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**FAKE FACTS: AN INCREDULOUS LOOK AT  
PIRACY STATISTICS IN INDIA***Prashant Iyengar\****ABSTRACT**

*The author of the paper looks at how the expression 'piracy' has acquired traits due to the manner in which news has been reported, and also the manner in which 'piracy statistics' have defined the boundaries of their context by perpetuating an image of value-neutrality while revealing little other than the quantity of 'pirates'. By examining newspaper reports, he notes the manner in which the losses in the music and video industries are portrayed, and the estimations of the same which are sometimes downright fictitious, but nonetheless accepted by the press. Accounts of piracy in the press have changed though, with stories of linear losses that focussed on illegality giving way to accounts addressing the issue in terms of affordability and access. However, the truth is still nebulous as most cases are heard with the defendant ex parte, spawning an assumptive methodology of arriving at figures. This situation has the effect of a simple distrust amongst laypeople of the logic of spectacular losses claimed, but also a heightened sense of emergency among official circles.*

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The title of this paper is borrowed from the title of a newspaper article from 2003 that provides an assortment of statistics on piracy of branded FMCG products in India; Anna Peter, *Fake facts*, The Hindu Business Line, March 20, 2003. available at <http://www.blonnet.com/catalyst/2003/03/20/stories/2003032000030100.htm> (last visited Jan 27, 2009). Among the various motives that could have prompted the author's selection of this title, I imagine a mischievous and subversive skepticism of 'statistics' and 'facts' as one of them.

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### I. INTRODUCTION

A study, 'The Effects of Counterfeiting and Piracy on India's Entertainment Industry,' released by US India Business Council (USIBC) with Ernst & Young showed that 800,000 direct jobs and Rs 16,000 crore are lost every year due to piracy. (March 2008)<sup>1</sup>

The annual Plan for Bihar for 2009-10 has been pegged at Rs.16,000 crore. The outlay includes an additional Central assistance of Rs.110 crore for priority projects. (Feb 2009)<sup>2</sup>

In fact, 55 per cent of executives estimated their firm's revenue loss at greater than 10 per cent of total revenue. What's more, 77% of those surveyed [by KPMG] agree with IDC (International Data Corporation) estimates that 35% of software installed is unlicensed, leading to an estimated \$34 billion in lost revenue to the industry.<sup>3</sup>

India could see economic benefits worth \$3.1 billion or Rs.12,555 crore through expanded revenues and better productivity, add \$208

<sup>1</sup> Government, FICCI differ on optical disc law, THE HINDU BUSINESS LINE, March 28, 2008, available at <http://www.blonnet.com/2008/03/28/stories/2008032852381100.htm> (last visited Jan. 27, 2009).

<sup>2</sup> Rs. 16,000-Crore Annual Plan Finalised for Bihar, THE HINDU, Feb. 14, 2009, available at <http://www.hindu.com/2009/02/24/stories/2009022455560900.htm> (last visited Feb. 25, 2009).

<sup>3</sup> Software firms lose billions to piracy: KPMG, BUSINESS STANDARD, Dec. 19, 2007.

million in taxes, and create 44,000 fresh jobs, if it reduces use of pirated software by 10 percentage points by 2011, a lobby group for software firms has said.<sup>4</sup>

“The man who eats only twice a day, never taking any food or drink in the interval, and does this for six years...will dwell a million years in Brahma’s heaven, and enjoy the society of the celestial nymphs.” (Mahabharata, xii, 107.7)

In his book *The Taming of Chance*,<sup>5</sup> Ian Hacking describes how a particular statistical principle, namely the law of large numbers,<sup>6</sup> acquired the qualities of a ‘metaphysical truth’ in nineteenth-century France. This was “not because there was a mathematical demonstration of the law” – since hardly anyone in France understood the mathematics behind the law – and despite its evident implausibility (since “empirical phenomena are a great deal more irregular (to our eyes) than was popularly urged [by proponents of the law]”). According to Hacking, “thanks to superstition, laziness, equivocation, befuddlement with tables of numbers, dreams of social control, and propaganda from utilitarians, the law of large numbers – became for the next generation or two, a synthetic, *a priori* truth... It was not something to be checked against experience; *it was the way things had to be*” (emphasis added).<sup>7</sup>

This paper looks at how the word ‘pirate’ and its cognate expressions have circulated in newspapers over the previous decade and how ‘piracy’ has acquired characteristic traits of the kind of ‘metaphysical truth’ that Hacking describes. The word ‘pirate’ today automatically conjures images of illegality and spectacular loss – of a healthy, plump creative industry feebly

<sup>4</sup> Malovika Rao, *Software piracy rate cut can see \$3.1 bn rise in revenues by 2011*, LIVEMINT.COM, March 8, 2008, available at <http://www.livemint.com/2008/03/08002108/8216Software-piracy-rate-cu.html> (last visited Jan. 27, 2009).

<sup>5</sup> IAN HACKING, *THE TAMING OF CHANCE* (1990).

<sup>6</sup> Referring to the statistical law which holds that “in repeated, independent trials with the same probability  $p$  of success in each trial, the chance that the percentage of successes differs from the probability  $p$  by more than a fixed positive amount,  $\epsilon > 0$ , converges to zero as the number of trials  $n$  goes to infinity, for every positive  $\epsilon$ ”. See Philip Stark, *The Law of Large Numbers* (University of California Berkley - Department of Statistics, Sept. 2008), available at <http://www.stat.berkeley.edu/~stark/Java/Html/lln.htm> (last visited Feb. 25, 2009).

<sup>7</sup> See HACKING, *supra* note 6, at 104.

fending off a sustained onslaught from a ravenous,<sup>8</sup> militaristically organized, international network of pirates. Like the statistics of last year's fatal accidents, no-one quite remembers what the exact figures on piracy were, but there is grim conviction that the numbers must have been high, and that ameliorative action is necessary. Before the Satyam scandal, piracy was the biggest egg in the face of a 'techno-savvy' India, which had acquired some stature in the worldwide export of software and cinema. This paper examines newspaper accounts of piracy to see if and how their content has changed over time.

