



Intellectual Property Appellate Board

Delhi Registry –Cum-Bench

G-62 to 67 & 196 to 204, August Kranti Bhawan, Bhikaji Cama Place,
New Delhi – 110 066

Tele No: 011-26180613/14 Email: delhiregistryiab@gmail.com Website: <http://www.ipab.gov.in>

Original Application No.

OP (SEC-31D)/1/2020/CR/NZ

- 1) RAJASTHAN PATRIKA PRIVATE LIMITED APPLICANT/APPELLANT
- Versus
- 1) PHONOGRAPHIC PERFORMANCE LIMITED INDIA RESPONDENT
- 2) SAREGAMA INDIA LIMITED
- 3) SONY MUSIC ENTERTAINMENT INDIA PVT. LTD.
- 4) ZEE ENTERTAINMENT ENTERPRISES LIMITED
- 5) SUPER CASSETTES INDUSTRIES PRIVATE LIMITED
- 6) YESH RAJ FILMS PRIVATE LIMITED
- 7) TIPS INDUSTRIES LIMITED
- 8) EROS INTERNATIONAL FILMS PRIVATE LIMITED
- 9) TIMES MUSIC/JUNGLEE MUSIC
A DIVISION OF BENNETT COLEMAN &
COMPANY LIMITED

Counsel for the Applicant/Appellant : Mr. Abhishek Malhotra, Ms. Shilpa Gamnani, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr Gurmukh Choudhri & Ms. Sanya Dua – Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**
Mr. Pragyan Sharma, Mr. Neeraj K Gupta Mr. Liliaan Daas,
Mr. Eeshan Pandey & Gurnoor Kaur.

SAREGAMA INDIA LIMITED

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

SONY MUSIC ENTERTAINMENT PVT. LTD.

Mr. Amit Jamsandekar, Mr. Rishi Agarwal, Mr. Vaibhav Shukla, Ms. Vinita Muley, Ms. Niyati Kohli & Megha Bengani
– Advocates

ZEE ENTERTAINMENT ENTERPRISES LTD.

Mr. Vipul Tiwari & Mr. Sambhav Jain – Advocates

SUPER CASSETTES INDUSTRIES PRIVATE LIMITED

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

TIPS INDUSTRIES LIMITED

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

EROS INTERNATIONAL MEDIA LTD

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

Original Application No.

OP (SEC-31D)/2/2020/CR/NZ

- | | | |
|----|---|---------------------|
| 1) | HT MUSIC AND ENTERTAINMENT CO. LTD. | APPLICANT/APPELLANT |
| | 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. | |

Counsel for the Applicant/Appellant : Mr. Abhishek Malhotra, Ms. Shilpa Gamnani, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr Gurmukh Choudhri & Ms. Sanya Dua – Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**
Mr. Pragyan Sharma, Mr. Neeraj K Gupta Mr. Liliaan Daas, Mr. Eeshan Pandey & Gurnoor Kaur.

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 & Ms. Astha Pandey – Advocates

LAHARI MUSIC PRIVATE LIMITED.

Ms. Geetanjali Visvanathan, Mr. Aditya Gupta &
Aiswarya Kane – Advocate

ZEE ENTERTAINMENT ENTERPRISES LTD.

Mr. Vipul Tiwari & Mr. Sambhav Jain – Advocates

SONY MUSIC ENTERTAINMENT PVT. LTD.

Mr. Amit Jamsandekar, Mr. Rishi Agarwal, Mr. Vaibhav
Shukla, Ms. Vinita Muley, Ms. Niyati Kohli & Megha Bengani
– Advocates

Original Application No.

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

- | | | |
|----|---|--------------------|
| 1) | MUSIC BROADCAST LIMITED | APPLICANT/APELLANT |
| | 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 &
Ms. Astha Pandey – Advocates

EROS INTERNATIONAL MEDIA LTD

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

PHONOGRAPHIC PERFORMANCE LIMITED

Mr. Pragyan Sharma, Mr. Neeraj K Gupta Mr. Liliaan Daas,
Mr. Eeshan Pandey & Gurnoor Kaur.

SAREGAMA INDIA LIMITED

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

SONY MUSIC ENTERTAINMENT PVT. LTD.

