Piracy in the Indian Film Industry
Copyright and Cultural Consonance

Arul George Scaria
At the centenary of the Indian cinema
this book is dedicated to
the creative artists in the Indian film industry
who bring
colour, melody and fragrance
to the lives of millions!
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Preface

This book is an attempt to explore the question how copyright law works at the grassroots level in India. It specifically looks at the social, cultural, historical, legal and economic dimensions of copyright piracy in the Indian film industry with this objective. What makes this book unique is the primacy given to the perspectives of the people and the proposals for legal and policy changes. The bottom-up approach analysis of the working of copyright law illustrates how local factors influence copyright enforcement. This perspective is visibly absent in most of the current discussions on copyright enforcement. The book offers insightful empirical findings as it captures the complexity of perceptions regarding piracy. It also provides insights about the diversity of perspectives within Indian society, particularly between the urban and the rural sectors and between genders. Based on qualitative and quantitative findings, the book proposes a mix of positive and negative incentives to increase the voluntary compliance of copyright law in India.
Acknowledgments

This book is the result of inspiring thoughts, critical comments and unconditional support from many people. First I acknowledge my gratitude to Professor Josef Drexl, Director of the Max Planck Institute of Intellectual Property and Competition Law, Munich. He was my doctoral research supervisor, and his unreserved support and great academic vision have always been helpful to navigate through new areas of knowledge. I would also like to thank Professor Reto M. Hilty, Director of the International Max Planck Research School for Competition and Innovation (IMPRS-CI), for providing intellectual and administrative support for carrying out an empirical project like this within the IMPRS-CI framework. Let me also thank the Max Planck Society for the financial and institutional support received for this research.

One of the integral components of this book is the data from an empirical survey conducted in India, regarding the perceptions of piracy among consumers. Thanks to all the students who participated voluntarily and enthusiastically in this survey. Though I am unable to mention here the names of the institutions to which these students belong (due to the need for protecting the privacy of those students), I thank all those institutions as well as their staff for helping me to conduct the survey in their campuses. The questionnaire developed for this study benefited immensely from comments and suggestions of many scholars including Mr Filipe Fischmann (Max Planck Institute for Intellectual Property and Competition Law), Dr Carl-Benedikt Frey (University of Oxford), Professor Jonathan Klick (University of Pennsylvania), Mr Moritz Lichtenegger (University of Zurich), Dr P. T. Mathew (Sameeksha, Kerala), Dr Frank Müller-Langer (Max Planck Institute for Intellectual Property and Competition Law), Professor Jennifer Robbennolt (University of Illinois), Dr Stefan Wagner (Innotec, Ludwig Maximilians Universität) and Dr Andrea Wechsler (European University Institute). Thanks to all of you! I must also express my thanks to Mr Thankachen Mulavana (Anugraha Graphics) for his help in designing the layout of the questionnaire.
Acknowledgments

The interviews conducted as part of this study helped in getting diverse perspectives from different stakeholders. I thank all those eminent professionals from different fields who shared their precious time and perspectives with me. This includes Mr Nikhil Advani (Movie Director), Mr Pravin Anand (Anand and Anand), Mr Farokh T. Balsara (Ernst & Young), Mr Harish Dayani (Moser Baer Entertainment Ltd.), Mr K. M. Gopakumar (Third World Network), Mr Adoor Gopalakrishnan (Movie Director), Professor N. S. Gopalakrishnan (School of Legal Studies, Cochin University of Science and Technology), Professor Anil K. Gupta (Indian Institute of Management, Ahmedabad), Mr Issac Thomas Kottukapallil (Music Director), Mr Amit Mohan (Myth Productions), Professor Raman Mittal (University of Delhi), Dr M. G. S. Narayanan (Former Chairman of the Indian Council of Historical Research), Mr S. M. Rajeevan (Lawyer, District Court, Thiruvananthapuram), Ms Prathiba Singh (Lawyer, Supreme Court of India), Mr Sanjay Tandon (Reliance BIG Pictures), Mr Jomy Thomas (Malayala Manorama), Mr Zakir Thomas (Former Registrar of Copyright, India) and Mr C. H. Unnikrishnan (Mint). My special thanks also to those who shared the perspectives of piracy from the supply side, though I do not name them here for protecting their privacy. I must also thank the lawyer who arranged my meeting with them by assuring anonymity and safety to them. Obtaining contacts with professionals in the film industry is never an easy task, and I must thank Mr Benny Kuriakose, Ms Liz Mathew, Mr Mathew Paul and Mr Santhosh Thundiyil for their overwhelming help in this regard by personally introducing me to some of the eminent professionals in the Indian film industry.

