
COPYRIGHT LAW: CHEF AS A PERFORMER UNDER THE COPYRIGHT ACT, 1957

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Introduction

The present project deals with the scope of extension of copyright right by considering 'Chef' as performers. Performers have in present time been provided considerable protection under the copyright regime. Earlier the performers were not given due recognition for their works. Prior to the amendment¹, if we consider a musical work, it was only the composers or producers who enjoyed the right under the work. But now, the performer say for a singer in the musical work is entitle to receive royalties if the work is used commercially. Now, considering the impact of Copyright amendment 2012, the scope and ambit of copyright protection has been extended to performers. Therefore, the researcher is trying to determine that is it possible to include chef under the definition of performer under the India copyright act, 1957. Much of the jurisprudence has revolved around the fact that whether food culinary creations can fulfil the criteria of 'originality' under the copyright regime and thus chef could be granted author rights.² But the area has been ambiguous and there has been no uniformity when the question of originality comes in relation to 'recipe' and 'culinary creations'. Therefore, the researcher aims to argue that chef should be recognized as performer within the ambit of neighboring rights. The basis of the claim is that chef is basically doing public performance when they are preparing a dish, recipe or food culinary creations. The performance can be said to be done in a restaurant in front of limited audience, on a television programme or on a radio. Thus, the suitability of definition of 'performer' and 'public performance' can be satisfied seeing the nature and character of work undertaken by a chef. Further, the project will seek to explore how to monitor distribution of royalties in regard to chef performer rights.

Scope and Ambit of Performer Rights in India

To understand the rights and ambit of performer rights, it is very essential to look into the

¹ Copyright (Amendment) Act, 1994.

² Caroline M. Reebs, "Sweet or Sour: Extending Copyright Protection to Food Art", (Last seen 11th March, 2020, 7.00PM), <https://pdfs.semanticscholar.org/c8fc/c64aeacad4369132d38f9acfa97871a669d.pdf>.

provisions of Indian copyright act, 1957. With the advent of 2012 amendment, there has been considerable change in the rights of performers and now they are getting due recognition for their work. Section 2(q) of the Copyright Act is: 'performance', in relation to performer's right, means "*any visual or acoustic presentation made live by one or more performers.*" Further, the definition of performer was broadened by 2012 amendment and an inclusive definition was adopted. Under section 2(q) (q) of the act, performer includes "*an actor, singer, musician, dancer, acrobat, juggler, conjurer, snake charmer, a person delivering a lecture or any other person who makes a performance.*"³

Further, a performer right means that "*Where any performer appears or engages in any performance, he shall have a special right to be known as the "performer's right" in relation to such performance.*"⁴ The term of protection available is 50 years from the "beginning of the calendar year next following the year in which the performance is made." In the light of this, it is also pertinent to look into the definition of performance under section 2(q) of the copyright act which says "*any visual or acoustic presentation made live by one or more performer.*" There has been limitation put by the proviso which says that if the performance is causal or incidental in nature incorporated in cinematograph film, such persons will not be acknowledged as performers.

Further, there are two category of rights provided to the performers which can be divided into economic and moral rights.⁵ Section 38 A of the copyright act gives performer exclusive right to authorize or prevent in respect of certain acts such as (a) *to make a sound recording or a visual recording of the performance, including— (i) reproduction of it in any material form (ii) issuance of copies of it to the public not being copies already in circulation; (iii) communication of it to the public; (iv) selling or giving it on commercial rental or offer for sale or for commercial rental any copy of the recording; (b) to broadcast or communicate the performance to the public except where the performance is already broadcast.*" Further, the subsection puts a bar the rights of the performer in the sense that if the performer has agreed to incorporate his rights in a cinematographic film then the rights of the producer will supersede the rights of performer and performer will lose his rights. Also, proviso gives performer right to receive royalties in respect in respect of utilization of their work for commercial purpose.

³ S.2(q)(q), The Copyright Act, 1957.

⁴ S.38, The Copyright Act, 1957.

