

THE INDIAN PERFORMING RIGHT SOCIETY LIMITED

CF: Utilization by Cinematograph Films on Physical Medium and Electronic/ Digital Medium by Sale/Download/Renting/ Streaming

1. SCOPE OF TARIFF

This Tariff applies for Musical and Literary works rights which are exploited by utilization on Physical medium of its Cinematograph Films on Video Compact Discs, Video DVDs, Vinyls, Memory Chips, or on any physical medium by Sale/Renting/Subscription services and on Electronic/Digital Medium of its Cinematograph Films by Sale/Download/Renting/ Subscription/Streaming of the Cinematograph Films including services on Internet, IPTV, Mobile TV and on/by Mobile/Cellular network by a Telecom / Mobile/Cellular Network Operator and billing of the services is by the Mobile/Cellular Network Operator including 2G, 3G, 4G services.

2. GENERAL CONDITIONS

This Tariff is subject to the Society's General Conditions applicable to Tariffs and Licenses.

3. ROYALTY RATES

The following Royalty Rates shall apply for utilization of Literary and Musical works by Cinematograph Films on Physical Medium and Electronic/Digital Medium by Sale/Download/Renting/ Subscription/Streaming services

(A)Physical means:

- a. **Sale by Video Cassette, VCD/DVD / Blue Ray, Vinyl, Memory Chips:** Royalty Rate is 01% of the Dealer Price less taxes
- b. **Rental/Subscription Services:** Royalty Rate is 01% of the end user (customer) price less taxes and any applicable payment service fees (capped at a maximum of 5%)

(B)Electronic/Digital means:

- a. **Sale/Download:** Royalty Rate is 01% of end user (customer) price less taxes and any applicable payment service fees (capped at a maximum of 5%)

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- b. **Rental/Subscription/Streaming Services:** Royalty Rate is 01% of the end user (customer) price less taxes and any applicable payment service fees (capped at a maximum of 5%)

(C) Streaming Services- Music Video/Videos of songs incorporated in Cinematograph Films (including YouTube like services)

- a. Royalty Rate is 5% of the end user (customer) price or any revenue generated directly or indirectly from such service by subscription, advertisement, sponsorship or recurring charge for such streaming services less taxes and any applicable payment service fees (capped at a maximum of 5%)

(D) UGC: USER GENERATED CONTENT

The following Royalty Rates shall apply for communication to the public of literary and musical works as part of user generated content (video) on Internet by way of on-demand streaming services through a website/app/mobile app:

- a. 5% of gross revenue which includes any revenue generated directly or indirectly from such service by subscription, advertisement, sponsorship or recurring charge for such streaming services

4. APPLICABILITY OF TARIFF

- a. This Tariff comes into force from the 1st April 2018 and applies to all Royalties falling due on or after that date.
- b. Non-Compliant Licensees who seek to regularize past infringements / violations / breach of Society's rights and licenses (including non-compliance with agreements, usage without license, vexatious litigation, etc.), a penalty of 30% over the existing tariff shall be applied at the discretion of Society.
- c. Royalty rate shall be adjusted to reflect the increase, if any, in the general price level (inflation), as measured by the Consumer Price Index. Such adjustment in royalty rate can be yearly or cumulative over a period of time.
- d. All Royalties are exclusive of all applicable GST/ taxes / levies.