
THE BATTLE AGAINST DIGITAL PIRACY: EVALUATING COPYRIGHT LAWS AND PREVENTIVE STRATEGIES IN INDIA AND U.K.

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“The easiest way to stop piracy is not by putting antipiracy technology to work. It’s by giving those people a service that’s better than what they’re receiving from the pirates.”

- Gabe Newell

ABSTRACT

There has been a profound transformation in the entertainment industry and cinematography, which is driven by rapid technological advancements and the common presence of the Internet everywhere. A multi-faceted study of the impact of piracy on the entertainment industry and cinematography has to be done to do away with this evil. Evaluation of the effectiveness of existing copyright laws and exploring the preventive strategies employed to mitigate the detrimental effects of piracy are needed in today's time. This study aims to illuminate the intricate interplay between technological advancements, intellectual property rights, and the future sustainability of the creative industries. This is not like the old times when the effect of piracy was only to films, songs, etc., but now over the top (hereinafter referred to as OTT)¹ web series, shows, and internet-released movies are also under the garb of piracy. It is not wrong to say that privacy and piracy do not go together well. Achieving a harmonious equilibrium between safeguarding intellectual property and respecting individual privacy is a formidable challenge. Striking this balance is essential to uphold the rights of individuals while implementing effective anti-piracy measures. The entertainment industry remains dynamic and adaptable, consistently evolving to address these challenges and safeguard the creative endeavours of artists and the industry's long-term viability.

Keywords: Entertainment industry, Impact of piracy, Preventive strategies

¹ Ravisha Sodha & Dimple Jodha, Copyrights in the Changing Paradigm of the Entertainment Industry vis-a-vis the Piracy Issues, 2 INDIAN J. INTEGRATED Rsch. L. 1 (2022).

1. INTRODUCTION

Digital piracy has become the ghostly antagonist haunting the silver screens of the entertainment industry. As filmmakers and content creators navigate these uncharted waters, copyright laws and innovative strategies are their only compass and anchor. Copyright is a right granted to the owner of the work. This would include literary, musical, artistic, dramatic work, sound recordings and cinematograph film. When any third party or unauthorised person violates the exclusive right granted to the owner, it is called infringement. When such infringement occurs in the digital environment, it is called copyright infringement in the digital world.

The rise of the digital era has led to the subject of copyright getting more traction. The internet is an endless web that provides a diverse range of content for the public to absorb. On the negative side, it becomes challenging for the authors to protect their work because the internet becomes that grey area where infringers can access and give access to others of the content they don't have official authorisation to use. The purpose of the research is to understand and determine the necessity of a strong copyright regime to protect digital privacy. Due to advancements in the internet sector of society, there is no doubt that new avenues have been made for creativity and distribution. Still, these advancements have also exposed a critical vulnerability, which is piracy.

Piracy is the biggest enemy of the creator of an original work. The financial stability and creative integrity of the entertainment industry and the film-makers who invest their time, talent, and resources into crafting cinematic works of art are in a high-risk situation because of the unauthorised distribution and consumption of copyrighted material through piracy. This research paper aims to delve into the multifaceted impact of piracy on the entertainment industry and cinematographic films, evaluating the effectiveness of current copyright laws and exploring preventive strategies employed to mitigate its detrimental effects.

1.1 LITERATURE REVIEW

There is an existing book available that is "Film Copyright in the European Union"² by Pascal Kamina. He is a renowned University professor and an attorney in IP, IT, Film and media law.

² Kamina, P 2002, Film Copyright in the European Union, Cambridge University Press, Cambridge. Available from: ProQuest Ebook Central. [10 October 2023].

The book beautifully covers the whole aspect of the history of copyright in media and how it evolved till the new ages. The author has talked about the early stages (1896-1908), then the evolution of piracy and the protection in copyright systems through the years, and what the scenario is now. The author has gone into the full, in-depth analysis of 'FILM' under UK law, and he talked about every nick and corner attached to the main theme. The book is a detailed piece of literature on film protection laws in the UK. A comparative study has also been done between the UK and Ireland. The author has also distinguished given a comprehensive discussion on the topic of the separation of copyright and authors' rights approaches. A critical assessment of the Gorell committee of 1909 and the new U.K. 1911 Act has also been done. However, the book successfully addresses all the issues and topics related to UK film protection but fails to devise new mechanisms for the protection of the same.