This paper is also an attempt to uncover the manner in which the avalanche of piracy statistics has successfully wrestled control over the boundaries within which piracy may be discussed in the press. 'Piracy statistics' today are only reflective of the quantity of 'pirates' and do not tell us, for instance, the caste-wise or age-wise or monthly-income-wise demographic of these pirates. They do not prompt a deeper reflection on issues such as endemic unemployment, affordability and access to culture, and have been remarkably successful in sustaining media attention on a drummed up notion of national loss.<sup>9</sup> In doing so, they have also had astonishing success in perpetuating the image of their own value-neutrality. This paper attempts to investigate *what* this body of piracy accounts continuously told, revised and retold in newspapers over the past decade can reveal to us.

A galloping review of about 80 such articles found between 2000 and 2009 suggests the following features of piracy reportage.<sup>10</sup>

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<sup>8</sup> The metaphor of hunger and feeding seems to pervade accounts of piracy and responses to it in India. Thus for instance, piracy is forever 'eating into' the revenues of industry; see, e.g., *Piracy eating into music industry health - Falling sales, high taxes and mafia add to the blues*, THE HINDU BUSINESS LINE, March 27, 2003, available at <http://www.blonnet.com/2003/03/27/stories/2003032701591700.htm> (last visited Jan. 27, 2009). Similarly, statutes are given 'more teeth' to combat piracy; *Cinematography Act may get more teeth*, BUSINESS STANDARD, Dec. 25, 2008, available at <http://www.business-standard.com/india/news/cinematography-act-may-get-more-teeth/11/18/344203/> (last visited Jan. 27, 2009).

<sup>9</sup> A notable exception is the 1999 Study on Copyright Piracy in India commissioned by the Ministry of Human Resource Development, Government of India which includes a chapter on "Socio Economic Aspects" that assesses the impact of high prices, poverty and unemployment on piracy rates. See Ministry of Human Resource Development - Government of India, *Study On Copyright Piracy In India* (1999), available at [http://www.education.nic.in/cr\\_piracy\\_study/cpr9.asp](http://www.education.nic.in/cr_piracy_study/cpr9.asp) (last visited Feb. 25, 2009).

<sup>10</sup> Fifty-five of these articles have been profiled year-wise and by type of piracy in Appendix A at the end of this article.

## II. MANY PIRACIES

During the period under study, hackneyed accounts of media piracy (“25,000 pirated CDs, DVDs seized”<sup>11</sup>) have shared space with news relating to counterfeit drugs, spurious drugs, counterfeit fast moving consumer goods (FMCGs), and more recently, piracy on the high seas (the ‘original’ piracy). Although these various kinds of ‘piracy’ may appear only orthogonally related, their affinity exceeds the merely nominal. There is much traffic in tactics amongst the different groups to whom the power to name ‘piracy’ belongs.<sup>12</sup> The guardians of music and video piracy – the MPAAAs, RIAAs, IMIs, BSAs, PPLs etc – have learnt much from their better-experienced pharmaceuticals counterparts, a fact that is evident in the shifting of their preferred arenas of crackdown from ‘law and order’ to customs – big pharma’s preferred bulwark. Music and video piracy studies have adopted into their propaganda arsenal the (relatively) sophisticated notion of losses in employment and taxation revenue from their more imaginative software and FMCG kin. Since at least 2003, FMCG piracy estimates include an additional estimate of lost ‘taxation revenue’ due to piracy.<sup>13</sup> The BSA-IDC has for the longest time been periodically offering karmic ‘development’ gains, including increases in employment, as inducement for countries to drop their piracy rates by 10% within five years. For instance in 2003: “India can create 50,000 more high technology jobs, add \$2.1 billion to its economy and boost software industry’s revenue by over \$1.6 billion if the country brings down software piracy rate to 60 per cent by 2006 from the current 70 per cent.” More recently, this strategy has featured subtle comparisons between India and other countries in the region – chiefly China and Russia. Thus, for instance, “A 10-point reduction in piracy could make China’s IT workforce the largest in the world, surpassing the United States, and make Russia a bigger IT market than India.”<sup>14</sup> This candy-and-stick approach panders to a desire for

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<sup>11</sup> *Nearly 25,000 pirated CDs, DVDs seized in Punjab*, AOL INDIA NEWS, Jan. 27, 2009, <http://www.aol.in/news-story/nearly-25000-pirated-cds-dvds-seized-in-punjab/2009012708389012000014> (last visited Feb. 25, 2009).

<sup>12</sup> Recalling Toni Morrison’s famous dictum “definitions belong to the definers, not the defined”.

<sup>13</sup> Peter, *supra* note 1.

<sup>14</sup> *Cutting PC software piracy creates jobs: IDC*, LIVEMINT, Jan. 22, 2008, available at <http://www.livemint.com/2008/01/22144511/Cutting-PC-software-piracy-cre.html> (last visited Jan. 27, 2009).

what Ravi Sundaram has termed as ‘temporally-accelerative’<sup>15</sup> development – a route through which we Indians could transcend our ‘historical disabilities’ and achieve parity with the incumbent masters of the world.