⁵https://www.wipo.int/edocs/pubdocs/en/wipo_pub_909_2016.pdf

Section 38B further provides for moral rights to the performers. It says that “*performer of a performance shall, independently of his right after assignment, either wholly or partially of his right, have the right,— (a) to claim to be identified as the performer of his performance except where omission is dictated by the manner of the use of the performance; and (b) to restrain or claim damage in respect of any distortion, mutilation or other modification of his performance that would be prejudicial to his reputation.*”⁶

In determining as to why there is a need to grant chef rights of performers, the researcher tends to discuss the ongoing debates which revolve around the question of granting chef as rights of author on the basis of originality or fixation requirement of food recipes or presentation of food arts. Therefore, the researcher aims to point out that considering chef as author comes with various challenges and hurdles and therefore the ultimate remedy to recognize the needs of the chefs seeing the modern era is to treat them as performers.

Food recipes and dishes vis a vis Originality under Copyright law.

The researcher here contends that the position of chef's as an author is ambiguous. A chef can claim authorship over the work in case of a recipe in two steps. A claim has to be made that recipes are literary works under the act. Secondly, it must suffice the ‘originality’ standard and thirdly it must be barred subject matter under the copyright law.

Literary work under section 2(o) of the act⁷ is defined to include “*computer programmes, tables and compilations including computer 2[databases]*”. Therefore, as the nature of the recipe is such that the ingredients are expressed in literary form and it describes a process in a step by step manner as to the preparation of dishes, a claim under literary work can be made. But the second step is that the work to obtain copyright protection must be ‘original’ literary work.⁸ However, it is important to note that ‘originality’ has nowhere been defined under the act. Earlier, India used to follow the ‘sweat of brow’⁹ doctrine as laid down under UK copyright law, which considers the effort, labour and skill of the author to seek copyright protection. Now, considering the USA law, there is ‘modicum of creativity’¹⁰ which means that for originality to subsist in work there must be two criteria to be fulfilled. Firstly, work must be an independent author's creation and secondly a minimum amount of intellectual effort and judgment must be

⁶ S.38 B, The Copyright Act.

⁷ S.2(o), The Copyright Act,1957.

⁸ S.13, The Copyright Act,1957.

⁹ University of London Press v. University Tutorial Press Limited, (1916 U. 119) (1916)2. Ch 601.

¹⁰ Feist Publications, Inc. v. Rural telephone Service Co, **499 U.S. 340** (111 S.Ct. 1282, 113 L.Ed.2d 358), (1991, Supreme Court of United States)

put for creating that work.¹¹ The Indian copyright regime tends to follow the middle path as adopted in case of Eastern Book Company.¹² In this case notion of “flavour of minimum requirement of creativity” was brought into picture. Copyright protection was provided on addition and contribution of judgments. Hence, a considerable shift took place from UK regime to USA copyright regime in terms of originality criteria. The third aspects refer to non copyrightable subject matters like mere ideas, procedures, process, methods, mathematical formulas etc.¹³

Now, considering the present situation in which a chef prepares a recipe for a food. This recipe merely defines the process for preparing that particular dish. These consists of basically some ingredients and steps involved involved in preparing the dish. If the ingredients already exists in public domain, then the originality criteria also does not suffice. Even if there are combination of ingredients used in manner which is unique in nature, yet it will not suffice copyright protection under the act. The court noted that the recipes in “*Discover Dannon*” were *merely lists of ingredients and directions for combining those ingredients, and contained no “expressive elaboration upon either of these functional components, as opposed to recipes that might spice up functional directives byweaving in creative narrative”*.¹⁴ Thus, when ingredients are tend to be listed they are mere ideas which can be considered original as there needs to be a proper form of expression for subject matter to be copyrightable.¹⁵ Chef by his skills and technique might be able to create a unique dish, but if the ingredient added is unique in nature, this won’t be disclosed to public. This would form part of trade secret law and not copyright law.

In *Tomaydo-Tomahhdo LLC et. al v. Vozary et. Al*¹⁶ there were two restaurants having similar menu charts and several claims including copyright infringement was brought. The court noted that mere listing of ingredients cannot constitute a claim for copyright protection. It has to be

¹¹Khurana and Khurana Advocates and IP Attorneys, ‘*India: Doctrine of Originality in Copyright*’, (Last seen 8thMarch, 4.27PM), 2020(https://www.khuranaandkhurana.com/2019/04/16/doctrine-of-originality-in-copyright/?utm_source=Mondaq&utm_medium=syndication&utm_campaign=LinkedIn-integration)

¹²*Eastern Book Company v. D.B. Modak*, (2008) 1 SCC 1.

