

THE INDIAN

**IMI**

MUSIC INDUSTRY  
Formerly IPI Estd. 1936

## THE INDIAN MUSIC INDUSTRY

266, Kaachwala Bldg. 2<sup>nd</sup> Floor, Dr. Annie Besant Rd., Opp. Old Passport Office, Above Saraswat Bank,  
Worli, Mumbai - 400 030 • Tel. : +91 22 6660 8349 / 8350 • Website : [www.indianmi.org](http://www.indianmi.org)

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To,

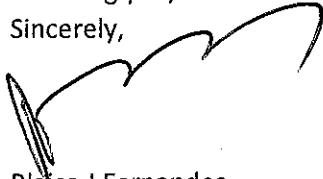
Ms. Abanti Sankaranarayan  
Chairman, ASCI  
Mumbai

**Sub:** Infringing Websites

Hello Ms. Sankaranarayan,

IMI represents the Music Companies a.k.a. Record Companies aka Music Labels on an all India basis. Digital content piracy is the single biggest challenge for the Indian music industry and the other media industries alike. More than half of internet users (54%) access unlicensed content on a monthly basis in India on rogue websites. As discussed in the briefing document and the appendices below, these infringing websites are funded entirely by ad-revenue. A number of these websites are also state sponsored by Non-Friendly Countries. We at IMI believe that with ASCI's cooperation and support, the Indian creative industries can significantly curb digital piracy and tap into its true potential. I look forward to your feedback on next steps.

Thanking you,  
Sincerely,



Blaise J Fernandes  
President & CEO  
The Indian Music Industry

**Regd. Office : BF-170, Sector-1, Salt Lake City, Kolkata - 700 064.**

AFFILIATED TO



representing the  
recording industry  
worldwide

### Digital Piracy in India

Rampant digital piracy within India costs the Indian movie industry alone a staggering INR 1800 Cr. every year accompanied by a loss of 60,000 jobs <sup>[1]</sup>, and to put it in perspective, the industry grossed little over 1300 Cr. in 2016. In other words, the pirates earned 35% more than the producers from works they didn't create and to make it worse, they didn't contribute to the economy or paid any taxes. And then there is piracy in the music industry, software, trademarks & patents. With increased penetration of smartphones and cheaper data charges in India, the content consumption has gone up <sup>[2]</sup>, this has increased the consumption of pirated content as well <sup>[3]</sup>. More than half of internet users (54%) access unlicensed content on a monthly basis in India on rogue websites. <sup>[4]</sup> Bollywood movies like 'Udta Punjab', 'Great Grand Masti' and several others incurred substantial losses <sup>[5]</sup> during their opening week because a pirated version was leaked before the release date. Despite recent stringent measures taken by the government, India is, unfortunately, among the top five countries in the world, in terms of piracy. <sup>[6]</sup> According to an MPA study, Indians are the largest group of visitors to the Indian content-focused torrent sites, and they also constitute the largest or second largest group of people who visit the five major international bit-torrent sites. <sup>[7]</sup>

Over time, movie piracy has shifted from CDs and DVDs to online platforms. The current M.O. involves use of smartphones and camcorders to record films and stream-rip music from sites like Youtube and publish them on rogue websites. Such websites and their operations are believed to be closely linked to the spread of malware and cyber-crime. They make money from advertisements and the revenues earned by these websites don't just include ads from the porn industry, gambling, drugs and scams and other cybercrimes such as money laundering and fraud <sup>[2]</sup> but also ads for multinationals, including McDonald's (See *Appendix B*), Hyatt Hotels and Netflix. <sup>[8]</sup> In fact, according to a study by Jonathan Taplin <sup>[9]</sup> a mainstream company like Google was ranked #2 in Piracy Ad Placements. Through such placements, a single pirate site can bring in millions of dollars annually, and because they don't pay for the

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<sup>[1]</sup> *Digital Media: Rise of On-demand Content*; p.5

<sup>[2]</sup> *KPMG FICCI Media and Entertainment Industry Report 2016*; p. 120, p.146