### III. THE MARKET FOR PIRACY STUDIES HAS INCREASED

Until around 2004, the province of ‘piracy studies’ if it existed, belonged exclusively to the International IP Alliance (IIPA) which specialized in conjuring loss estimates that numbered in the officially-noteworthy millions. Previously, complaints of piracy by industry associations were accompanied by amateurish and manifestly cooked-up statistics. Thus, for instance, when the film industry attempted to set up an association called the ‘Video Federation of India’ in 2001, it complained of losses to the industry of Rs. 500 crore – a figure arrived at rather whimsically by multiplying the size of the legitimate video industry by a multiplier of 10.<sup>16</sup> Similarly, the lobby group Indian Music Industry (IMI) continues to put out estimates of music piracy that are unsupported by any reference to studies of any sort. To a skeptical eye, habituated to being plied with ‘studies’ backing up figures, these arbitrary methodologies appear manifestly unpersuasive. Being unsupported by any systematic collection/revision of piracy statistics, the IMI and the FPBAI have both periodically hiked in their estimates rather unevenly. As a result, the growth of music piracy has languished in the past five years, rising from Rs. 200 crore<sup>17</sup> in 2002 to only Rs. 600 crore by 2009.<sup>18</sup> By contrast, software piracy has during the same period registered steady impressive growth from \$245 million in 2002,<sup>19</sup> to about \$2

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<sup>15</sup> Sundaram says “Temporal acceleration was a significant part of the imaginary of developmentalism - this was inherent in the logic of ‘catching up’ with the core areas of the world economy by privileging a certain strategy of growth that actively delegitimized local and ‘traditional’ practices.” Ravi Sundaram, *Beyond the Nationalist Panopticon: The Experience of Cyberpublics in India*, in *ELECTRONIC MEDIA AND TECHNOCULTURE* 290 (John Thornton Caldwell ed. 2000), available at [www.nettime.org/Lists-Archives/nettime-1-9611/msg00017.html](http://www.nettime.org/Lists-Archives/nettime-1-9611/msg00017.html)

<sup>16</sup> Nithya Subramanian, *Video cos form united front against piracy*, THE HINDU BUSINESS LINE, Oct. 21, 2001, available at <http://www.hinduonnet.com/businessline/2001/10/21/stories/14218703.htm> (last visited Jan. 27, 2009).

<sup>17</sup> *Piracy deals blow to music industry*, THE HINDU BUSINESS LINE, Dec. 15, 2002, available at <http://www.blonnet.com/2002/12/15/stories/2002121501520200.htm> (last visited Jan. 27, 2009).

<sup>18</sup> *Supra* note 12.

<sup>19</sup> *\$245 m lost in 2001 from software piracy: IDC report*, BUSINESS LINE, June 27, 2002, <http://www.hinduonnet.com/businessline/2002/06/27/stories/2002062700400700.htm> (last visited Jan. 27, 2009).

billion in 2008,<sup>20</sup> thanks to the more professionally organised BSA-IDC studies.<sup>21</sup>

Since 2004, however, an assortment of consultancy firms, including, KPMG, PriceWaterhouseCoopers, Ernst and Young and IDC have specialized in publishing breezy estimates on piracy – themselves usually based on the IIPA reports. In 2007, KPMG even conducted a piracy study to ascertain how many heads of corporations believed a previous (IDC) study on piracy.<sup>22</sup> In 2008, Ernst and Young bagged a (presumably lucrative) account to produce annual piracy studies for the US-India Business Council (USIBC). The latter is the latest entrant into the club of commissioners of piracy studies, a list that was already crowded from the presence of such titans as the Indian Music Industry (IMI), NASSCOM, BSA, FPBAI, IPRS etc.

As their value-addition to the specialized domain of piracy statistics, these consultancies can claim to have added arguments such as figures for number of jobs lost, losses in taxation revenue etc. It is noteworthy that during this period, appeals that prophesized the ‘death of creativity’ due to piracy were almost negligible.

In a sense, the relative credulity with which these various studies have been received and propagated by the press is hardly surprising and merely

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<sup>20</sup> *Software piracy dips to 69% in India*, BUSINESS STANDARD, May 16, 2008, available at <http://www.business-standard.com/india/storypage.php?autono=323165> (last visited Jan. 27, 2009).

<sup>21</sup> For all its impressive dedication to the cause of putting out regularly updated figures on piracy the BSA-IDC studies are not without their share of comic gaffes. A regular component of their piracy statistics have been promises of increased employment, foreign investment and taxation revenues in exchange for reduced piracy levels. Thus, in 2003, a 10% reduction in piracy could earn India 50,000 new jobs and added investment of \$2.1 billion in the economy. By 2005 this estimate had doubled – now a 10% reduction in piracy would add no fewer than 115,847 new jobs, \$5.9 billion to the economy and \$386 million in taxation revenues. This appears to have been, even within the optimistic BSA-IDC camp, an ambitious exaggeration and in 2008 the BSA-IDC were more circumspect. A 10% reduction in piracy would now only add a paltry 44,000 jobs, lead to \$3.1 billion in added investment and only increase taxation revenue by \$208 million. A far cry from the dizzying days of 115,847 jobs and \$386 million taxation revenues. See *Curbing software piracy propels growth: Study*, THE HINDU BUSINESS LINE, Apr. 24, 2003, available at <http://www.blonnet.com/2003/04/24/stories/2003042401590700.htm> (last visited Jan. 27, 2009); *BSA initiates legal action for ‘piracy’*, THE HINDU BUSINESS LINE, Feb. 28, 2006, available at <http://www.blonnet.com/2006/02/28/stories/2006022802460400.htm> (last visited Jan. 28, 2009); *Less piracy, more jobs, says study*, THE HINDU BUSINESS LINE, Apr. 4, 2008, available at <http://www.blonnet.com/2008/04/04/stories/2008040451760400.htm> (last visited Jan. 27, 2009).

<sup>22</sup> *Supra* note 4.

continues a trend, prevalent since at least the early nineteenth century, of elevating “practices associated with numbers over those associated with metaphorical language.” As Mary Poovey has demonstrated in her *History of the Modern Fact*, in the course of the nineteenth century, statistics were able to re-order knowledge practices so that numbers began to be seen as “epistemologically different from figurative language, that the former are somehow value-free whereas the excesses of the latter disqualify it from all but the most recreational or idealist knowledge-producing projects”.<sup>23</sup> That this is true in the case of Indian media reports is borne out by the numerous accounts of local piracy ‘raids’ which incorporate long passages of national piracy statistics, with a relatively marginal description reserved of the ‘crime’ itself.

