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**Cc:** [jenil@indianmi.org](mailto:jenil@indianmi.org)

**Sent:** Wednesday, October 11, 2023 12:54:50 AM

**Subject:** IMI Representation – Pre-consultation paper on Inputs for formulation of National Broadcasting Policy

Respected Shri Anil Kumar Bhardwajji,

We, Indian Music Industry (IMI), are writing this mail in context to the written comments invited on the recent Pre-consultation paper on Inputs for formulation of National Broadcasting Policy. IMI is the apex body representing the interests of the recorded music industry in India.

In response to the issues identified under the pre-consultation paper, we request TRAI to consider our inputs on the following areas:

1. In reference to **Chapter 3** of the Pre-Consultation Paper, **Issue 2** discusses one of the areas of consultation to be *Policy and Regulations concerning Radio Broadcasting and Digital Media*.

1.

- a. According to the Global Music Report by International Federation of the Phonographic Industry (IFPI), 88% of the Indian music industry revenue is attributed to streaming. Any broad definition of “broadcasting” proposed under the National Broadcasting Policy can have detrimental impact on the music streaming revenues in the music industry. Any potential definition of the term “broadcasting” under the Policy should be limited to being technical in nature and stipulate the fundamentals of “**point to multipoint**” technology which means it is a process in which the same signal flows, or is transferred, from a single origin to multiple consumers. That signal should arrive at all the endpoints at roughly the same time. Such definition **should not extend the cover the process of “point to point” transmissions** which are delivered to consumers individually wherein a connection is only between one person or entity and another.
- b. Any potential definition of “broadcasting” under the Policy shall clarify and respect the meaning and definition of the expression “broadcast” as established and interpreted under the Indian Copyright laws.

2. **Issue 2(iv) of Chapter 3** of the Pre-Consultation Paper refers to piracy and content security and **Chapter 2 A(ii)** discusses an objective of the policy as establishing India as a global content hub.

2.

- a. Creative exports play an important role in the economic contribution of a country. Thriving exports have a broader spill-over effect on employment, country’s soft power and gives an economic boost to other allied sectors. The U.S. music industry exports stood at **USD 9.08 billion in 2019**. UK music exports were worth £2.5 billion (USD 3.07 billion) in 2021. South Korean music exports have increased more than fifty-fold in the last 15 years, rising from **£10.8 million in 2007 to £604 million in 2021**.

2.

- b. Protection of copyright overseas plays a key role in driving the creative exports. A relevant international case study of protecting creative content overseas comes in the form of The Korea Copyright Protection Agency (KCOPA) under the Ministry of Culture, Sports and Tourism, South Korea that assists the copyright special judicial police and online home monitoring group, to

take prompt action against online piracy of copyrights by way of public-private cooperations. The Overseas Division under KCOPA establishes and operates overseas copyright centres (offices), providing overseas piracy response support. As part of overseas enforcement efforts, KCOPA focuses on consumer-centric public-private cooperation as well as through cooperation with local governments and related organizations to effectively protect and counter infringement of Korean content.

In light of the above, IMI requests TRAI to consider recommending for the establishment of an administrative copyright agency, such as KCOPA, under the new National Broadcasting Policy to ensure curbing of digital piracy via international voluntary agreements that will also help make India a 'Global Content Hub.'

Our comments highlight the potential concerns to copyright holders and preliminary recommendations that needs TRAI consideration. IMI looks forward to engaging on any further queries and comments your office may have regarding the subject.

Sincerely,

Blaise Fernandes,  
President & CEO.  
Indian Music Industry (IMI)