<sup>[3]</sup> *The Hindu: The Piracy Nightmare* by Sreedhar Pillai

<sup>[4]</sup> *IFPI: With revenues close to an all-time high, some within the business believe India could become a top 10 global market.*

<sup>[5]</sup> *International Business Times: 'Sultan,' 'Kabali,' 'Udta Punjab,' 'Great Grand Masti,' others' piracy incurs Rs 18,000 crore loss to Indian cinema*

<sup>[6]</sup> *The Indian Film Industry, Tackling Litigations* by Nishita Desai Associates; p.20

<sup>[7]</sup> *Online piracy of Indian Movies* by Arul George Scaria; p.649

<sup>[8]</sup> *The Guardian: Pirate sites are raking in advertising money from some multinationals*

distribution rights to films and TV shows, they can generate profit margins in the range of 86% to 93%.

<sup>[10]</sup> Even unlicensed *stream ripping* companies profit from the advertising space they sell on their sites and do not return any revenue to those who create or invest in the music they make available <sup>[11]</sup>. The top 100 such sites make INR 35 billion (\$510 million) a year by exploiting Indian content. <sup>[12]</sup>

Out of the approx. 150 sites that thrive on pirated Indian content, nearly half are from the US, followed by 11 from Canada, 9 from Panama and 6 from Pakistan. <sup>[12]</sup> While hostile neighbors like Pakistan have massively benefitted from infringing Indian IP in the past though the physical format with well documented evidences <sup>[13]</sup> of fugitives like Dawood Ibrahim reported to have agents who produce and sell pirated Bollywood movies worldwide, this practice to undermine the rights have carried forward to the digital domain as well. Before the Calcutta High Court order to block it, free MP3 website from Pakistan, songs.pk was one of the most popular source for pirated Indian music <sup>[14]</sup> However, within a few days of the ruling, it appeared with a new domain songspk.name, then several other domains in the next few years and now it is back to its old domain, songs.pk, still operating despite the HC ruling. Songs.pk is only one of the many websites (see *Appendix A*) against which the music industry, the judiciary and the government has taken strict actions, but many more new links emerge at a regular interval and they continue to stack massive profits from ad-revenue.

The third ASCI's code from the regulatory mechanism, "Code for Self-Regulation in Advertising" states "(to) safeguard against the indiscriminate use of advertising for the promotion of products which are regarded as hazardous to society or to individuals to a degree or of a type this is unacceptable to society at large." <sup>[15]</sup> As established in this paper so far, whether it's the massive loss to the Indian creative industry year-on-year or the role of a hostile neighbor in it, piracy is a "hazard to society", and based on the revenue figures that these websites are stacking entirely from ad-revenue, it's safe to say that advertising is not only promoting this hazard to society but also making it massively lucrative.

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<sup>[9]</sup> *Hollywood Report: "Study: Google No. 2 in Piracy Ad Placements"*

<sup>[10]</sup> *Marketers: Stop Advertising on Pirate Sites*

<sup>[11]</sup> *I/FPI Global Music Report; p.37*

<sup>[12]</sup> *Deloitte: Indywood The Indian Film Industry, 2016; p.19*

<sup>[13]</sup> *India today: Not just terror, film piracy trail too leads to Pakistan*