#### IV. HOW TO SOLVE A PROBLEM LIKE PIRACY

“While there have been dozens of raids against dealers who offer pirated software, some of them run into crores of rupees in terms of illegal software seized the fact remains that dealers distributing illegal CDs are like the mythical Hydra. Companies need to keep taking action against them or it will be business as usual in a few months.”<sup>24</sup>

In their book *The Many Headed Hydra*, Peter Linebaugh and Marcus Rediker open with an account of how rulers during the period of English colonial expansion between the seventeenth and nineteenth century frequently invoked the Hercules-Hydra myth to describe the difficulty of imposing order on increasingly global systems of labour.<sup>25</sup> By designating, amongst others, dispossessed commoners, pirates, soldiers, sailors, and African slaves as the many heads of the monster, they found ways to brutally subjugate these various constituents, thereby taming the monster. However, “the heads... soon developed among themselves new forms of cooperation against those rulers, from mutinies and strikes to riots and insurrections and revolution.”<sup>26</sup>

<sup>23</sup> MARY POOVEY, *A HISTORY OF THE MODERN FACT: PROBLEMS OF KNOWLEDGE IN THE SCIENCES OF WEALTH AND SOCIETY* (2nd ed. 1998).

<sup>24</sup> Prashant Rao, *Software piracy: The scourge worsens*, EXPRESS COMPUTER, Sept. 9, 2002, available at <http://www.expresscomputeronline.com/20020909/indtrend1.shtml> (last visited Feb. 25, 2009).

<sup>25</sup> PETER LINEBAUGH & MARCUS REDIKER, *THE MANY-HEADED HYDRA: THE HIDDEN HISTORY OF THE REVOLUTIONARY ATLANTIC* 3 (2002).

<sup>26</sup> *Id.* at 4.



Although the myth is less frequently employed in relation to piracy,<sup>27</sup> one imagines that the doyens of the big media empires would cheerfully envision themselves in Herculean majesty if it were suggested to them. Certainly, their labours to quell the beast have been epic, and the obstinate resurgence of piracy displays qualities most Hydra-like.

At the start of the period surveyed, the ‘raid’ was the most popular (and most sensational) form of assault against piracy and reams of paper have been devoted by now to the description of raids, the enumeration of how many CDs/cassettes/equipment were seized, and rough conjectures on their estimated ‘loss’ value.<sup>28</sup> Some of these accounts speculate on the centres of these piracy ‘rings’ (Pondicherry? Malaysia?<sup>29</sup>) and foreground these immediate ‘losses’ against handy nation-wide figures extracted from the ‘studies’ mentioned above:

“Pondicherry has emerged as a major hub for pirated audio and video CDs ... Tamil Nadu has high incidence of piracy and a number of raids have been conducted. In 2002, over 249 raids were conducted and the police seized 56,748 music cassettes, 55,401 CDs, and 86 computers and CD writers in Tamil Nadu.” (2003)<sup>30</sup>

“The Federation [FPBAI] launched a campaign against piracy 22 months ago at the World Book Fair 2000, ... According to it, so far, 100 persons have been arrested for committing the offence, more

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<sup>27</sup> As previously discussed, Mary Poovey makes the point about how knowledge practices were reordered in the course of the nineteenth century so that numerical representation came to be elevated over figurative/metaphorical/rhetorical language. Nowhere is this tradition more kept alive than in the insipid stuff that emerges from Indian corporate research stables in the guise of ‘studies’. Case in point: The Ernst and Young Report on piracy, unimaginatively titled “The Effects of Counterfeiting and Piracy on India’s Entertainment Industry.” The report packs 40 pages with tables and diagrams interspersed with minimal cliché-ridden paragraphs that overuse words like ‘critical’, ‘stakeholders’ ‘enforcement agencies’ and ‘players’. One almost imagines the author(s) profuse embarrassment at the need for including sentences accompanying the tables at all.

<sup>28</sup> By October 2007, IMI claimed that it had helped authorities conduct 10,000 raids over the preceding 5 years and had shut down more than 630 music downloading sites. *Now, India hit by mobile chip piracy!*, THE TIMES OF INDIA, Oct. 14, 2007, available at <http://timesofindia.indiatimes.com/articleshow/2458185.cms> (last visited Feb. 25, 2009).

<sup>29</sup> *Video piracy racket busted*, THE HINDU, Apr. 14, 2003, available at <http://hindujobs.com/thehindu/2003/04/14/stories/2003041401790500.htm> (last visited Jan. 27, 2009).

<sup>30</sup> *Piracy eating into music industry health - Falling sales, high taxes and mafia add to the blues*, THE HINDU BUSINESS LINE, Mar. 27, 2003, available at <http://www.blonnet.com/2003/03/27/stories/2003032701591700.htm> (last visited Jan. 27, 2009).

than 1,30,000 pirated books seized and 50 reproduction equipment confiscated.” (2002)<sup>31</sup>

“As per the findings of the BSA-IDC study of 2005, the rate of PC software piracy in 2005 was 72 per cent. According the statistics, the Indian software industry posted revenue loss of \$566 million in 2005...Business Software Alliance, a global trade body, seized pirated software worth \$2.1 million in 2006 from India. Pirated software seized from raids in Delhi, Mumbai, Chennai, Kolkata, Ahmedabad, Bangalore and Hyderabad included those from Adobe, Autodesk, McAfee, Microsoft and Symantec...” (2007)<sup>32</sup>

Apart from the raid, the industry has responded to piracy through calls for ‘tightening the rules’ as well as internally reorganizing itself. Thus various states have mooted or, in some cases, even enacted special legislation to deal with piracy and sporadic calls have been made for the enactment of a nationwide ‘Optical Disc’ Law.<sup>33</sup> The film industry has sought to cope with piracy through both technological and distributional innovations. Thus on the one hand, ‘e-cinemas’ have been mooted to combat the problem of piracy based on the (accurate) diagnosis that one of the causes of piracy has been the delayed release of films across small towns in India.<sup>34</sup> On the same rationale, distributors in Andhra Pradesh have begun simultaneously releasing films in all theatres across the State.<sup>35</sup>

An ‘anti-piracy’ hotline was inaugurated “for the first time” by NASSCOM in 2000 and 2005.<sup>36</sup> Internationally, special ‘sniffer’ dogs adept at discovering

<sup>31</sup> *The Hindu Business Line: Piracy eats into publishers’ profits*, THE HINDU BUSINESS LINE, June 7, 2002, available at <http://www.blonnet.com/2002/06/07/stories/2002060702900300.htm> (last visited Jan. 27, 2009).