There is a piece of literature on "Copyrights in the changing paradigm of the entertainment industry vis-a-vis the piracy issues"³ by Ravisha Sodha and Dimple Jodha. Ravisha Sodha has cleared UGC NET, and Dimple Jodha has done her Ph.D. from NLU Jodhpur. The paper has talked about the jurisprudential aspect of protecting the copyrighted works of individuals and the need for IP protection. The authors have broadly discussed the scope of the copyrights as part of the industry, and they have also discussed the historical aspect of how the entertainment industry changed its shape over the years. Earlier, it was theatrical performances and plays. They have talked about the aspect of the USA also. This shows that a comparative study has been done. Mention of the era of pre-digitalisation is an eye-catching element of this paper. Then, they talked about various Indian examples, such as the Masakali 2.0 controversy and the controversy of movies like 'The Flying Jatt', 'Thank You' and '7 Khoon Maaf'. However, the paper failed to stick to a narrower perspective. The paper mainly focused on broad themes. The authors tried to go into various domains such as music, gaming, video cassettes, songs, films, animations, etc.

There is another book available on the said topic, "The Essential Guide to Intellectual Property"⁴, by Aram Sinnreich. Firstly, the book talks about the origin of the word 'piracy'. The author has talked about maritime piracy, piracy in the age of print, piracy in the electronic age and piracy in the digital age under the garb of copyright piracy. The author has validated his research with the help of statistical data from the year 1999 to 2011. The author briefly

³ SUPRA Note 2

⁴ Sinnreich, A 2019, The Essential Guide to Intellectual Property, Yale University Press, New Haven. Available from: ProQuest Ebook Central. [11 October 2023].

emphasises the era of radio piracy and how the music industry was doomed because of this. The author carefully weaves the link and the origin of copyright piracy in the age of electronic media. If we look back in history, then the age of electronic media is still like a newborn child as compared to the age of print media. The music tapes or cassettes were introduced to the public in the year 1963⁵. It had been only 60 years since the inception of audio cassettes in the market, and in this period, the piracy levels have been tremendous. The author has described a case study of 'Radio car-online'. The author has also talked about how, after World War II, people got access to VCRs, audio cassette recorders, and reel-to-reel tape decks due to technological advancements. It gave rise to a new trend of recording the audiovisual media. Then, the author talked about how this has created a wildfire in terms of copyright. However, the author has failed to enumerate the measures that the government has undertaken to curb the contemporary issues in this regard. The author mainly focused on the problem and not on the solution per se.

Another piece of literature is "Copyright Laws: Challenges in the Digital Era"⁶ by Varsha Yadav. With the development of technology, there is a need to develop laws to ensure that such development doesn't harm the owner of the work. Copying information from various sources without authorisation violates the rights of the authors. The author has emphasised on the importance of protecting intellectual property in the world of technological advancements. The 2012 amendment has provided measures to protect from digital copyright infringers. Various challenges like file hosting, hot-linking, freebooting, and peer-to-peer file sharing have been discussed by the author. Remedies like secondary liability, digital rights management, backdrop censorship, blockchain technology, etc., have been suggested by the author. However, the author doesn't discuss the effectiveness of these technologies in a practical aspect.

Another piece of literature is "Piracy: A contravention against copyright laws"⁸ by Doyita Das. The author has identified the piracy issue and its challenges to existing laws. The author provides a comprehensive overview of piracy, its impact on the economy and the need for policy reform. The author has also discussed the National Intellectual Property Rights Policy, 2016. Though the article mentions the TRIPS Agreement and Berne Convention, it does not

⁵ Joe Lynch, Unwinding the Birth, Rise, Fall and Return of the Cassette Tape, billboard, (Sept. 8, 2023 5:15 PM) <https://www.billboard.com/business/tech/cassette-tape-comeback-birth-sales-1235260347/>.

⁶ Varsha Yadav, Copyright Laws: Challenges in the Digital Era, 4 INDIAN J.L. & LEGAL Rsch. 1 (2022). ⁸ Doyita Das, Piracy: A Contravention against Copyright Laws, 2 LAW Essentials J. 120 (2021).

provide the international framework for issues related to piracy. While the article extensively discusses the issue of piracy, it does not provide any concrete legal solutions.

