bagai, Ms Pallavi Sondhi, Ms Deepshikha Sarka & Mr. Vivek Prasad- Advocates

**Original Application No.**

**OP (SEC-31D)/6/2020/CR/NZ**

1) NEXT RADIO LIMITED APPLICANT/APELLANT

Versus

1) PHONOGRAPHIC PERFORMANCE LIMITED INDIA RESPONDENT

2) SAREGAMA INDIA LIMITED

3) TIPS INDUSTRIES LTD

4) LAHARI MUSIC PRIVATE LIMITED

5) ZEE ENTERTAINMENT ENTERPRISES LTD.

- 6) SONY MUSIC ENTERTAINMENT PVT. LTD.
- 7) THE INDIAN PERFORMING RIGHTS SOCIETY LIMITED

Counsel for the Applicant/Appellant : Mr. Abhishek Malhotra, Ms. Shilpa Gamnani, Mr Gurmukh Choudhri and Ms. Atmaja Tripathy, Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**  
Pragyan Sharma, Neeraj K Gupta and Liliaan Daas – Advocates

**SAREGAMA INDIA LIMITED**

Mr Ankur Sangal, Ms. Sucheta Roy and Mr. Shantanu Rawat – Advocates

**TIPS INDUSTRIES LIMITED**

Mr. Harsh Kaushik, Mr. Abhay Chattopadhyay, Ms. Anushree Rauta, Ms. Parul Sharma, Mr. Navankur Pathak and Ms. Pranita Saboo – Advocates

**LAHARI MUSIC PRIVATE LIMITED.**

Geetanjali Visvanathan - Advocate

**ZEE ENTERTAINMENT ENTERPRISES LTD.**

Mr. Vipul Tiwari, Mr. Abhijeet Rastogi & Mr. Sambhav Jain

**SONY MUSIC ENTERTAINMENT PVT. LTD.**

Mr. Mukul Rohatgi, Sr. Advocate, Mr. Sudhir Chandra, Sr. Adv. along with Mr. Amit Jamsandekar, Mr. Rishi Agarwal, Mr. Vaibhav Shukla - Advocates

**INDIAN PERFORMING RIGHTS SOCIETY LTD.**

Mr. Saikrishna Rajagopal, Mr. Ameet Datta, Mr. Himanshu Bagai, Ms Pallavi Sondhi, Ms Deepshikha Sarka & Mr. Vivek Prasad- Advocates

**Original Application No.**

**OP (SEC-31D)/7/2020/CR/NZ**

1) DIGITAL RADIO (MUMBAI) BROADCASTING LIMITED APPLICANT/APPELLANT

Versus

1) PHONOGRAPHIC PERFORMANCE LIMITED INDIA RESPONDENT

2) SAREGAMA INDIA LIMITED

3) ZEE ENTERTAINMENT ENTERPRISES LIMITED

4) THE INDIAN PERFORMING RIGHTS SOCIETY LIMITED

Counsel for the Applicant/Appellant : Mr. Abhishek Malhotra, Ms. Shilpa Gamnani, Mr Gurmukh Choudhri and Ms. Atmaja Tripathy, Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**  
Pragyan Sharma, Neeraj K Gupta and Liliaan Daas –  
Advocates

**SAREGAMA INDIA LIMITED**  
Mr Ankur Sangal, Ms. Sucheta Roy and Mr. Shantanu  
Rawat – Advocates

**ZEE ENTERTAINMENT ENTERPRISES LTD.**  
Mr. Vipul Tiwari, Mr. Abhijeet Rastogi &  
Mr. Sambhav Jain

**INDIAN PERFORMING RIGHTS SOCIETY  
LTD.**  
Mr. Saikrishna Rajagopal, Mr. Ameet Datta,  
Mr. Himanshu Bagai, Ms Pallavi Sondhi,  
Ms Deepshikha Sarka & Mr. Vivek Prasad- Advocates