<sup>32</sup> *Pirated software worth \$2.1 m seized in India last year*, THE HINDU BUSINESS LINE, Mar. 7, 2007, available at <http://www.blonnet.com/2007/03/07/stories/2007030703320400.htm> (last visited Jan. 27, 2009).

<sup>33</sup> *Government, FICCI differ on optical disc law*, THE HINDU BUSINESS LINE, Mar. 28, 2008, available at <http://www.blonnet.com/2008/03/28/stories/2008032852381100.htm> (last visited Jan. 27, 2009).

<sup>34</sup> *Gaurav Raghuvanshi, The Hindu Business Line: e-cinema arrives to fight film piracy - Adlabs’ digital tech fine-tunes distribution*, THE HINDU BUSINESS LINE, June 17, 2004, available at <http://www.blonnet.com/2004/06/17/stories/2004061702190700.htm> (last visited Jan. 27, 2009).

<sup>35</sup> *K.V. Kurmanath, Finding new ways to curb piracy*, THE HINDU BUSINESS LINE, Sept. 29, 2006, available at <http://www.blonnet.com/2006/09/29/stories/2006092902991900.htm> (last visited Jan. 28, 2009).

<sup>36</sup> *Cabinet has cleared Sankhya Vahini: Mahajan — Hotline for anti-software piracy launched*, THE HINDU, Apr. 16, 2000, available at <http://www.hinduonnet.com/businessline/2000/04/16/stories/14166801.htm> (last visited 27 Jan 2009); *Nasscom seeks special courts for piracy cases*, THE HINDU BUSINESS LINE, Apr. 27, 2005, available at <http://www.blonnet.com/2005/04/27/stories/2005042702191000.htm> (last visited Jan. 27, 2009).

pirate CDs at customs depots were reportedly causing the Malaysian pirates such pyrosis that they announced a \$30,000 reward for the killing of the unfortunate canines.<sup>37</sup>

Midway through the last decade however, along with these boilerplate demands for reform came accounts which, intentionally or otherwise, undermined these linear ‘loss’ accounts of piracy. These included stories that highlighted how ‘good’ films continued to make money despite piracy, and how particular regional film industries suffered in particular years due to the hackneyed themes of the films released. For instance a 2004 article in the *The Hindu* titled ‘No piracy, yet Deepavali films bomb’, reports: “The films were bad. The quality is appalling. Films that released before Deepavali...are doing extraordinarily well because they were good films.” Further, the article speculates on reasons why certain cinema theatres had witnessed an increase in audience thanks to renovation.

“Cinema-going is an outing for the common man. It has a lot to do with the cinema-watching experience. Someone who goes to a hall like Devi goes there to get his money’s worth and watch the film on the big screen. So it is idiotic to say that collections will drop if you release the video or satellite rights within weeks,” says a trade columnist.<sup>38</sup>

Similarly, an article in the *Financial Express* in 2008 indicates that only 10% of films released in South India that year managed to recover the money invested in them. Although there is a throwaway reference to piracy being one of the causes, the bulk of the blame seems to have been placed on the public’s disenchantment with ‘stars’ and trite themes.<sup>39</sup>

A special mention needs to be made, in the context of piracy counter-currents, of the tactics of Moser Baer – the Chennai based manufacturer of

<sup>37</sup> *Crime gangs put £30000 bounty on heads of sniffer dogs that find pirate DVDs*, THE TELEGRAPH, Feb. 25, 2009, available at <http://www.telegraph.co.uk/news/newstoppers/howaboutthat/3546115/Crime-gangs-put-30000-bounty-on-heads-of-sniffer-dogs-that-find-pirate-DVDs.html>.

<sup>38</sup> Sudhish Kamath, *No Piracy, yet Deepavali Films Bomb*, THE HINDU, Nov. 30, 2004, available at <http://www.hinduonnet.com/2004/11/30/stories/2004113012950300.htm> (last visited Jan. 27, 2009).

<sup>39</sup> Sudha Prasad, *Flops mar film industry in South; only 10% films recover money*, FINANCIAL EXPRESS, Dec. 28 2008, available at <http://www.financialexpress.com/news/flops-mar-film-industry-in-south-only-10-films-recover-money/403788/> (last visited Jan. 27, 2009).

optical media. In 2006, the company entered the home-video market and began offering VCDs and DVDs at prices as low as Rs. 28 to Rs. 34 respectively, deliberately undercutting the rates at which pirated CDs and DVDs are commonly sold. Their tactics have overtly mimicked those of the ‘pirates’ and they have recently claimed to have single-handedly reduced piracy rates by up to “20 to 30 per cent”.<sup>40</sup> They claim to have acquired the rights for close to 10,000 titles in all popular languages of which close to 3,000 had been released in the market.<sup>41</sup>

Of the various counter-arguments to piracy, the Moser Baer model provides the stiffest challenge to ‘big media’ accounts of piracy by reconfiguring the issue in terms of *affordability* and *immediate access* rather than illegality.

Although some strides seem to have been made by the anti-piracy campaign, before departing from this section it is important to recall the Hydra-esque nature of piracy with which we began. Just when media industries had caught up to speed with the traditional pirates, new forms of piracy such as digital piracy<sup>42</sup> and mobile phone piracy<sup>43</sup> have raised their ugly heads. These will ensure that the market for piracy studies remains robust, at least in the medium term.

