

# THE INDIAN PERFORMING RIGHT SOCIETY LIMITED

## MRT: Utilization by Sound Recording on Physical Medium or Electronic Digital Medium by Sale/Electronic Digital Download

### 1. SCOPE OF TARIFF

This Tariff applies for Musical and Literary works rights which are exploited by utilization on Physical and Electronic-Digital Medium of its Sound Recording on Audio Cassettes / Compact Discs / Audio DVDs / Vinyls and Memory Chips or any physical medium, and Electronic /Digital Downloading of the Sound Recording.

### 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 Sound Recording on Physical Medium or Electronic Digital Medium by Sale/Electronic Digital Download by:

#### (A) Physical means:

- a. **Sale by Audio Cassettes, Audio CD, Audio DVDs, Vinyls, Memory Chips:** Royalty Rates is 5.50% of Dealer Price less taxes.
- b. **Physical devices where stored music is one of many features of the device will attract royalty at 5.50% × Dealer Price Less Taxes × % Component of music storage in device ÷ 100**

#### (B) Electronic/Digital Means:

- a. **Sale/Download:** Royalty Rate is 8% of end user (customer) price less taxes and any applicable payment service fees (capped at a maximum of 5%)

### 4. APPLICABILITY OF TARIFF

- a. This Tariff comes into force from the 1<sup>st</sup> 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 Royalty/License Fee are exclusive of all applicable GST/ taxes / levies.