Dr Dominik Ruderer (Dii Munich) and Dr Ilja Rudyk (Innotec and Max Planck Institute for Intellectual Property and Competition Law) have to be thanked for their unwavering support as friends and for their critical reviews of the economic and empirical dimensions of this research at all stages. Professor Josef Straus and Professor Adolf Dietz have always been sources of inspiration and the thoughtful suggestions shared by them during many informal conversations need to be specifically acknowledged here. Professor Stefan Bechtold (ETH Zurich), Professor Georg Von Gravenitz (University of East Anglia), Professor Tobias Kretschmer (Institute for Strategy, Technology and Organization, Ludwig Maximilians Universität), Professor Annette Kur (Max Planck Institute for Intellectual Property and Competition Law) and all my colleagues at the Max Planck Institute for Intellectual Property and Competition Law need to be thanked for their insightful comments.
at different stages of research. Dr Sylvie Nerisson, Dr Frank Müller-Langer and Dr Andrea Wechsler also need special mention here for their excellent support as Coordinators of the IMPRS-CI. I would also express my gratitude to all my colleagues at the Center for Philosophy of Law, Catholic University of Louvain (UCL), particularly Professor Tom Dedeurwaerdere, for encouragement and support. The library staff of Max Planck Institute for Intellectual Property and Competition Law, Ludwig Maximilians Universität and Bayerische Staatsbibliothek must be thanked for their excellent support for this research. The administrative staff of Max Planck Institute for Intellectual Property and Competition Law, particularly Karin Haase, Elfriede Stangl and Gabriele Zinzuck, must be thanked for helping in all the administrative matters, including those for the field work.

I would also like to thank the anonymous peer reviewers of Cambridge University Press, who helped in further refinement of the manuscript through their highly thoughtful comments. I would also like to express my hearty thanks to Qudsiya Ahmed and Debjani Mazumder for their excellent support during the publication process.

I must also thank my family and friends for their support and encouragement. Sandy needs to be thanked for her love, care and patient support during all these years. Amma and Achachan must be thanked for being with me in all my endeavours and raising me with the intellectual freedom to explore new paths. Achachan must also be thanked for patiently reading the earlier versions of this work and providing critical reviews from a cultural studies perspective. Suma and Varghese need to be thanked not only for their love but also for their critical feedback on economic and historical dimensions of this work. Jesammamma, Kochachan, Dona and Dantes need to be thanked for their affectionate support and encouragement. Professor Sukumari Antherjanam needs to be thanked for her unwavering support. My special thanks also to Arun, George, Hardeep, Mrinalini, Pramod, Prasanth and Sinu for their cheerful support during all these years.

I might have missed some important names here. But I remain grateful to all of you. I would like to end this note with the disclaimer that though many people have generously supported in the completion of this book, all errors you may find in this book are my own!
List of Abbreviations

A.I.R. – All India Reporter
ACTA – Anti-Counterfeiting Trade Agreement
Art. – Article
BRIC – Brazil, Russia, India and China
Cardozo J. Int’l & Comp. L. – Cardozo Journal of International and Comparative Law
CD – Compact Disk
CPP – Comparative Purchasing Power
DTH – Direct to Home
DVD – Digital Versatile Disc
E.I.P.R. – European Intellectual Property Review
Edin.L.R. – Edinburgh Law Review
Edn – Edition
Eds – Editors
Ent.L.R. – Entertainment Law Review
FICCI – Federation of Indian Chambers of Commerce and Industry
Harv.L.Rev – Harvard Law Review
I.P.Q. – Intellectual Property Quarterly
ICC – International Chamber of Commerce
IP – Intellectual Property
IPR – Intellectual Property Rights
IP Address/Location – Internet Protocol Address/Location
Law Libr. J. – Law Library Journal
MPA – Motion Picture Association
List of Abbreviations

MPAA – Motion Picture Association of America
N.C.L.Rev. – North Carolina Law Review
NGO – Non-Governmental Organization
SCC – Supreme Court Cases
Sec. – Section
SSRC – Social Science Research Council
TRIPS – Agreement on Trade-Related Aspects of Intellectual Property Rights
USGAO – United States Government Accountability Office
USIBC – United States–India Business Council
VCD – Video Compact Disc
VCR – Video Cassette Recorder
WIPO – World Intellectual Property Organization
WTO – World Trade Organization
Yale L. J. – Yale Law Journal