

K.J. SOMAIYA INSTITUTE OF MANAGEMENT STUDIES & RESEARCH
PGDM (IB) – 2018 – 20 BATCH – IV TRIM
Intellectual Property Rights

Time: 2 hours.

Max. Marks – 25

Date : 25/09/2019

All questions must be answered. Write answers to the point. Long answers will not necessarily translate into more marks.

1. Explain how an integrated approach towards managing various IPRs can lead to a more robust protection strategy (10 marks)

Or

How would an IT company create value from their patent portfolio? (10 marks)

2. Read the caselet and answer the questions below? (8+7) marks)

The Indian Music Industry (IMI) which is the primary lobbying arm for the music industry, along with Deloitte's consulting arm, has recently released a report on "[The Economic Impact of the recorded music industry in India](#)". The report is an attempt to place a value, not on the music industry, but its contribution to the economy by valuing its contribution to the various industries which use music as a "raw material". As per the report, the music industry created a value of Rs. 8,660 crores for partner industries like television, radio, live events, films and streaming apps. For example, the contribution of the music industry to the radio industry was valued at Rs. 2,170 crores. This is apart from the value created for brass bands which perform for marriages, malls, restaurants, non-ticketed events and performances, which were not valued by the report.

As with all industry reports advocating the industry interests, the figures in the IMI report should be taken with a pinch of salt. However, such reports are always interesting because they provide an insight into the thinking of the industry and can help identify the key policy challenges as self-identified by the industry.

In the case of the Indian music industry, the key challenges identified by the report are: piracy, the increasing value gap, public performance rights compliance and conversion of free services to subscription services.

On the issue of piracy being a challenge to the music industry, I am rather skeptical because music today is accessible for free as long as you have an internet connection. Gone are the days where everyone used to line up at songs.pk to download music. There has been a veritable explosion of free streaming services like Saavn, Gaana, Spotify and of course, YouTube. All you need in an internet connection and you can access high quality music for free. How can you "steal" something that is free?

According to an older report of the IMI, the main grouse of the music industry appears to be "stream-ripping" wherein some users use special software to rip music off websites like YouTube to covert it into a downloadable format that can be played without having to stream content by using expensive data services. A [previous IMI report](#) (on Page 8) has very helpfully provided a list of services which provide stream-ripping services.

There is no real way for the music industry to figure out how just how many people are using such software to indulge in "stream ripping" of music and it is even tougher for the industry to actually prove that such stream ripping is hurting the music industry.

(Source: The IMI-Deloitte Report on the Indian Music Industry: Can piracy still be a problem in a world of free music? by Prashant Reddy, <https://spicyip.com/2019/09/the-imi-deloitte-report-on-the-indian-music-industry-can-piracy-still-be-a-problem-in-a-world-of-free-music.html>)

- a. Can Piracy still be a challenge, given the exposition of music on the internet?
- b. How can music firms use effective IP strategies to reduce piracy?