¹³Law Articles, ‘*What can be Copyrighted in India*’, (Last seen 8thMarch, 2020, 9.15 PM), <http://www.legalservicesindia.com/law/article/990/7/What-cannot-be-copyrighted-in-India>

¹⁴*Publ’n Int’l, Ltd. v. Meredith Corp.*, 88 F. 3d 473, 475 (7th Cir. 1996).

¹⁵Md. Rezaul Karim, ‘*The Idea/Expression Dichotomy and Its Impact on the Blurring Copyright-Patent Paradigm*’, (Last seen 10thMarch, 2020, 6.20 PM),

https://www.researchgate.net/publication/314538926_The_IdeaExpression_Dichotomy_and_Its_Impact_on_the_Blurring_Copyright-Patent_Paradigm.

¹⁶*Tomaydo-Tomahhdo LLC et. al v. Vozary et. Al*(N.D. Ohio 1/29/2015).

a substantial literary expression which means that recipe or combination of recipes must be part of description or explanation like in a cook book.

Food culinary presentations under the copyright regime.

Chef can also claim protection as author of the work in respect of food culinary presentations which he does. The researcher herein will be discussing how far this claim is valid. When a chef prepares a dish, he certainly applies his intellect and skills in placing arranging the various food items. He tries to give a unique identification to the dish by different colour combinations, style and features. For example let's consider paneer broccoli salad, the different ways and arrangement in presentation of that dish that chef uses. One of the prerequisite criteria as already discussed is originality and certainly this can be met if a chef shows a unique way of presentation of his dish.¹⁷ Therefore, it basically giving an aesthetic look by enhancing the overall colourful feature and thereby a protection can be claimed as artistic work. Since there is no specific provision dealing with presentation of food dishes, protection can be sought under 'any other work of artistic craftsmanship'.¹⁸

Further, we need to look another important aspect for seeking copyright protection. This means that there needs to be fixation of the culinary food presentation in a tangible form. But fixation is difficult to prove since food items are perishable in nature. Another important aspect is 'term of protection' which is granted for a particular work. If a work like food dish is perishable in nature, there will no certainty in granting term of protection of a copyrighted work. The question of fixation was examined in one such case¹⁹ wherein copyright protection was sought for bowl of food consisting of a Vietnamese dish which can be bought in a local restaurant. The court in this case has analyzed the landmark case of *Kelley v Chicago parkdistrict*,²⁰ wherein copyrightability of artistically arranged garden was in question in the sense that it could be fixated or not. The court rejected the claim of copyright on the ground that the subject matter i.e. artistic garden "lacked the kind of authorship and stable fixation normally required to support copyright." Applying this to food bowl, the court held that item was perishable in nature and thereby lacked copyright protection.

¹⁷Aprajita Nigam and Viksat Singh, 'India: The Scrumptious Art– IP Protection To Food Plating Styles', (Last seen 10th March, 2020 at 8.12 PM), <https://www.mondaq.com/india/Intellectual-Property/680984/The-Scrumptious-Art-IP-Protection-To-Food-Plating-Styles?signup=true>.

¹⁸ S.2(c)(i), The Copyright Act, 1957.

¹⁹ 7 Kim Seng Co. v. J&A Importers, Inc., 810 F.Supp.2d 1046, 1053 (C.D. Cal. 2011).

²⁰ Kelley v. Chicago Park Dist., 635 F.3d 290, 303 (7th Cir. 2011).

Therefore, chef cannot claim authorship of the work on the basis of recipe and artistic presentation of food should receive copyright protection. Thus, in case arises wherein photograph of artistic presentation is taken. The author of the work will be photographer in this case.²¹ Therefore, as food blogging is becoming popular day by day, there tend to cases wherein people post work of food arts on instagram/facebook accounts for commercial purpose also.²² The impact of this is lost of rights for chefs as they cannot claim their right as an author of the work under this artistic presentation.

Criteria's for determining a person as performer

Certain prerequisites have to be fulfilled for determining whether a person can come under the ambit of performer as defined under the act. The researcher will be discussing these criteria's in detail for determining chef as a performer.