“Copyright infringement in the era of digital world”⁷ by Sanchita Jain and Ayushi Srivastava is another piece of literature available. The IT (Information Technology) Act 2000 and its 2009 amendment have provided legal measures for digital piracy. However, various issues like cybersquatting, domain name, and jurisdiction still need to be covered by the act. The 2012 amendment to the copyright act has protected copyright work on digital platforms, liability of internet service providers, penalties to the infringers, etc. The author has discussed preventive measures like encrypting schemes where the document is digitally scrambled and only the person with authorised access can decrypt it, a digital watermark in which the watermark is embedded on each page of the document, and access and copy control software. The article provides a broad overview but leaves room for specific areas to be covered, like the music industry, literature and software development, etc.

Another piece of literature, “Copyright Protection in the Digital Era”⁸ by Sai Lakshmi Gudisa, deals with the main theme of challenges with technology is that the work can be easily replicated, thereby damaging the author's moral and economic rights. Copyright violations in cyberspace can be done through framing, posting, linking, archiving, etc. The author briefly discusses the internet treaty, i.e. WCT and WPPT, in the context of providing basic rules for technological measures and rights management information to protect copyright. The article introduces Non-Fungible Tokens (NFT) as a tool for protection and outlines DRM (Digital Rights Management) tools like encryption and watermarks to protect digital content. The author has highlighted the practical aspect, i.e. real-life usage of DRM and its benefits. Though the article mentions about different countries accepting legislation to regulate technological measures under copyright, it does not provide a detailed analysis. The article highlights technological advancement but does not mention emerging issues like AI, blockchain, etc.

One more piece of literature is “To block or not to block?: Analysing the efficacy of website blocking orders and dynamic injunctions in combating digital piracy”¹¹ by Pranay Bali & Nayantara Malhotra. During COVID-19, digital piracy has increased to such an extent,

⁷ Sanchita Jain & Ayushi Srivastava, Copyright Infringement in the Era of Digital World, 5 INT'L J.L. MGMT. & HUMAN. 1333 (2022).

⁸ Sai Lakshmi Gudisa, Copyright Protection in the Digital Era, 4 INDIAN J.L. & LEGAL Rsch. 1 (2022). ¹¹ Pranay Bali and Nayantara Malhotra, To Block Or Not To Block? : Analysing The Efficacy Of Website Blocking Orders And Dynamic Injunctions In Combating Digital Piracy, 11 IJIPL 179 (2020).

especially violating the rights of the entertainment industry. The article focuses on the aspect of whether blocking such websites would help to curb digital piracy or not. The author has addressed various measures like blocking URLs, DNS, and IP addresses, but still, infringers survive by creating mirror websites or hopping from one IP to another. The article provides a comprehensive overview of the implementation of dynamic injunctions but does not elaborate on broader policy implications. Hence, there is further scope for further research.

1.2 RESEARCH QUESTIONS

The following research questions have been formulated in order to address and conform to the research objectives effectively:

- What is the impact of piracy in not only traditional media like films and songs but also in new media like OTT web series, etc.?
- What is the current legislative framework to protect cinematograph film and analyse whether it is sufficient or not?
- What is the current state of copyright laws in the U.K. and India, and how effective have these laws been in addressing piracy in the entertainment industry?
- What recommendations can be made to strike a better balance between protecting intellectual property and individual privacy in the face of piracy?

1.3 RESEARCH OBJECTIVES

- To identify and understand the impact of the proliferation of piracy, encompassing traditional and new media, such as OTT web series and internet-released movies.
- To analyse the current laws protecting cinematograph films in India.
- To evaluate the effectiveness of preventive strategies in the U.K. and India that aim to combat piracy in the entertainment sector.
- To provide recommendations for achieving a better balance between protecting intellectual property and individual privacy.

1.4 RESEARCH METHODOLOGY

The research methodology is purely doctrinal. The research includes in-depth analyses of case studies, source materials, and book reviews of both Indian and International spheres. The research is based on two sources:

- Primary source, which includes laws, declarations and other documents on the subject.
- Secondary sources include books, journals, research papers, articles, newspapers and reports on the issue.

The paper is analytical, explanatory and comparative in nature. The existing and prospective laws protecting digital piracy in cinematograph film in India and UK are analysed and explained.