<sup>[14]</sup> *Can Legitimate Digital Music Trump Piracy in India?*


<sup>[15]</sup> *The Advertising Standards of Councils of India: "Code"*



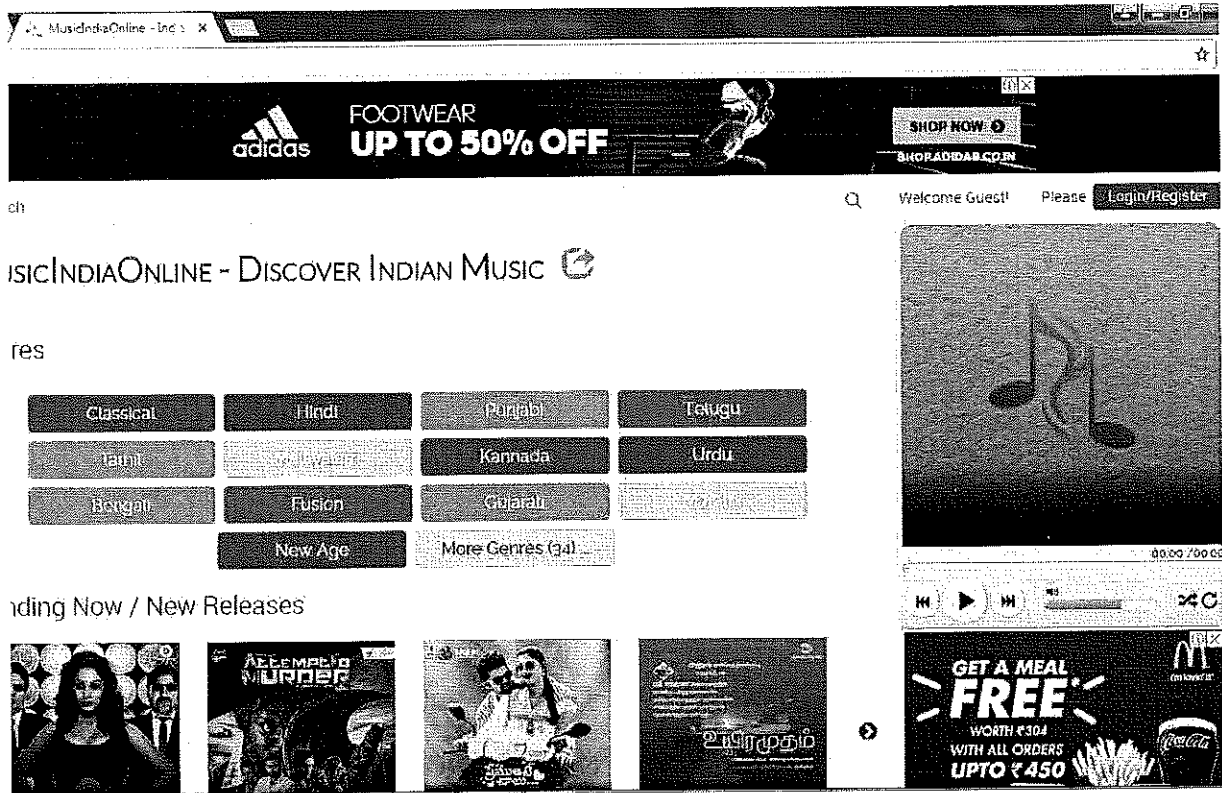
## Appendix A: List of infringing Websites

Websites for freely available Bollywood Songs			
beemp3.com	hippomp3.com	mp3khan.net	purevolume.com
bollywood.audio.pk	indiamp3.com	mp3music4all.com	seekasong.com
bollywoodjalwa.com	kohit.net	mp3raid.com	sideload.com
djmaza.info	latestsong.blogspot.com	mp3skull.com	songslover.com
djpunjab.com	mp3.com	mp3sound.in	songsapk.info
downloadming.nu	mp3000.net	mp3viper.com	Songsapk.name
downloadmp3hits.com	mp3free4me.com	musicdesi.com	songwap.in
emp3world.com	mp3fresh.net	musichunter.net	soundclick.com
freshmaza.net.in	mp3fusion.com	musicplanet.in	soundowl.com
funmaza.com	mp3hungama.in	mymp3song.com	yourmp3.net

*Case Study – Music Industry; Worklab Group*



Appendix B: Ads on infringing Websites



McDonald's (bottom right) and Adidas (top) ad on mio.to



Amazon (top) ad on mio.to

A handwritten signature or mark in black ink, consisting of a stylized, cursive-like shape.

