

# The Indian Performing Right Society ~~Limit~~

Registered Office : 717, Dalamez Tower, Nariman Point, BOMBAY-400 021.  
Cable : 'PERFORIGHT' ☐ Telephone : (022) 283 21 75

## MEMORANDUM OF UNDERSTANDING

Date 12.11.93

In this Memorandum of Understanding,  
IIPRS means The Indian Performing Right Society Ltd.  
IPI means The Indian Phonographic Industry  
PPL means The Phonographic Performances Pvt Ltd

IPRS confirms that Record Companies are owners of musical works as Publishers and the parties hereto via IPRS and IPI confirm the following UNDERSTANDING:-

1. IPRS understands that IPI members who are all record producers own to copyrights, that is, copyright in their sound recordings and the copyright which includes performing and mechanical rights in the musical and literary works used therein in the record producers' capacity as 'music publishers'.


2. IPRS had in the past admitted 184 film producers as 'music publishers'. IPRS would de-recognise these film producers and terminate their membership.

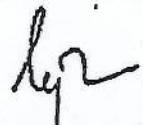
Film Producers out.

3. After de-recognition of film producers as members as specified in Clause 2 above, IPRS will admit IPI members as the members of IPRS in the category of 'music publishers', after receiving IPI members' assignments in IPRS' favour provided that IPRS will be entitled to administer only the performing rights (and not the mechanical rights) of IPI members' musical/literary works in India and through its associates/agents outside India. IPRS however shall be solely liable for proper accounting of the revenue to IPI member directly.

IPRS shall distribute the revenue earned by it (less administrative expenses) attributable to such revenue earnings) in the following proportion.  
30% for IPRS's composer-members  
20% for IPRS's author-members  
50% to IPRS's music-publisher members

IPI agrees to the appropriation of 80% of the revenue for composers/authors as stipulated above in the interests of giving encouragement to the composers/authors.

  
Chairman : Naushad Ali  
Member : International Confederation of Societies of Authors & Composers (CISAC) World Congress of Authors & Composers  
Copyright Enforcement Advisory Council, Government of India, Ministry of Human Resource Development.



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Vice-Chairman : M. N. Jaysudhri  
World Congress of Authors & Composers



# The Indian Performing Right Society Limited

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Date : 12.11.83.

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5. IPRS's Governing Council at present comprises of 4 composer-members, 1 author-member and 2 publisher-members. To begin with, IPI will nominate two publisher-members on IPRS's Governing Council. This strength of 2 publisher-members will be increased by IPRS to 6 publisher-members, at the earliest, but not later than 6 months from the implementation of this MOU. In any event, the publisher-members of the Governing Council shall have minimum 40% of the voting strength in the Governing Council.
6. Upto 31.12.83 in cases where record producers have assignments of musical/literary works in record producers' favour from composers/authors in non-film recordings, then in those cases IPRS shall recognise the record producers not only as music publishers but also as 'composers/authors'. Thereafter, individual contracts in between record producers and composers/authors would govern the possession of the respective rights provided it is specifically mentioned, in the concerned contract that the composers/authors is not a member of IPRS. In case of a dispute the record producers contract shall prevail.
7. The record producers' copyright in their sound recordings shall at all times be recognised by IPRS. This arrangement does not create nor is it intended to create any right or interest or authority whatsoever in favour of IPRS in respect of the copyright in sound recordings owned by the IPI members, the broadcasting and public performance rights therein assigned by them in favour of PPL for collective administration thereof, and the trade-mark and labels owned and/or used by the IPI members in respect of their sound recordings.
8. Although this MOU is intended to start a long-standing relationship between IPI, IPI members and IPRS as laid down herein, it may be clarified by way of abundant caution that IPI members will at all times be at liberty to terminate the assignments as per the Articles of Association of IPRS.

..3.

Chairman : Naushad Ali

Member :

International Confederation of Societies of Authors & Composers (CISAC) World Congress of Authors & Composers  
Copyright Enforcement Advisory Council, Government of India, Ministry of Human Resource Development.

Vice-Chairman : R. N. Jayagopal



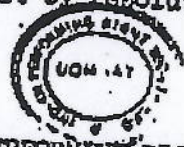
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- D. In case PPI wishes to use IPRS's set-up for collection of PPL-licences fees, IPRS will, if so authorized by PPL, collect PPL-licence fees and remit the amounts to PPL after deducting its administrative charges, as may be mutually agreed upon.
- D. This MOU will come into force only if IPRS's Governing Council and PPI's Executive Committee approves it by resolutions.



FOR THE INDIAN PERFORMING RIGHT SOCIETY LIMITED

*Narsheed Ali*

CHAIRMAN

*[Signature]*

GENERAL MANAGER

FOR THE INDIAN PHONOGRAMMIC INDUSTRY

*[Signature]*  
RESIDENT

6/12/93

*[Signature]*  
SECRETARY

Registered Office - 2 Ripon Street, Calcutta-700016

Chairman : Narsheed Ali  
Members : International Confederation of Societies of Authors & Composers (CISAC) World Congress of Authors & Composers  
Copyright Enforcement Advisory Council, Government of India, Ministry of Human Resource Development.  
Vice-Chairman : R. N. Jayswal