2. IMPACT OF DIGITAL PIRACY ON THE FILM INDUSTRY

Piracy is the act of reproducing copyrighted material illegally. The impact of piracy on the film industry not only disrupts original creation but also impacts livelihoods. The most direct effect of piracy on the film industry is the loss of revenue. Instead of going to theatres to watch movies through legitimate platforms, people download or stream illegally, which leads to a loss of revenue. *Udta Punjab*, one of the classic examples of digital piracy, the movie was available to the public in good quality even before its release. Ankura Piracy Statistic Privacy Report is a report by Ankura global advisory firm that provides the state of digital piracy around the world. In the Ankura Piracy Statistic Report, 2022, India ranked as the 3rd highest contributor towards piracy after the U.S. and Russia. As per the report, the most pirated movie in India is 'SpiderMan: No Way Home' and the most pirated series is 'Games of Thrones'. India has over 7 billion visits to piracy websites. According to the report, Indian movies like 'KGF Chapter 2' and 'RRR' are the most pirated content. Piracy not only affects the financial or legal aspect, but it also creates a negative impact on the creation. Independent filmmakers often struggle to compete with big banner films; now, digital piracy is an added problem to that. The film industry is the major employer, and thus, digital piracy can have a ripple effect.

Digital Piracy is wrong, but various factors make individuals succumb to such measures. Movie tickets and subscriptions to OTT platforms have a high cost, which is not affordable. There are various OTT platforms that have high prices, and people cannot afford to subscribe to each and

every platform. Also, pirating content online is way more convenient than spending money and accessing it legally. Many streaming services do not offer dubbing and subtitles in all languages, which are readily available online. Thus, affordability and accessibility is the major contributor towards digital piracy.

3. LEGISLATIVE FRAMEWORK

The copyright act provides for the preventive measures against digital piracy and with the 2012 amendment the regime has become more effective. For protection against digital piracy in cinematograph film there is special legislation called Cinematograph Amendment Act 2023.

3.1 Copyright Act, 1957

The creator has the civil and criminal remedies available for copyright infringement through pirated films under section 55 of the Act, which provides for an injunction, damages and accounts of profit.

When it comes to digital piracy, one of the essential civil remedies available is a John Doe order, which can be passed against an anonymous person. When the plaintiff is not aware of who the infringer is, if there are so many infringers, then John Doe order against all the infringers can be passed. The producers make extensive use of this order to identify the accused.

Section 63 of the act provides that any person who infringes the copyright of the work conferred under this act will be liable to imprisonment of a minimum of 6 months but not exceeding three years and a fine minimum of fifty thousand but not exceeding 2 lakh rupees.

Section 63A of the act provides for subsequent convictions where if any person infringes the copyrighted work, then for every subsequent offence, the person would be liable for imprisonment of 1 year, which may extend to 3 years and a fine of 1 lakh rupees, which may extend to 2 lakh rupees.

3.2 Copyright Amendment Act, 2012

Section 65A provides for the protection of technological measures.

To circumvent means to overcome a problem or difficulty. Section 65A of the amendment provides that it is a criminal offence to circumvent technological safeguards adopted by the

owner of the copyright to protect their work.

The section doesn't prohibit circumvention in the following cases:

- to conduct a lawful investigation,
- conducting encryption research by lawfully obtaining an encrypted copy,
- testing the security of the computer system with the consent of the owner,
- for identification or surveillance of users,
- by the operator,
- anything not expressly prohibited by the act.

The section allows circumvention in the above cases only if proper track of the information and reasons was recorded.

Section 65B provides for rights management information.

Right management information(RMI) identifies the name, address, details of the copyrighted work, ISBN number, and rights related to that work. If any person

- removes or amends the RMI or
- distributes, broadcast, communicate to the public, or imports without official authority, then that person will be liable to imprisonment for a maximum of two years with a fine. The owner of the work can also avail civil remedies. The main purpose of this amendment is to ensure that any unwanted depletion or alteration to RMI is criminally liable. This prevents duplication of data from CD. Encryption and watermarks are such examples of digital rights management.

3.3 Cinematograph Amendment Act, 2023

The Cinematograph Amendment Act 2023 has inserted the following new sections:

- Section 6AA prohibits the use of audio-visual devices to record a film with the intention

of making, supplying or transmitting its infringing copy.

- Section 6AB provides for the use of the infringing copy. The section prohibits the exhibition of the infringing copy of the film to the public for profit at a place that is not licensed or in a manner that amounts to infringement under the Copyright Act of 1957. The Act has also proposed stringent penalties for infringing the above sections.

Section 7(1A) states that anyone who infringes section 6AA would be liable for a minimum imprisonment of 3 months and maximum imprisonment of up to three years, with a fine which should not be less than three lakhs but may extend to 5% of the audited gross production cost. Though the maximum punishment for piracy is minimised, it is still on the higher side cause 5% of any big budget would lead to heavy fines.