## V. THE TRUTH EFFECT

Amidst yawning public indifference to what ought to have been alarming rates of piracy, the industry finally found a client for its fantastic figures – the Delhi High Court. In a judgment delivered in 2005 in a case of software piracy filed by Microsoft against a small retailer, the court accepted the (even statistically spurious) contention that the ‘loss’ caused to Microsoft was exactly equal to the number of pirated copies sold. In *Microsoft Corporation v. Mr. Yogesh Papat and Anr.*,<sup>44</sup> owing to the defendant’s absence throughout the proceedings, the

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<sup>40</sup> Moser Baer claims decrease in film piracy, WEBINDIA123.COM, Jan. 17, 2009, available at <http://news.webindia123.com/news/articles/India/20090117/1154707.html> (last visited Feb. 25, 2009).

<sup>41</sup> *Id.*

<sup>42</sup> Priyanka Joshi, *Virtual bites: Digital piracy robs Bollywood*, BUSINESS STANDARD, Jul 8, 2008, available at <http://www.business-standard.com/india/news/virtual-bites-digital-piracy-robs-bollywood/00/14/328043/> (last visited Jan. 27, 2009).

<sup>43</sup> *Supra* note 29.

<sup>44</sup> 118 (2005) D.L.T. 580.

court accepted the assumption-laden affidavit of a Chartered Account instead. The court accepted the assumption “that 200 computers and 20 computers respectively were loaded with the software Office 2000 STD and Visual Studio 6.0.” Based on this assumption, the court calculated that “estimated loss of business to the plaintiff” on the “cost per unit of the licensed software” comes to Rs. 64 lacs. In its eagerness to make this exercise believable, the court next deducted “dealers profit” of Rs. 2.40 lacs to arrive at net revenue loss of Rs. 61.6 lacs. Further the Court calculated that on an average, over the past four years, Microsoft had been making a gross profit of 32.1%. Applying this figure to the “net revenue loss”, the Court arrived at the “loss of profit to the plaintiff” – a sum of Rs. 19.75 lacs.

In other words, the Delhi High Court conferred judicial approbation on the widely discredited methodology of estimating loss figures by substituting each pirated copy sold with the value of a genuine one. Hitherto, and in most ‘normal’ suits dealing with copyright infringement, actual loss to the plaintiff had to be proved with reference to the evidence of plaintiff’s own accounts and sales figures.

In fairness, the avalanche of piracy statistics cannot claim sole authorship over this ‘evidentiary leap’. Indeed, the grounds for this type of evidence to be made palatable for the court had been prepared as early as the sixteenth century. Mary Poovey traces an important epistemic shift, resulting in the installation of the modern fact, to the evolution of double-entry book-keeping practices in the sixteenth century. In the double-entry book-keeping system, Poovey finds an illustration of the way in which “systematic knowledge could create effects beyond its explicit agenda.” Thus:

In addition to the obvious purpose of recording commercial transactions, double-entry bookkeeping also displayed the merchant’s moral rectitude, which was signified by the balance and harmony so prominent in the double-entry ledger; it generalized rule-governed behaviour by encouraging merchants and their agents to reproduce in action the orderly logic of the books; and as an effect of this generalization, it enhanced the social status of merchants as a group.<sup>45</sup>

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<sup>45</sup> Poovey, *supra* note 25, at 11.

In some ways, it is fitting that the clinching ‘evidence’ in this extremely irregular case should come from a member of the profession of accountants. Fortified by four centuries of inherited virtue, the Court would have found the Chartered Accountant’s ‘moral rectitude’ irresistible, even if his particular assumptive arguments were somewhat less credible. This case has been subsequently invoked in a couple of other cases of a similar nature, and with each case, the assumptive methodology of these piracy studies gets further judicially fortified.<sup>46</sup>

## VI. CONCLUSION

The avalanches of piracy statistics and studies that have saturated the media especially in the past decade have had two somewhat contradictory effects. On the one hand, they have led to a heightened sense of emergency among official circles as various state legislatures become prepared to enact *sui generis* legislations to protect media commodities from piracy, and as the national government introduces sterner border control measures that extend the rights that copyright owners enjoy far beyond the domain of traditional copyright law. On the other hand, this saturation has had exactly the opposite effect among the lay populace who seem to have espoused a simple but stubborn, ‘common sense’ distrust of the logic of spectacular losses that they are routinely fed.

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<sup>46</sup> For instance, the Delhi High Court in the 2007 cases *Infosys Technologies Ltd. v. Park Infosys And Ors.* 137 (2007) D.L.T. 349 and *Indian Performing Right Society Ltd. v. Debashis Patnaik and Ors.* 2007 (34) P.T.C. 201 (Del) (both delivered by Geeta Mittal, J.) relating, respectively, to trademark and copyright infringement, expressly endorsed the assumptive method of calculating loss where the defendant is absent.

## APPENDIX A

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
1.	2002	Books	Rs. 300 crore to industry Rs.100 crore tax	FPBAI	Different newspaper accounts describe this as a Rs. 3000 crore loss.
2.	2004	Books	Rs 300 crore - Rs 350 crore annually	FPBAI	The federation is taking up the issue of copyright protection with the Government through the Copyright Clearance Agency of India (CCAI) and if necessary is ready to move the Supreme Court as well, he said.
3.	2007	Books	25% -FPBAI Rs. 2500 crore – API	The Association of Publishers in India, FPBAI	
4.	2009	Books	Trade loss of 1.09 billion dollars in 2008 due to copyright piracy. The same stood at 1.19 billion dollars in the year-ago period.	IIPA	

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
5.	2003	Counterfeit computer hardware	Intellectual property theft- Rs 2,160 crore every year 12% piracy in computer peripherals	Manufacturers Association of Information Technology	
6.	2006	Counterfeit products (global)	€ 500 billion	World Customs Organisation	Based on seizure contributions from over 50 WCO members, analysis indicates that in terms of the type of articles counterfeited or pirated, the top five are: Fine leather goods (+46 million articles valued at more than € 2 billion); Cigarettes (+44 million packets); Games and toys (+39 million articles); CD's and DVD's (+16 million units) and Products of the textile sector (+3 million articles).
7.	2007	Drugs	The study estimates that about Rs 1,000 crore, of the over Rs 31,000 crore domestic sales of	World Health Organisation (WHO) funded undertaken by Delhi Pharmaceutical	