**Original Application No.**

**OP (SEC-31D)/8/2020/CR/NZ**

1) SOUTH ASIA FM LIMITED APPLICANT/APELLANT

Versus

1) PHONOGRAPHIC PERFORMANCE LIMITED RESPONDENT  
INDIA

2) SAREGAMA INDIA LIMITED

3) THE INDIAN PERFORMING RIGHTS SOCIETY  
LIMITED

Counsel for the Applicant/Appellant : Mr. Abhishek Malhotra, Ms. Shilpa Gamnani, Mr Gurmukh Choudhri and Ms. Atmaja Tripathy, Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**  
Pragyan Sharma, Neeraj K Gupta and Liliaan Daas –  
Advocates

**SAREGAMA INDIA LIMITED**  
Mr Ankur Sangal, Ms. Sucheta Roy and Mr. Shantanu  
Rawat – Advocates

**INDIAN PERFORMING RIGHTS SOCIETY  
LTD.**  
Mr. Saikrishna Rajagopal, Mr. Ameet Datta,  
Mr. Himanshu Bagai, Ms Pallavi Sondhi,  
Ms Deepshikha Sarka & Mr. Vivek Prasad- Advocates

Original Application No.

1) RELIANCE BROADCAST NETWORK LIMITED PETITIONER/APPLICANT

Versus

1) SUPER CASSETTES INDUSTRIES PRIVATE LIMITED RESPONDENT

2) THE INDIAN PERFORMING RIGHTS SOCIETY LIMITED

Counsel for the Applicant/Appellant : Mr. Abhishek Malhotra, Ms. Shilpa Gamnani, Mr Gurmukh Choudhri and Ms. Atmaja Tripathy, Adv

Counsel for the Respondent : **SUPER CASSETTES INDUSTRIES PRIVATE LIMITED**  
Mr Neel Mason, Ms Ridhima Pabbi, Mr Vihan Dang, Mr Uday S Chopra, Ms Sanyukta Banerjee, Ms Ekta Sharma, Mr Shivang Sharma, Ms Ramya Ramkumar and Ms Megha Sharma – Advocates

**INDIAN PERFORMING RIGHTS SOCIETY LTD.**

Mr. Saikrishna Rajagopal, Mr. Ameet Datta, Mr. Himanshu Bagai, Ms Pallavi Sondhi, Ms Deepshikha Sarka & Mr. Vivek Prasad- Advocates

**CORAM**

HON'BLE SHRI JUSTICE MANMOHAN SINGH CHAIRMAN

HON'BLE SHRI. N. SURYA SENTHIL  
HON'BLE S.P. CHOCKALINGAM

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**ORDER SHEET**

**13/10/2020**

**Misc. Petition No.18-21 of 2020**

1. Application on behalf of Sony

Mr. Mukul Rohatgi, learned Senior counsel appeared on behalf of M/s Sony Music Entertainment Pvt. Ltd. has referred to the petition filed for modification of the order dated 15.09.2020. All the related applications are coming up for hearing on 02.11.2020 for final disposal. In the meanwhile, counsel for the petitioner had made a statement that till the final order is passed, M/s Sony Entertainment Pvt. Ltd. will not receive the 2% royalty with effect from 01.10.2020 and until the decision of IPAB.

2. Application on behalf of Saregama

Mr. Akhil Sibal, learned counsel appeared on behalf of Saregama India Ltd. has referred to the petition filed for modification of the order dated 15.09.2020. All the related

applications are coming up for hearing on 02.11.2020 for final disposal. In the meanwhile, , counsel for the petitioner had made a statement that till the final order is passed, M/s Saregama India Ltd. will not accept the 2% royalty with effect from 01.10.2020 and until the decision of IPAB.

3. Application on behalf of Tips Industries Ltd.

Fresh applications have been filed on behalf of Tips Industries Ltd. for modification of order dated 18.09.2020. The counsel appearing on behalf of Tips Industries Ltd. stated that M/s Tips Industries Ltd. had left the copyright society in 2015 and his client is not accepting the payments from the licensee /radio operators. List this main petition on 02.11.2020. List the main application on 02.11.2020.

-Sd/-

**Shri. N. Surya Senthil**  
Technical Member (Copyrights)

-Sd/-

**Shri SP. Chockalingam**  
Technical Member (Copyrights)

-Sd/-

**Shri Justice Manmohan Singh**  
Chairman

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