Inclusive definition

Therefore, when the definition mentions 'any other person' there is always a room for inclusion of other persons which are not mentioned in the act to be included in the definition of the performer. Thereby, when the definition of performer under 2(q) (q) of the act mentions actor, singer, juggler, snake charmer etc, the list is not exhaustive or restricted to only these persons. Since ancient times the performers have not been given due recognition for their rights. The share of profit was taken up producers or composers if we relate to the cinema industry. There was utilization of work of the performers and economic benefits were derived out of that work of the performers. But as a matter of fact, it was only on contractual basis these performers were given a share in revenue received. Thus, it was easy for the producers to exploit the performers by not giving them due share of credit.²³

Seeing, all the mishaps which a performer has to go through, the legislature decided to broaden the definition of the performers. It not only allowed performers a share of royalties for commercial utilization of their work but also allowed treated performer rights in parance with rights of the authors of the work. The Amendment Act 2012 has introduced affirmative

²¹ S.2(d) iv, The Copyright act, 1957.

²² Benjamin Beck & Konstantin von Werder, 'Food Plating and Copyright – Can Instagramming Your Meal Be Construed as Copyright Infringement?', (Last seen 11th March, 2020 at 10.47PM), <https://www.allaboutipblog.com/2015/09/food-plating-and-copyright-can-instagramming-your-meal-be-construed-as-copyright-infringement/>

²³ Shodhganga, "Copyright law and Performers Right", (Last seen 11th March, 2020, 9.26 PM) https://shodhganga.inflibnet.ac.in/bitstream/10603/52362/13/13_chapter%208.pdf

performers' rights. Subsections 3&4 of the present section 38 have been omitted and a new section 38A has been inserted in compliance with Articles from 6 to 10 of WPPT.²⁴ Now, the performer can authorize or prevent doing of certain acts in relation to broadcasting, rebroadcasting, issuing of copy etc. Earlier the word 'without the consent of performer' was only used. Further, there was inclusion of certain number of people whose status in the society was almost negligible, such that their exploitation was easily possible. For say 'juggler' who tends to perform in a circus and entertain the crowd by his skills was also recognized as performer. Also, a snake charmer which basically tends to risk his life and whose entertainment audience is basically limited to a live audience was also included.

Thus, the intention of the legislature was pretty clear and that was to give widest possible interpretation to the definition of the 'performer'. This was done by increase in the number of rights originally accorded to the authors but by also leaving a room for inclusion of other persons who tend to showcase basic skill of a performer and thereby satisfy such criteria.

There are certain acts laid down under the act which does not infringe the rights of the performer.²⁵ Firstly, if the act of visual or sound recording is for purpose of private use, teaching or research. Secondly, use of excerpts of performance comes under the ambit of fair dealing such as reporting of current events or bona fide review or research. Lastly, necessary adaptations or modifications not constituting infringement.

Interpretation of word 'person'.

The interpretation of the word '**person**' must be construing and restricted to natural persons. Therefore, chef being a natural person can be included under this ambit. What this definition tends to exclude is anything not being a natural person. For example if we consider in a circus a person A trains a bear and the bear tends to perform. Can the bear be considered as performer? The answer is in negative as natural persons can only be considering as a performer.

Such interpretation is more supported by the fact as the definition of performer includes a snake charmer, when it is actually the snake that does the performance. Therefore, the person training and instructing is considered a performer on the account that he is a natural person. Now, if we consider a chef who basically tends to prepare recipe or dishes in a restaurant, fulfils such

²⁴Intellectual Property Watch, "*Development In Indian IP Law: The Copyright (Amendment) Act 2012*", (Last seen 11th March, 2020, 10.05PM), <https://www.ip-watch.org/2013/01/22/development-in-indian-ip-law-the-copyright-amendment-act-2012/>

²⁵ S.39, The Copyright Act, 1957.

criteria on the account of him being a natural person.

Further, as we know that performers are also granted moral rights.²⁶ Moral rights in India basically are of two types. First, right of paternity means that person should be given due credit for their work. Secondly, right of integrity which means that if there is any distortion, mutilation of the work without the consent of the person of the work belongs to, the person can restraint such act or claim damages. If we consider, chef as a performer there certainly is a reputation attached to a recipe or dish which chef prepares. Therefore, chefs are entitled to receive credit for their work in the form food they prepare and present.