audioline.in

**Rs. 1000 OFF**  
ON MINIMUM PURCHASE OF RS. 3350

**JABONG**  
30 DAYS FREE RETURN/ CASH ON DELIVERY \*T&C APPLY  
[FIND OUT MORE](#)

New Released Single Tracks

- ♪ Zindagi
- ♪ Soch Na Sake
- ♪ Yahin Hoon Main
- ♪ Mere Baare
- ♪ Tere Bin
- ♪ RDB - Singh Is King
- ♪ Main Raahon Ya Na Raahon
- ♪ Cerua

Mann Ki Baat

- ♪ MKB - 29 November 2015
- ♪ MKB - 25 October 2015
- ♪ MKB - 20 September 2015
- ♪ MKB - 30 August 2015
- ♪ MKB - 26 July 2015

Latest Bollywood Albums

- ♪ Wadr
- ♪ Dilwaie
- ♪ Yaara Silly Silly
- ♪ Love Exchange
- ♪ Guddu Ki Gun
- ♪ Charlie Kay Chakkar Main
- ♪ Hata Story 3
- ♪ Shaandaar

Special Tracks

- ♪ All Ke Sath Hai Zahra Ki Shadi
- ♪ Cyber Spahi Theme Song
- ♪ India Ka Tyohaar (IPLB Theme Song)
- ♪ Mauka Mauka Full MP3 Song
- ♪ Mauka Mauka Ringtones

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**Follow us on Facebook**

**ONLINE FESTIVAL** **SAVE 30% EXTRA**

**snapdeal** [Shop Now](#)

Snapdeal (right) and Jabong (left) ad on audioline.in

SONGS.PK

[HOME](#) | [BOLLYWOOD](#) | [POP & REMIX](#) | [COMPILATION](#)

🔍 Search albums, singles or artists...

**CATEGORIES**

- Bollywood Albums
- Bollywood Singles
- Indian Pop Remix
- Punjabi Songs
- Pakistani Songs
- Ghazals
- Compilations
- Wedding
- Instrumental

**ARCHIVES**

- Singers

[SARDAR MOHAMMAD - DOWNLOAD MP3 SONGS ALBUM](#)

**Album** - Sardar Mohammad

**Released** - 2017

**Cast** - Tarsem Jassar, Karamjit Ann Bahadur, Neeta Mohindra, R Kaur & Neetu Pandher

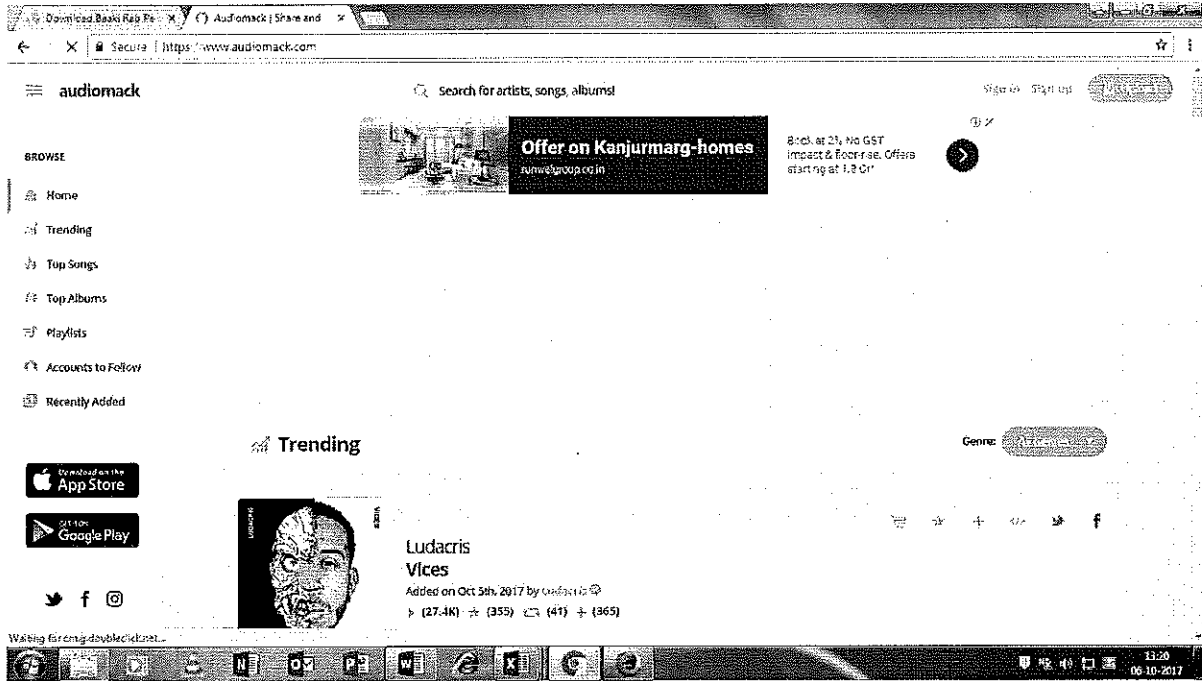
**Music Director** - Tarsem Jassar, Kulbir Jhinje