S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
			medicines in 2006, are counterfeit suspects.	Trust, along with SearPharm Forum, a forum of pharma associations of South East Asia and Apothecaries Foundation	
8.	2007	Drugs (AP)		State Drug Control Administration	Seized a variety of spurious and illegal drugs valued at around Rs 5.36 crore in the State.
9.	2008	Entertainment (CDs, DVDs, music downloads and cable television)	\$4 billion (Rs 16,240 crore), or almost 40% of potential annual revenues, as well as around 820,000 jobs	USIBC-E&Y US Chamber's Global Intellectual Property Centre.	
10.	2003	FMCG	4,000 crore 900 crore – excise revenue	FICCI-Brand Protection Committee	
11.	2004	FMCG	Rs.1500-2,500 crore loss of Rs 900 crore to the Government.	HILL	“In the 1970s we could deal with the situation civilly, but not today. In order to conduct raids we need a police force

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
					but usually the police department is unable to spare staff,” Mr Sharma said. HLL has been conducting raids for several years. Currently, it has allocated a budget of Rs 10 crore per annum for these activities.
12.	2006	FMCG	counterfeit automotive parts sold in the country annually accounts for about Rs 20,000 crore, FMCG-2600 crore-900 crore-tax to govt	International Anti Counterfeiting Alliance, Working Group on Counterfiet Fake, Spurious and Contra-band Products set up by the Department of Consumer AffairsFICCI - Brand Protection Committee	
13.	2007	FMCG (global)	\$200 bn (Rs 8,000 crore)	OECD, “The Economic Impact of Counterfeiting and Piracy”	18-month probe into counterfeiting and piracy worldwide. The figure of \$ 200 bn, based on international

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
					customs data, did not include counterfeit and pirated products that were produced and consumed in the same country, the OECD said. It also excluded pirated digital products distributed via the Internet such as software or music. Far from being simple cigarettes or designer t-shirts, professional counterfeiters are producing complex products such as automotive parts, pharmaceuticals and electrical equipment.
14.	2002	General		CII/E&Y	New "study" commissioned by CII/E&Y.
15.	2007	Miscellaneous	Of the pirated goods worth Rs 120.08 crore that entered India in 2006, cable piracy was worth Rs 68.50 crore followed by software piracy	FICCI Joint study by FICCI's National Initiative Against Piracy & Counterfeiting, the Geneva-based World	According to the study by the Federation of Indian Chambers of Commerce & Industry (Ficci), a mere 10% reduction in software piracy in India would create 115,000 additional jobs and generate \$5 billion in

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
			worth Rs 26.51 crore. movie: around Rs 8 crore, music: around Rs 7.07 crore, video games piracy : Rs 6.52 crore and book piracy 4.02 crore	Intellectual Property Organisation and the government's Department of Industrial Policy and Promotion	sales and \$386 million tax revenue. AK Raha, member of the Central Board of Excise & Customs, said the Union finance ministry would shortly notify the Intellectual Property (Imported Goods) Enforcement Rules of 2007 and incorporate it as a clause under Section 156 of the Customs Act of 1962. This clause will enable the customs authorities to seize goods that are pirated or counterfeit.
16.	2002	Music	Rs. 200 crore	IMI	Shrinkage of legitimate market
17.	2003	Music		IMI	"The industry would like to reposition itself as an audio publishing industry", he said. "The local culture and the artistes also suffer because of the piracy," he said.
18.	2003	Music	125 crore	IMI	600 crore industry has suffered 125 crore loss. Earlier a super hit

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
					album sold 100-150 lakh copies, now the number has fallen to 45-55 lakh. In the average hit category, sales have fallen to 10-15 lakh from 25-40 lakh copies.
19.	2003	Music	Rs 1,800 crore over the past three years	IMI	Out of 4.9 crore cassettes manufactured and sold every month, nearly 1.6 crore are illegally manufactured.
20.	2003	Music		IMI	<p>“A portion of the proceeds from the music and video piracy trade could be ending up in the hands of terrorist organisations.”</p> <p>“No law-abiding citizen would wilfully buy a stolen car. But the same could not be said about pirated music, video, software or print content.”</p> <p>“The situation has cost the music industry and artists dear. Most Indian music companies are today reluctant to undertake new ventures.”</p>

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
21.	2004	Music	25 per cent piracy level	Pricewaterhouse Coopers “Global Entertainment and Media Outlook”	In India, percentage of unit sales lost to pirated products was at 25 to 50 per cent in 1997. The figures were same in 2002. PwC has used data from International Federation of the Phonographic Industry.
22.	2005	Music		Phonographic Performance Ltd	Phonographic Performance Ltd (PPL), which has 127 member music companies, is planning to crack down on those restaurants that do not pay the fee. He said according to Section 35 of The Copyright Act 1957, playing commercial music without paying a copyright licence fee is an illegal act, liable for action under contempt of court. Hotel would have to pay a nominal tariff, between Rs 10,000 and Rs 50,000, as licence fee. The amount of the tariff depends on the number of hours the music is played for as well as the number of people expected to attend the event

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
23.	2007	Music/ Books	\$500m (£250m) every yea		
24.	2007	Music	600-700 crores per year.	IMI	According to IMI, it has helped authorities conduct 10,000 raids in the last five years and seized a huge quantity of cassettes, CDs and shut down more than 630 music downloading sites. IMI is also carrying out special induction programmes for police officials to help them in giving a clear understanding of the flourishing racket of mobile chip piracy and its functionality.
25.	2009	Music	Rs.6 billion (Rs.600 crore) annually Mobile chip piracy causes a loss of another Rs.3 billion (Rs.300 crore) annually	IMI	
26.	2001	Software	900 crore	NASSCOM	Vague reference to loss of jobs
27.	2002 (01)	Software	Rise from 63% to 70%	BSA/IDC	'Annual Study' released