Public performance right

Halsbury explain public performance as “*The question whether work is performed or sound recording, film or television broadcast seen or heard in public is solely one fact. In determining this test the following considerations: whether there was admission of any portion of public with or without payment to the injury of the author i.e. class of public who would likely to go the performance if there was performance at public theatre for profit, or whether there was private or domestic, a matter of family or household concern.*” As we have already noted that ‘performance’ means any visual or acoustic presentation made live by one or more performers. If we look this definition from the view point of chef, we realize that work undertaken by chef suits this definition. When a chef prepares a dish or a recipe, he does public performance. The artistic presentation of dish by the chef or preparation of food, chef is undertaking the task of a performer. Public performance basically refers to performance done in public or in a place open to public.²⁷ The Amendment Act 2012 has also sought to amend the definition of ‘Communication to Public’ (Section 2 (ff)) extending the right to performances. The rights under this head hitherto limited to authors have been extended to performers by the present amendment.

For understanding public performance, we need to look into different types of work undertaken by a chef.²⁸ In a restaurant, certain number of times a chef tends to prepare a dish from the menu and this dish is prepared in front of the customer who orders it. This certainly is an act of performance undertaken by chef as it is done ‘live’ in a restaurant. For example, in one

²⁶ S.38 B, The Copyright Act, 1957.

²⁷ Michael Goldman, “Cooking and Copyright: When Chefs and Restaurateurs Should Receive Copyright Protection for Recipes and Aspects of Their Professional Repertoires”, (Last seen 11th March, 2020, 10.30PM), https://scholarship.shu.edu/sports_entertainment/vol23/iss1/4/

²⁸ Culinary Schools .org, “*Chef Jobs, Training, and Career Paths*”, (Last seen 11th March, 2020, 10.45PM) <https://www.culinaryschools.org/chef-types/#context/api/listings/prefilter>

famous restaurant in Delhi i.e. Lights camera action, a chef prepares a dish named 'Nitrogen papdichaat' in front of the audience in the restaurant.

Further, consider various cooking TV shows like Master Chef, khaanakazana Etc which are broadcasted on television.²⁹ The producers of these show earns considerable amount of money generated by broadcast of these programmes. Thereby, a show which is wholly dependent upon the work of the chef and the chefs by using their skills and art in preparation of food is able to entertain vast majority of population. The chefs in this case are certainly acting as a 'performer' and the broadcast of his performance for commercial purpose will be considering a 'public performance'. Also, there are various shows related to cooking which are broadcasted on radio giving guide to public as to preparation of recipes.

Royalties' distribution and copyright societies

As per the Act, Section 38A(2) states that the performer shall be entitled for royalties in case of making the performance for commercial use even though he has consented by agreement to the incorporation of his performance in a cinematographic film. Proviso to section 18(3) & (4) further state that the royalties earned from the commercial exploitation of the performer's performance shall be divided equally among the performer and the producer. This signifies that if a third party commercially utilizes the performance of the performer, the performer stands a right to receive a royalty.³⁰ The amended section 19 makes the payment of royalty mandatory along with any other consideration to which the author is entitled in relation to utilization of the work in any form other than for the communication to the public of the work, along with the cinematograph film in a cinema hall.³¹ The protection to share royalties equally has also been extended to 'sound recordings', which do not form part of any film.³²

Therefore, since the researcher proposes chef as a new category of performers, there certainly needs to be a royalty system proposed in this regard. As food sector is totally different sector from music industry i.e. amendments were basically brought to recognize rights of performers belonging to this field like singers, actors etc. Therefore, when a chef is preparing a recipe which is his not his own creation and is dependent upon the copyrighted recipe in a cook book,

²⁹ S.38(A) (2), The Copyright Act, 1957.

³⁰ Brinda G. Lashkari, "Performers Rights to Royalty", (Last seen 12th March, 2020, 7.00AM), <http://racolblegal.com/performers-rights-to-royalty/>

³¹ Saurav Gupta, "Rights, Camera and Royalty: The Emerging Law on Future Assignment of Copyrights under the Copyright (Amendment) Bill, 2012", (Last seen 12th March, 2020, 7.56AM), https://www.indialawjournal.org/archives/volume5/issue_4/article6.html

³² Ibid.

there must be fixed rate set by the statute which the original author must be entitled too. This can come under the ambit of 'other considerations' under section 19 of the act.