4. JUDICIAL PERSPECTIVE

People involved in cinematograph film are always concerned about the digital piracy. Even the recent hit Bollywood movie *Brahmastra Part One: Shiva* faced the same problem. In the case of “*Star India Pvt. Ltd. Vs. Movierulz. TC & Ors.*”⁹, the main contention was that there has been unauthorised and illegal distribution of the movie “*Brahmastra Part One: Shiva*” by the Defendant. They were illegally streaming the film on their website. The court passed an interim order against defendant but still they bypassed the court’s order and established mirror websites. The plaintiff counsel contended that the defendants are infringing the cinematograph rights of conveying the film to public. The court passed the dynamic injunction and observed that the “There is no gain saying that piracy has to be curbed and needs to be dealt with a heavy hand and injunction against screening of copyrighted content by rogue websites ought to be granted.” The court granted rupees twenty lakhs as damages.

Another case is “*Star India Pvt. Ltd. v. Moviesghar.art*”¹⁰. In this case, a permanent injunction was sought from the court against the website illegally streaming the film “*Bhuj: The Pride of India*”. The plaintiff owned exclusive copyright for cinematograph work of various films and *Bhuj* film was one of them. The film was supposed to be released in 2021-2022 and the plaintiff had apprehensions that such a rogue website might stream the film illegally which will cause

⁹ *Star India Pvt. Ltd. Vs. 7movierulz.TC & Ors* Cs(Comm) 604/2022 And I.A. 14117/2022.

¹⁰ *Star India Pvt. Ltd. v. Moviesghar.art*, 2022 SCC OnLine Del 3819.

financial loss. The court granted a permanent injunction against all rogue websites and domain names.

In the case of “Star India Pvt. Ltd V. Moviestrunk. Com & Ors¹¹”, plaintiff found that their movie “Mission Mangal” was available to public on several ISP(Internet Service Providers) without the authorisation. The suit was filed and 80 defendants were impleaded. 1-67 defendant were websites streaming it online, Defendant 70 and 78 were ISP and 79 & 80 were govt. Department who did not have authority to distribute. The court ruled in favour of plaintiff stating that these rogue websites were infringing the copyright of the owner.

The plaintiff in the case of “Zee Entertainment Enterprises vs Tejendra Modi And Ors,”¹² had exclusive license and exploitation rights to the movie “Radhe: Your Most Wanted Bhai”. A suit was filed against the defendant for unauthorised distribution, circulation, selling etc of the movie. The court restrained the defendant from doing so and also held that such distribution should not happen through WhatsApp. The court held that such distribution through WhatsApp is infringement and the account will be suspended.

Thus there are various films that had suffered losses from the digital piracy. At this age not only films but content available on OTT platforms, live sports programme also suffer from the challenges of digital piracy. The courts have issued orders against such piracy but going to court every time is not feasible. Also, each film released go through the stress of digital piracy. Such piracy not only affects the producers but it also affect other staff involved in the making of the film.

5. COPYRIGHT INFRINGEMENT, PIRACY & CINEMATOGRAPHY IN THE U.K.

The problem of digital piracy is prevalent in all the countries and UK is one of them the country has adopted various methods like their legislative framework is strong, improved enforcement efforts by the authority, consumer awareness, enhanced security measures, etc. all these preventive measures are applied in UK to control piracy. Failure to protect the copyrights will damage the ability of artists and companies to make their works and catalogues available. In the U.K., they have the principal legislation on Copyright, Designs and Patent Act 1988¹³

¹¹ Star India Pvt. Ltd V. Moviestrunk. Com & Ors, CS(COMM) 408/201.

¹² Zee Entertainment Enterprises vs Tejendra Modi And Ors, CS(COMM) 231/2021.

¹³ Copyright, Designs and Patent Act 1988 (UK)

(hereinafter referred to as 'CDPA'). Part-I of this Act focuses on defining and protecting copyrights. It sets out measures to preserve authorship and ownership of copyright, addresses cases of copyright infringement, and offers remedies for copyright owners and licensees, including actions like injunctions and seeking damages. There are organisations like the Alliance Against Counterfeiting and Piracy (AACP), and they advocate for certain notable advancements in some aspects. UK also incorporated EU Copyright Directive on 31 October 2003. Current laws are strengthened, provisions related to bypassing copy protection are revised, and significantly improved safeguards for copyright holders are being implemented. 'fair dealing' is the ultimate criterion that has to be achieved.

