

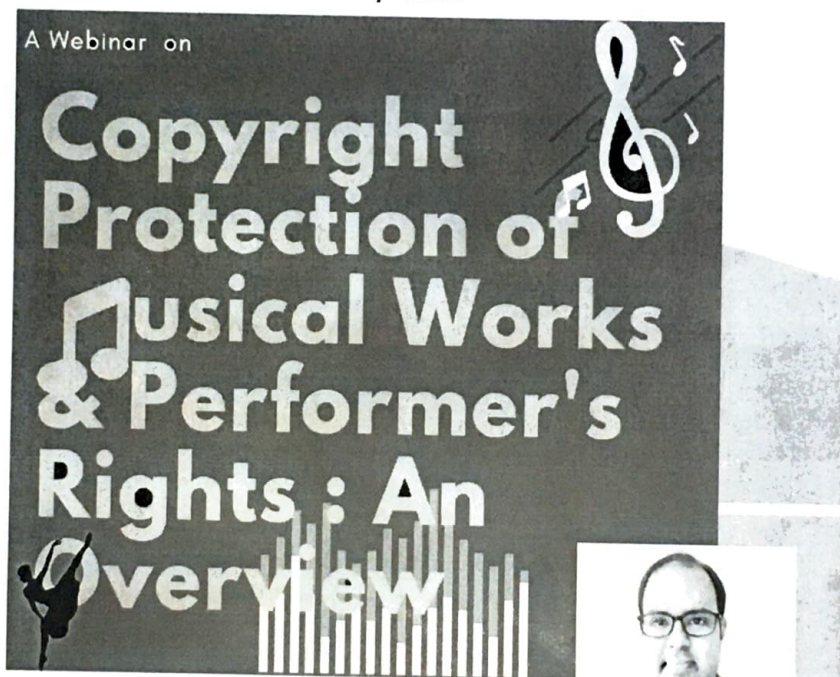
**EVENT REPORT OF WEBINAR ON
Copyright Protection of Musical Works & Performer's Rights: An Overview**

Organised by
Intellectual Property Rights Committee, School of Law
in collaboration with the Department of Performing Arts, Theatre Studies & Music

25th April, 2021 (12 Noon to 2:30 PM)



Intellectual Property Rights Committee, School of Law
in collaboration with
Department of Performing Arts, Theatre Studies and Music
presents



April 25, 2021
12PM-2PM



SCAN TO
ATTEND



Dr. Avishak Chakraborty
Assistant Professor, SLCU

School of Law, Christ (Deemed to be University) | Director: Dr. Fr. Benny Thomas |
Dean: Dr. Jaydevan S. Nair | HOD: Dr. Sapna
Department of Performing Arts, Theatre Studies & Music | Director: Fr. Lijo Thomas |
Dean: John Joseph Kennedy | HOD: Prabin Villareesh | Coordinator (Theatre Studies): Ashokan O
| Coordinator (Music): R L Tavis Ashton-Bell



Activity Summary and Highlights

General Information

Type of Activity	Seminar
Title of the Activity	Copyright Protection of Musical Works and Performer's Rights: An Overview
Date/s	25 April 2021
Time	12:00 PM IST
Venue	Online (WebEx Meetings)
Collaboration/Sponsor	-

Speaker/Guest/Presenter Details

Name	Dr Avishek Chakraborty, Assistant Professor, SLCU
Title/Position	Assistant Professor, SLCU
Organization	CHRIST (Deemed to be University)
Title of Presentation	Copyright Protection of Musical Works and Performer's Rights: An Overview

Participants profile

Type of Participants	Students, Faculty and Interested Public
No. of Participants	318

Synopsis of the Activity

Highlights of the Activity	1. Explaining creator, performer, lyricist and producer rights 2. The domain of Music, theatre and dance covered in the context of Indian law.
Summary of the Activity	The collaboration was especially useful for all of our students, who keenly asked many relevant questions pertaining to their artistic interests and life as a performing artist within the campus. Overall it was a resounding success for the first collaborative effort between the School of Law and the Department of Performing Arts, Theatre Studies and Music, the first of many more to come.
Follow-up Plan, if any	-

Rapporteur

Name of the Rapporteur	Dr Avishek Chakraborty, Dr Aradhana Satish Nair
Email	avishek.chakraborty@christuniversity.in, aradhana.nair@christuniversity.in



Report

OBJECTIVE OF THE WEBINAR

Every year April 26th, World Intellectual Property Day is celebrated to learn about the role that intellectual property (IP) rights play in encouraging innovation and creativity. Therefore, on this occasion, Intellectual Property Rights Committee (IPRC) of School of Law, CHRIST (Deemed to be University), Bangalore, organised a webinar on Copyright in Musical Works and Performances for Department Performing Arts, Theatre Studies & Music, CHRIST (Deemed to be University), Bangalore.

