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## Broadcasters chase pirates as signal theft goes high-tech

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More than 400 Indian channels are streamed illegally globally without paying any fees to Indian broadcasters **(Photo: Mint)**

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**Lata Jha**

The loss of revenue to Indian firms on account of piracy is expected to hit \$3.08 bn by 2022

Star filed a case against Thop TV, alleging it was a rogue app providing illegal access



**NEW DELHI :** Indian broadcasters are chasing pirates as illegal streaming devices and signal theft eat into revenues, especially of big-hit shows such as live sports.

Star India recently filed a case against Android software aggregator Thop TV right before the ICC World Test Championship Final. It said Thop TV is a rogue app providing illegal access to films, shows and live sports on TV, as well as video-on-demand content, without authorization from the original owner.

Sony Pictures Networks too has secured a Dynamic John Doe injunction order from the Delhi High Court to prevent infringement of copyrights for two upcoming international cricketing series: India-Sri Lanka men's international series in July and the India-England men's international series in August and September. <sup>OPEN APP</sup>

A John Doe order is a pre-infringement injunction remedy provided to protect the intellectual property rights of the creator of artistic works.

Apart from torrent websites and local cable operators that may be showing and charging for channels illegally, broadcasters now have to deal with so-called Kodi boxes, a term for illicit WiFi streaming devices costing ₹850-4,500, which capture and stream unauthorized TV content.

Reasons for piracy include non-secure encryption technology used for television signals that make them easy to hack and the long-standing consumer habit of wanting content for free. According to two media experts who did not wish to be named, firms could be losing 10-25% of their annual revenues to piracy.

Kodi boxes, often made in China and Ukraine, offers content of all major Indian broadcasters, including Star, Zee, Viacom18, Sony Pictures, ETV and SunTV besides free channels, and can be found on various e-commerce sites and wholesale or retail stores in states such as Gujarat, Delhi, Uttar Pradesh and West Bengal.

A broadcast network executive who did not wish to be named said that existing laws on broadcasting and distribution of satellite television channels do not contain any provision which prohibits the sale and use of such boxes, and their manufacturers or sellers are not required to obtain any licence or certificate from the ministry of information and broadcasting.

Plus, makers of these boxes are located in non-compliant jurisdictions, the person said.

According to a report by Digital TV, a media research company, the loss of revenue for broadcasters and channels in India on account of piracy is expected to hit \$3.08 billion by 2022.

More than 400 Indian channels are streamed illegally globally, without paying any fees to Indian broadcasters. "The covid-19 pandemic has seen a sharp rise in the consumer base for this illegal content, due to the fact that viewers are now more comfortable consuming content over the Internet," said Namita Viswanath, partner at IndusLaw, adding that in India, companies such as Rhysley Pvt Ltd, Boss IPTV, Tashan IPTV, Vois IPTV, Punjabi IPTV, Indian IPTV, Brampton IPTV and Boss Entertainment have been identified as major operators in the TV piracy market.

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Star, Sony, Zee and Viacom18 did not respond to Mint's queries on piracy and losses.

Chandrashekhhar Mantha, partner at Deloitte said such piracy could happen for any TV property, given that viewers may seek programmes at optimal cost, but the demand could be higher marquee events.

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"The properties of television channels which have been exposed to the maximum piracy are indisputably sporting events; and cinematograph films or television series," said Smriti Yadav, partner at legal firm Khaitan & Co. "With respect to the former, there have been numerous instances of various cricketing and footballing spectacles being illegally broadcast and live streamed over platforms. This is evident from the fact that television names have to go after websites and broadcasters on almost a regular basis when it comes to major tournaments in sports," Yadav said.

Piracy rate in India is among the highest in the world and while takedowns do happen, they are few, said Mukul Shrivastava, EY India telecommunications, media and entertainment, technology, forensic and integrity services leader. "And given that now most pirated content is available online, it's only understandable that's growing year-on-year," he added.

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"Apart from technical measures such as video or forensic water-marking, filing timely complaints against illegal transmission of TV channels is an important measure to curb piracy of TV content to a certain extent. The legal framework under Cable Television Networks (Regulation) Act, 1995 prescribes penalties for unauthorised operation of cable television networks. However, it does not recognise piracy as a separate offence, which has remained a long-standing issue for the industry," said Tejas Karia, partner, Shardul Amarchand Mangaldas & Co.

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