A matter of concern is the issue of damages and how the judicial system views the seriousness of copyright infringement. Even though the maximum imprisonment limit is ten years in the U.K., there is scepticism about whether the judiciary consistently enforces this penalty or not. The majority of the infringements in the U.K. often go without severe consequences. However, recent cases have seen fines of £180,000 and prison sentences of three years imposed.¹⁴ One significant deficiency in the legal structure of the United Kingdom is the lack of punitive damages in cases of copyright infringement. Exemplary damages, which are designed to function as a means of punishment and a deterrent, are not currently applicable in situations where the defendant's conduct was deliberate, malicious, violent, oppressive, fraudulent, reckless, or grossly reckless. Typically, these damages are granted not only to sanction the offender but also to set a precedent for the public.

Section 97(2) of the CDPA¹⁵ permits the court to award "additional damages" in cases where the defendant has behaved particularly badly or has made profits from the infringement. This shows that the legislative intent is to give exemplary damages here, but the judiciary has yet to give a precise meaning to this section.

WIPO (World Intellectual Property Organisation) is the first organisation that deals with intellectual property at international level. WIPO have two internet treaties: WCT (World Copyright Treaty) and WPPT (World Performance and Phonograms Treaty) which was adopted by UK in 1996. The treaties provide rights of copyright and neighbouring rights owners. They

¹⁴ UK Film Council, Film theft in the UK Anti-Piracy Task Force: an analysis and recommendations for action, (Sept. 10, 2023, 9:29 pm) <https://www2.bfi.org.uk/sites/bfi.org.uk/files/downloads/uk-film-council-film-theft-inthe-uk.pdf>.

¹⁵ Copyright, Designs and Patent Act, § 97(2), 1988 (U.K.)

have the right to ensure the conveyance of their work through electric means like on demand services. The countries must prevent circumvention of technical measures and any intervention with right management information to protect the copyright owners from piracy of their work by infringer. TRIPS (Trade Related Aspects of Intellectual Property) is the another major guideline that provide minimum standard of IPR protection. TRIPS was adopted at the end of Uruguay Round in 1994.

The UK film industry should conduct a comprehensive assessment of security risks and potential sources of "internal leaks" at various stages of the filmmaking process, including preproduction, production, post-production, and distribution. This review can benefit from insights gained from the research carried out by AT&T, as discussed in Chapter 4 on "Sources of Internet piracy."

The Film Distributors' Association (FDA) has already taken steps in this direction through its film print working group, which now includes the UK Film Council. Over time, this group has been striving to enhance procedures, and in July 2004, it issued an extensively revised Film Print and Digital Disk Management Protocol. The UK film industry should conduct a comprehensive assessment of security risks and potential sources of "internal leaks" at various stages of the filmmaking process, including preproduction, production, post-production, and distribution. This review can benefit from insights gained from the research carried out by AT&T, as discussed in Chapter 4 on "Sources of Internet piracy."

Digital piracy in both countries is prevalent but the effect and impact of piracy is much higher in India as compared to the UK. Comparatively UK has been more successful in combating piracy because there are organisations like the Federation Against Copyright Theft that are actively involved in enforcing anti-piracy measures.

6. CONCLUSION AND SUGGESTIONS

The copyright to a work is an automatic process, and no registration is mandatory; similarly, availing remedies against infringement also requires active voluntary involvement. The digital development is rapid, and so is the increase of crime on the internet. Piracy is a crime against domestic law as well as international law affecting the economic system. The Copyright Act and the Cinematograph Act do protect against piracy, but they are not enough. Numerous techniques, like digital watermarks, encryption, etc, exist to prevent copyright infringement,

but the digital environment still poses a serious threat to the film industry. Digitalisation has provided opportunities for creators to explore their creativity, but it has also posed a threat to their creation. Though we have acts that talk about digital piracy with special reference to the film industry, piracy is still prevalent, the reason being the lack of accessibility to the content and affordability of the people. Curtailing piracy is a complicated challenge and it requires the active involvement of creator to protect their works. Piracy is such a challenge that no country can overcome it completely. All preventive measures could be applied but all piracy would always be there because with the advancement of technology there is also advancement of piracy techniques. We need stronger copyright laws that punishes harshly to the infringers. A dedicated anti-piracy cell to investigate the piracy cases must be established, the regime to ISP should be stronger and ultimately the awareness among public is must.

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