The chief objective of this webinar was to demonstrate the ways in which copyright protection is offered to musical works as well as performances. The webinar intended to highlight different rights of the rightsholders, when the rights are considered to be violated by unauthorised uses and the remedies provided in law. Further, the speakers bestowed a special focus on the aspects of use of musical works and performances in the digital world owing to the technological advancements taking place in the current global scenario.

INTELLECTUAL PROPERTY RIGHTS COMMITTEE 2020-2021

The Intellectual Property Rights Committee (IPRC) of School of Law, Christ (Deemed to be University) has its aim in planting seeds of curiosity in the eager minds of budding lawyers. Our year starts with an introductory primer where golden ideas are cast on the stage by experts in this field. We provide various platforms conducive to growth and development in IPR such as National Essay writing competitions, value-added courses and other collaborative activities with Industry experts, think-tanks and law firms. We also promote research among students through *Intellectualis*, a student-run monthly e-newsletter, currently running in its 3rd Volume, on contemporary law and practice.

DEPARTMENT OF PERFORMING ARTS, THEATRE STUDIES & MUSIC

The Department of Performing Arts, Theatre Studies and Music holds the vision of providing 'Integrity through Aesthetic performance'. Its mission is to inspire and mentor the birth and sustained growth of artists who, through cultural ethos, will embody respect, humanity, and discipline. The Performing Arts are a universal language that goes beyond the physical and geographical boundaries of the world. They bring people closer to themselves and a glimpse into the lived experiences of others, and the shared experiences of humanity. The primary aim of the programme is to introduce the students to the possibilities of the art form and help them to gain an integrated sense of it through the application of theory via practical means.



SPEAKERS

1. Dr. Avishek Chakraborty, Assistant Professor, School of Law, Christ (Deemed to be University).
2. Ms. Sahana Pratap Simha, Student, School of Law, Christ (Deemed to be University).
3. Ms. Pooja Kateel, Student, School of Law, Christ (Deemed to be University).

DISCUSSION

Dr Avishek Chakraborty introduced the theme of the webinar with a contemporary legal development between Ilayaraja and S. P. Balasubramanyam. He explained the meaning and basic purpose of copyright and gave examples of different works protected by law of copyright. He deciphered the separate components of a song and explained how copyright protects each separate element alongside explaining who are considered to be authors and owners in respect of each elements of a musical work. The criteria for protection of musical work were explained and the life cycle of a musical work as intellectual property was elaborated. Dr. Avishek illustrated what is understood as a dramatic work for the purpose of copyright protection. He categorically explained the economic and moral rights, guaranteed to the copyright owners with appropriate illustrations. He specially focused on the importance of assignment and licensing of musical works, sound recordings and dramatic works. He demonstrated with relevant examples and illustrations how transfer of copyright happens and the relevance of proper legal consultation in this regard.

Ms. Sahana Pratap Simha presented on the topic of Cover versions and the Indian legal framework regulating the same. She began with a brief introduction about cover versions and gave an example as well. She then discussed the various statutory compliances for making a cover version in India. She explored the examples of karaoke apps - StarMaker and Smule and whether they were operating on the bases of licensing deals. She also discussed examples of cover versions made by bands, of popular Bollywood songs and whether the bands that covered the songs did so before or after the 5-year statutory mandate. She discussed the aspect of alterations in respect of cover versions, if and how cover versions differ from remixes and gave the example of the DJ Marshmello and DJ Arty copyright infringement case in respect of remix rights. She also briefly discussed 'Mashups'. She left the audience to ponder on the question - "Copyright vs. Creativity: What should prevail?" in light of every artists dual role as a creator of work and user of another person's work.

Ms. Pooja Kateel continued the presentation by explaining in detail the concept of Performers' Rights. She initially started by introducing the concepts of Performers and Performance and continued to elucidate the rights that come under the big banner of Performers Rights. Through her presentation, the audience was made to understand how the performers' rights can be exercised and that the moral rights attached to the Performers' Rights cannot be waived off under any circumstance. Finally, she completed the presentation with a few examples and development in the Performers' Rights area.