Mr. Amit Jamsandekar, Mr. Rishi Agarwal, Mr. Vaibhav Shukla, Ms. Vinita Muley, Ms. Niyati Kohli & Megha Bengani – Advocates

SUPER CASSETTES INDUSTRIES PRIVATE LIMITED

Mr. Amit Sibal 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. Himanshu Bagai, Ms Deepshikha Sarka, Ms Pallavi Sondhi, Mr. Vivek Prasad & Ms. Namrata Dubey – Advocates

Original Application No.

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

- | | | |
|----|--|--------------------|
| 1) | ENTERTAINMENT NETWORK (INDIA) LIMITED | 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, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr Gurmukh Choudhri & Ms. Sanya Dua – Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**
Mr. Pragyan Sharma, Mr. Neeraj K Gupta Mr. Liliaan Daas, Mr. Eeshan Pandey & Gurnoor Kaur.

TIPS INDUSTRIES LIMITED

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

SAREGAMA INDIA LIMITED

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

SONY MUSIC ENTERTAINMENT PVT. LTD.

Mr. Amit Jamsandekar, Mr. Rishi Agarwal, Mr. Vaibhav Shukla, Ms. Vinita Muley, Ms. Niyati Kohli & Megha Bengani – Advocates

INDIAN PERFORMING RIGHTS SOCIETY LTD.

Mr. Himanshu Bagai, Ms Deepshikha Sarka, Ms Pallavi Sondhi, Mr. Vivek Prasad & Ms. Namrata Dubey – Advocates

Original Application No.

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

1) D B CORP LTD. APPLICANT/APPELLANT

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, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr Gurmukh Choudhri & Ms. Sanya Dua – Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**
Mr. Pragyan Sharma, Mr. Neeraj K Gupta Mr. Liliaan Daas,
Mr. Eeshan Pandey & Gurnoor Kaur.

TIPS INDUSTRIES LIMITED

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

SAREGAMA INDIA LIMITED

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

SONY MUSIC ENTERTAINMENT PVT. LTD.

Mr. Amit Jamsandekar, Mr. Rishi Agarwal, Mr. Vaibhav Shukla, Ms. Vinita Muley, Ms. Niyati Kohli & Megha Bengani – Advocates

INDIAN PERFORMING RIGHTS SOCIETY LTD.

Mr. Himanshu Bagai, Ms Deepshikha Sarka, Ms Pallavi Sondhi, Mr. Vivek Prasad & Ms. Namrata Dubey – Advocates

Original Application No.

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

1) NEXT RADIO LIMITED APPLICANT/APPELLANT

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, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr Gurmukh Choudhri & Ms. Sanya Dua – Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**
Mr. Pragyan Sharma, Mr. Neeraj K Gupta Mr. Liliaan Daas, Mr. Eeshan Pandey & Gurnoor Kaur.

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 & Ms. Astha Pandey – Advocates

LAHARI MUSIC PRIVATE LIMITED.

Ms. Geetanjali Visvanathan, Mr. Aditya Gupta & Aiswarya Kane – Advocate

ZEE ENTERTAINMENT ENTERPRISES LTD.

Mr. Vipul Tiwari & Mr. Sambhav Jain – Advocates

SONY MUSIC ENTERTAINMENT PVT. LTD.

Mr. Amit Jamsandekar, Mr. Rishi Agarwal, Mr. Vaibhav Shukla, Ms. Vinita Muley, Ms. Niyati Kohli & Megha Bengani – Advocates

INDIAN PERFORMING RIGHTS SOCIETY LTD.

Mr. Himanshu Bagai, Ms Deepshikha Sarka, Ms Pallavi Sondhi, Mr. Vivek Prasad & Ms. Namrata Dubey – 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, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr Gurmukh Choudhri & Ms. Sanya Dua – Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**
Mr. Pragyan Sharma, Mr. Neeraj K Gupta Mr. Liliaan Daas, Mr. Eeshan Pandey & Gurnoor Kaur.

SAREGAMA INDIA LIMITED

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

ZEE ENTERTAINMENT ENTERPRISES LTD.

Mr. Vipul Tiwari & Mr. Sambhav Jain – Advocates

INDIAN PERFORMING RIGHTS SOCIETY LTD.

Mr. Himanshu Bagai, Ms Deepshikha Sarka, Ms Pallavi Sondhi, Mr. Vivek Prasad & Ms. Namrata Dubey – Advocates

Original Application No.