**Lyricist** - Kulbir Jhinje, Tarsem Jasse

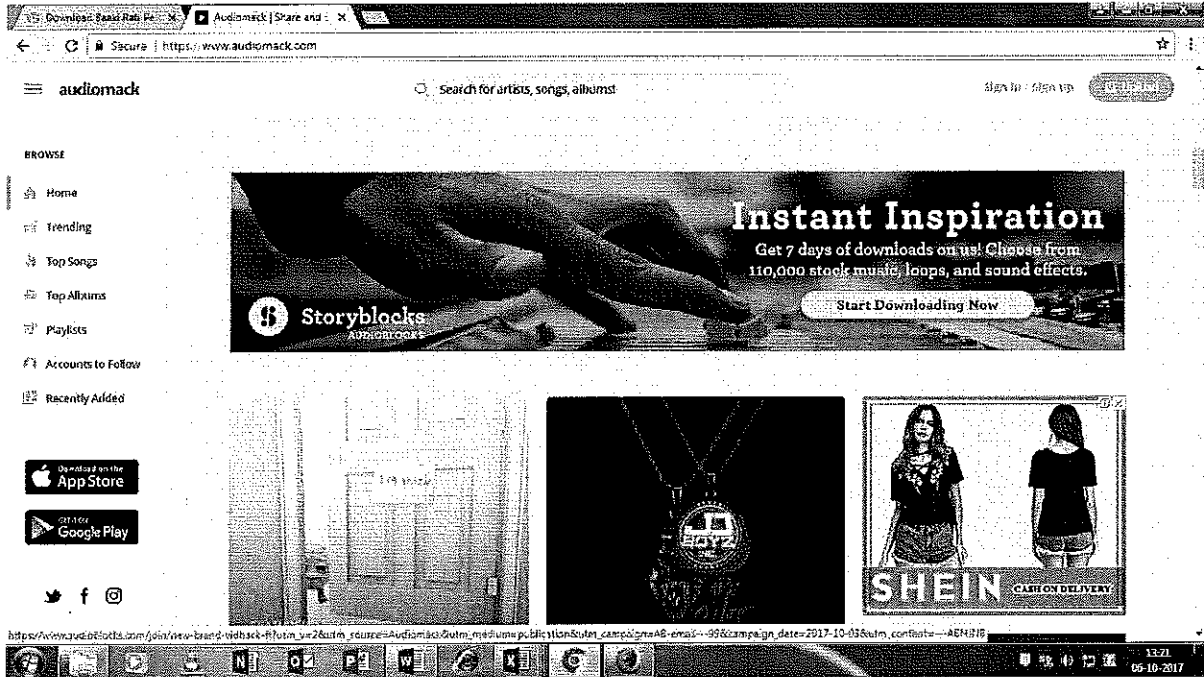
**ADVERTISE HERE!**  
Get your message out.

[Start Today!](#)

Google AdSense on Songs.pk



Kanjurmarg ad on audiomack.com



Shein ad on audiomack.com

A handwritten signature or mark in black ink, consisting of a stylized, cursive-like shape.