Throughout the presentation, creator, performer, lyricist and producer rights were explained and even what limitations are in place for educational institutions, monetised performances and general public use. The domains of music, theatre, dance and performing arts in general were covered in the context of Indian law. The webinar was attended by 250 plus participants, including the students of Department of Performing Arts, Theatre Studies and Music, who keenly asked many relevant questions pertaining to their artistic interests and life as a performing artist within the campus. Overall, it was a resounding success for the first collaborative effort between the School of Law and the Department of Performing Arts, Theatre Studies and Music, the first of many more to come.

Event Date: 25th April 2021

Event Time: 12pm- 2:30 pm

Please find attached the photographs of the events as **Annexure I.**

Please find attached the list of participants as **Annexure II.**



ANNEXURE I

DRAMATIC WORKS

ANTHONY & CLEOPATRA

PRODUCED BY PRIMA PATA

WORLDWIDE

WORLDWIDE

BALLET

- Elements – music, story, choreography, scenery and costumes;



Zoom Meeting

1750359 Sahana P... AVISHEK CH... 07- TYLLB-sayal C...

Unmute Start video

Participants Chat

Meeting Info Connected

1750359 Sahana P... AVISHEK CH... 07- TYLLB-sayal C... 1750561 POOJA KA...

Unmute Start video

Participants Chat

Distribution rights –
the right of the copyright owner to control the distribution of music

DURATION OF COPYRIGHT PROTECTION

In **musical works**, copyright runs from the time of creation till **60 years** after the end of the year in which the author dies

In **sound recordings**, copyright lasts till 60 years after the **end of the year** in which the recording **was first made**

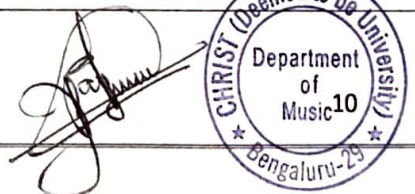
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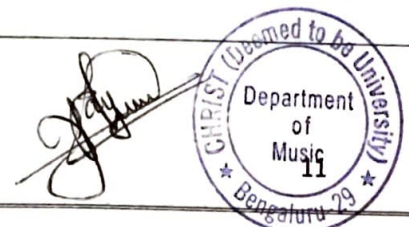
ANNEXURE II

List of Participants

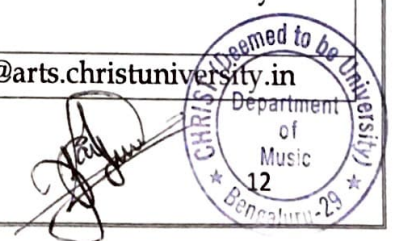
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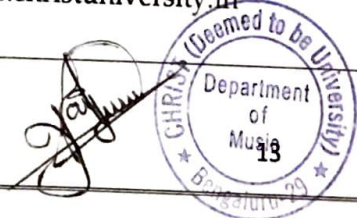
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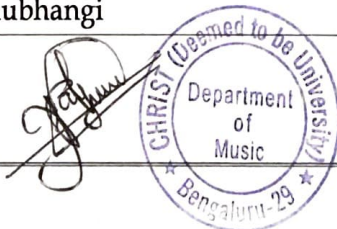
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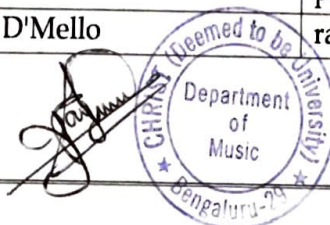
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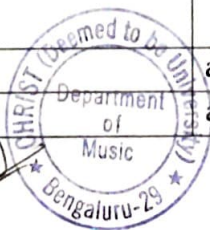
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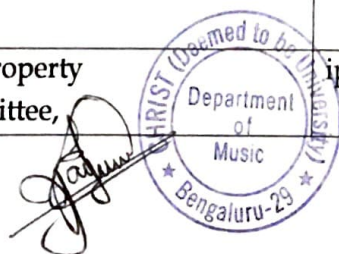
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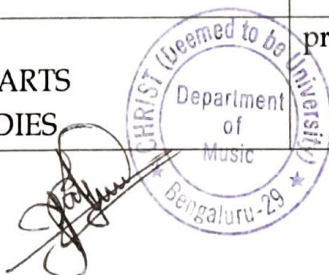
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