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

- | | |
|---|----------------------------|
| <ol style="list-style-type: none"> 1) SOUTH ASIA FM LIMITED | <p>APPLICANT/APPELLANT</p> |
| Versus | |
| <ol style="list-style-type: none"> 1) PHONOGRAPHIC PERFORMANCE LIMITED INDIA 2) SAREGAMA INDIA LIMITED 3) THE INDIAN PERFORMING RIGHTS SOCIETY LIMITED | <p>RESPONDENT</p> |

Counsel for the Applicant/Appellant : Mr. Abhishek Malhotra, Ms. Shilpa Gamnani, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr Gurmukh Choudhri & Ms. Sanya Dua – Adv

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**
Mr. Pragyan Sharma, Mr. Neeraj K Gupta Mr. Liliaan Daas, Mr. Eeshan Pandey & Gurnoor Kaur.

SAREGAMA INDIA LIMITED

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

INDIAN PERFORMING RIGHTS SOCIETY LTD.

Mr. Himanshu Bagai, Ms Deepshikha Sarka, Ms Pallavi Sondhi,

Original Application No.

OP (SEC-31D)/9/2020/CR/NZ

1) RELIANCE BROADCAST NETWORK LIMITED APPLICANT/APPELLANT

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, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr Gurmukh Choudhri & Ms. Sanya Dua – Adv

Counsel for the Respondent : **SUPER CASSETTES INDUSTRIES PRIVATE LIMITED**
Mr. Amit Sibal 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. Himanshu Bagai, Ms Deepshikha Sarka, Ms Pallavi Sondhi,
Mr. Vivek Prasad & Ms. Namrata Dubey – Advocates

Original Application No.

OP (SEC-31D)/1/2020/CR/WZ

1) HT MEDIA LIMITED APPLICANT/APPELLANT

Versus

1) PHONOGRAPHIC PERFORMANCE LIMITED INDIA RESPONDENT

2) SAREGAMA INDIA LIMITED

3) TIPS INDUSTRIES LIMITED

4) ZEE ENTERTAINMENT ENTERPRISES LIMITED

5) SONY MUSIC ENTERTAINMENT PVT. LTD.

6) THE REGISTRAR OF COPYRIGHTS, NEW DELHI

Counsel for the Applicant/Appellant : Mr. Krishnendu Datta, Mr. Ashish Verma, Mr. Hardik vashisht & Mr. Rahul Gupta – Advocates

Counsel for the Respondent : **PHONOGRAPHIC PERFORMANCE LIMITED**
Mr. Pragyan Sharma, Mr. Neeraj K Gupta Mr. Liliaan Daas,
Mr. Eeshan Pandey & Gurnoor Kaur.

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 & Ms. Astha Pandey –
Advocates

ZEE ENTERTAINMENT ENTERPRISES LTD.

Mr. Vipul Tiwari & Mr. Sambhav Jain – Advocates

SONY MUSIC ENTERTAINMENT PVT. LTD.

Mr. Amit Jamsandekar, Mr. Rishi Agarwal, Mr. Vaibhav
Shukla, Ms. Vinita Muley, Ms. Niyati Kohli & Megha Bengani
– Advocates

CORAM

HON'BLE SHRI JUSTICE MANMOHAN SINGH	CHAIRMAN
HON'BLE SHRI. N. SURYA SENTHIL	TECHNICAL MEMBER (COPYRIGHT)
HON'BLE S.P. CHOCKALINGAM	TECHNICAL MEMBER (COPYRIGHT)

ORDER SHEET

16/11/2020

Mr. Amit Sibal, Ld. Senior Counsel appearing on behalf of M/s Super Cassettes Industry Ltd. and M/s Lahari Recording Company has argued in extensively. List this matter on 17.11.2020 when Mr. Amit Sibal, the Ld. Senior Counsel has agreed to conclude argument before lunch.

From 2.30 PM onward the argument shall be addressed on behalf of M/s Zee Entertainment Enterprises Limited and M/s Eros International Films Private Limited.

-Sd/-

-Sd/-

-Sd/-

Hon'ble Shri. N. Surya Senthil
Technical Member (Copyright)

Hon'ble S.P. Chockalingam
Technical Member (Copyright)

Hon'ble Shri Justice Manmohan Singh
Chairman

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