Further, there are copyright societies³³ which deal with collection and distribution of royalties on the behalf of owners and performers. The users of the work such as restaurants, hotels, bars need to seek permission from these societies for using the works of original authors. There are three societies namely (a) IPRS –Indian Performing Right Society , that looks after royalties of composers and lyricists(b) PPL – Phonographic Performance Limited, that deals with Royalties of music labels(c) ISRA- Indian Singers Right Association- deal with rights of singers.³⁴ The above society basically deals with rights of performers in relation to the music industry. Therefore, the researcher proposes establishment of new society specifically dealing with rights of chefs as a performer. Seeing the impact that IPRS has been able to cause in recognizing the rights of performers such as singers, actors etc, a newly created society would certainly able to benefit the chefs seeing the growth and prospects of food industry.³⁵

Conclusion

The food sector has shown considerable growth both by serving the customers by new variety of dishes but also by increase in number of viewers when it comes to cooking shows.³⁶ The class of sector served by the cooking shows likes Master chef etc. range from upper class to lower middle class. These popular shows tend to present chefs as celebrities because of the fame they achieve from these shows. Therefore, these chefs can be regarded as 'actors' when present their work on a live show or a television programme. These chefs have evolved in their status and have cause a huge impact on the minds of the consumers by entering into the market as celebrity chefs. When the performance of these chefs is broadcasted on the television, they tend to serve the entertainment industry. There are proper TV channels dedicated specifically to cooking shows like food network in America. But it would be reasonable to argue that chef should be treated as separate category because of the sector i.e. the food sector they tend to cater.

³³ S.33, The Copyright Act, 1957.

³⁴ Brinda G. Lashkari, "*Performers Rights to Royalty*", (Last seen 12th March, 2020, 7.00AM), <http://racolblegal.com/performers-rights-to-royalty/>

³⁵ Retail.com , From the economic Times, "*Food services industry to play critical role in India's growth: Kant*", (Last seen 11th March, 2020, 10.00AM), <https://retail.economictimes.indiatimes.com/news/food-entertainment/food-services/food-services-industry-to-play-critical-role-in-indias-growth-kant/69261299>

³⁶ FICCI, "*Indian Food Services: Engine for Economic Growth and Employment*", (Last seen 11th March, 2020, 10.46AM), <http://ficci.in/spdocument/20969/foodzania-2017-report.pdf>

The research has tried to portray that recognizing chef as performer is of vital importance. The existing debates only circulated themselves around that fact of originality of recipes and food presentation and thus restricted itself to whether to treat chefs as authors or not. But with the advent of technology and access to people, recognition of rights of chef as performer would be significant.

BIBLIOGRAPHY

STATUTES

- Indian copyright act, 1957.
- Copyright Law of the United States and Related Laws Contained in Title 17 of the United States Code.
- UK Copyright, Designs and Patents Act, 1988.

ARTICLES

- Law Articles, '*What can be Copyrighted in India*', (Last seen 8th March, 2020, 9,15 PM), <http://www.legalservicesindia.com/law/article/990/7/What-cannot-be-copyrighted-in-India>
- Md. Rezaul Karim, 'The Idea/Expression Dichotomy and Its Impact on the Blurring Copyright-Patent Paradigm', (Last seen 10th March, 2020, 6.20 PM), https://www.researchgate.net/publication/314538926_The_IdeaExpression_Dichotomy_and_Its_Impact_on_the_Blurring_Copyright-Patent_Paradigm.
- Aprajita Nigam and Viksat Singh, '*India: The Scrumptious Art– IP Protection To Food Plating Styles*', (Last seen 10th March, 2020 at 8.12 PM), <https://www.mondaq.com/india/Intellectual-Property/680984/The-Scrumptious-Art-IP-Protection-To-Food-Plating-Styles?signup=true>.
- Benjamin Beck & Konstantin von Werder, '*Food Plating and Copyright – Can Instagramming Your Meal Be Construed as Copyright Infringement?*', (Last seen 11th March, 2020 at 10.47PM), <https://www.allaboutipblog.com/2015/09/food-plating-and-copyright-can-instagramming-your-meal-be-construed-as-copyright-infringement/>
- Intellectual Property Watch, "*Development In Indian IP Law: The Copyright (Amendment) Act 2012*", (Last seen 11th March, 2020, 10.05PM), <https://www.ip-watch.org/2013/01/22/development-in-indian-ip-law-the-copyright-amendment-act-2012/>