



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. Sapna Chaurasia, Mr. Kaizad Irani, Ms. Shilpa Gamnani, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr. Gurmukh Choudhri, Ms. Sanya Dua, Mr. Siddhant Gupta, Advs.

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. Virag Tulzarpulkar Sr. Advocate 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 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 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. Sapna Chaurasia,
Mr. Kaizad Irani, Ms. Shilpa Gamnani, Ms. Atmaja Tripathy,
Ms. Sneha Herwade, Mr Gurmukh Choudhri,
Ms. Sanya Dua, Mr. Siddhant Gupta, Advs.

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. Virag Tulzarpulkar Sr. Advocate 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 : Dr. Abhishek Manu Singhvi Sr. Advocate, Mr. Sagar Chandra, Mr. Avishkar Singhvi, Ms. Surabhi Iyer, Mr. Madhvi Khanna, 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 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

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. Virag Tulzarpulkar Sr. Advocate Mr. Amit Jamsandekar,
Mr. Rishi Agarwal, Mr. Vaibhav Shukla, Ms. Vinita Muley,
Ms. Niyati Kohli & Megha Bengani – 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. Amit Dutta, 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. Sapna Chaurasia,
Mr. Kaizad Irani, Ms. Shilpa Gamnani, Ms. Atmaja Tripathy,
Ms. Sneha Herwade, Mr Gurmukh Choudhri,
Ms. Sanya Dua, Mr. Siddhant Gupta, Advs.

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

INDIAN PERFORMING RIGHTS SOCIETY LTD.

Mr. Amit Dutta, 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 RESPONDENT
INDIA
- 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. Sapna Chaurasia,
Mr. Kaizad Irani, Ms. Shilpa Gamnani, Ms. Atmaja Tripathy,
Ms. Sneha Herwade, Mr Gurmukh Choudhri,
Ms. Sanya Dua, Mr. Siddhant Gupta, Advs.

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

INDIAN PERFORMING RIGHTS SOCIETY LTD.

Mr. Amit Dutta, 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. Sapna Chaurasia, Mr. Kaizad Irani, Ms. Shilpa Gamnani, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr Gurmukh Choudhri, Ms. Sanya Dua, Mr. Siddhant Gupta, Advs.

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

INDIAN PERFORMING RIGHTS SOCIETY LTD.

Mr. Amit Dutta, 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/APELLANT

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. Sapna Chaurasia, Mr. Kaizad Irani, Ms. Shilpa Gamnani, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr Gurmukh Choudhri, Ms. Sanya Dua, Mr. Siddhant Gupta, Advs.

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. Amit Dutta, 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

- 1) SOUTH ASIA FM LIMITED APPLICANT/APELLANT

Versus

- 1) PHONOGRAPHIC PERFORMANCE LIMITED INDIA RESPONDENT
- 2) SAREGAMA INDIA LIMITED
- 3) THE INDIAN PERFORMING RIGHTS SOCIETY LIMITED

Counsel for the Applicant/Appellant : Mr. Abhishek Malhotra, Ms. Sapna Chaurasia, Mr. Kaizad Irani, Ms. Shilpa Gamnani, Ms. Atmaja Tripathy, Ms. Sneha Herwade, Mr Gurmukh Choudhri, Ms. Sanya Dua, Mr. Siddhant Gupta, Advs.

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

Original Application No.

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

1) RELIANCE BROADCAST NETWORK LIMITED APPLICANT/APELLANT

Versus

1) SUPER CASSETTES INDUSTRIES PRIVATE LIMITED RESPONDENT

2) THE INDIAN PERFORMING RIGHTS SOCIETY LIMITED

Counsel for the Applicant/Appellant : Mr. Abhishek Malhotra, Ms. Sapna Chaurasia,
Mr. Kaizad Irani, Ms. Shilpa Gamnani, Ms. Atmaja Tripathy,
Ms. Sneha Herwade, Mr Gurmukh Choudhri,
Ms. Sanya Dua, Mr. Siddhant Gupta, Advs.

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. Amit Dutta, 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/APELLANT

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. Virag Tulzarpulkar Sr. Advocate 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

27/11/2020

Rejoinder arguments have been completed on behalf of all the applicants. Mr. Virag Tulzarpulkar, Ld. counsel on behalf of M/s Sony Entertainment Ltd. has made certain submissions for half-an-hour for purpose of clarification on the issue of IPRS. List for remaining arguments on behalf of other respondents on 01.12.2020.

-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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