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
28.	2002 (01)	Software	\$245 million (Rs. 1100 crore)	IDC	
29.	2002	Software	\$364 million (Rs.1640 crore)	NASSCOM	Independent Nasscom study
30.	2003	Software		IDC “Expanding Global Economies: The Benefits of Reducing Software Piracy”	India can create 50,000 more high technology jobs, add \$2.1 billion to its economy and boost software industry’s revenue by over \$1.6 billion if the country brings down software piracy rate to 60 per cent by 2006 from the current 70 per cent, a study has said.
31.	2005	Software	73 per cent, which is quite high	NASSCOM	Reducing India’s piracy rate by 10 points over a four-year period could create 50,000 high-wage jobs and increase local revenues by more than \$1.6 billion. India ranks 20 in global software piracy rankings at a conference to announce the Nasscom-Business Software Alliance (BSA) hotline to check software piracy.
32.	2006	Software		BSA	10-point reduction in software piracy would



S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
					add 115,847 jobs, contribute \$5.9 billion to GDP, \$386 million in taxes and \$8.2 billion in revenues to local vendors in India alone.
33.	2006	Software	piracy rate has risen from 73 per cent with losses amounting to \$363 million in 2003 to 74 per cent and the consequential loss totalling \$519 million in 2004	BSA-IDC	The rise in the piracy rate is just one per cent, but the resultant loss is about 40 per cent considering the size of the economy and the IT industry. It is a dire situation," Mr Ajay Advani, Co-Chairperson, BSA (India). Piracy can be curbed by educating users about the importance of legal software, through enforcement and initiation of legal action, by creating an awareness about the growth potential and opportunities compromised by software piracy
34.	2006	Software	India witnessing a two-point drop to 72 per cent and estimated losses at \$566 million.	BSA-IDC	Russia saw a four-point drop while China, with one of the fastest growing IT markets in the world, dropped four points between 2004 and 2005.

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
35.	2006	Software	\$566 million due to piracy directly and about \$500 million through Central and other State taxes	Microsoft	A 10 per cent reduction in piracy could potentially add about 1,15,000 new jobs, would help add about \$5.9 billion in investment into the economy and generate revenues in excess of \$5 billion. Significantly, piracy discourages innovation offering little for IP creation. Thirty four per cent of the CDs could not be installed and 43 per cent of them had some spyware mounted on it.
36.	2007	Software	revenue loss of \$566 million in 2005.	BSA-IDC (2005 study)	According to an economic impact study conducted by IDC, if the piracy rate is reduced by 10 points by 2009, India could benefit with an additional 115,000 new IT jobs, an additional \$5.9 billion pumped into its economy and increased tax revenues of \$386 million. Business Software Alliance, a global trade body, seized pirated

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
					software worth \$2.1 million in 2006 from India. Pirated software seized from raids in Delhi, Mumbai, Chennai, Kolkata, Ahmedabad, Bangalore and Hyderabad included those from Adobe, Autodesk, McAfee, Microsoft and Symantec.
37.	2007	Software	Greater than 10% of total revenue due to piracy 50% software piracy rate \$34 billion in lost revenue to the industry	KPMG	What's more, 77% of those surveyed agree with IDC (International Data Corporation) estimates that 35% of software installed is unlicensed, leading to an estimated \$34 billion in lost revenue to the industry.
38.	2008	Software		IDC	In a study covering 42 countries, IDC said that if each country were to cut PC software piracy rates by 10 percentage points over the next four years, it would generate 600,000 new jobs and \$141 billion in new revenue while boosting global tax revenues by \$24 billion. A 10 point reduction in piracy could make China's IT

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
					workforce the largest in the world, surpassing the United States, and make Russia a bigger IT market than India. Of the 600,000 new jobs that it contends would be created globally, 435,000 would be in Asia, which has high piracy rates and therefore the most room to reduce them.
39.	2008	Software	71% piracy	BSA-IDC	According to the study, reducing software piracy in Asia by 10 per cent over the next 4 years could generate 4.35 lakh jobs, trigger economic growth by over \$40 billion and enhance tax revenues by over \$5 billion above current projections.
40.	2008	Software	India lost \$1.25 billion in 2006 to software piracy, up from \$367 million in 2003.	BSA-IDC	India could see economic benefits worth \$3.1 billion or Rs12,555 crore through expanded revenues and better productivity, add \$208 million in taxes, and create 44,000 fresh jobs, if it reduces use of pirated software by 10 percentage points by

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
					2011, a lobby group for software firms has said. BSA, which has initiated 200 cases against companies in India the last two years, is in the process of selecting national and state champions who will take up the anti-piracy effort aggressively across the country.
41.	2008	Software		BSA-IDC	The global piracy study estimates that a 10 percentage-point drop in piracy in India from 74 per cent to 64 per cent over four years would result in 43,696 new jobs and an addition of \$3.1 billion to the GDP.
42.	2008	Software		BSA-IDC	In India, it could translate into 44,000 new jobs, \$3.1 billion in economic growth and \$200 million in tax revenues. The Business Software Alliance (BSA), in a study, predicts that an additional \$208 million could come in from local vendors alone.

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
43.	2008	Software	Estimated \$2 billion in pirated software last year, up from \$1.3 billion in 2006. India's piracy rate fell 2 percentage points last year, to 69%.	BSA-IDC	A study by industry researcher IDC released in January found that by reducing PC software piracy in India by 10 per cent over a period of four years could generate an additional 44,000 new jobs, \$3.1 billion in economic growth, and \$200 million in tax revenues.
44.	2005	Software (Asia)	Constant 53 percent piracy rate. Revenue losses as a result of piracy climbed 4.6 percent to US\$7.9 billion, up from US\$7.6 billion the year before	BSA-IDC	In Singapore, for example, where the IT market is fairly mature, a stronger US dollar had pushed up software prices in 2004, he explained. So while the island-state saw its piracy rate dip by 1 percent last year from 43 percent in 2003, revenue losses from software piracy grew to US\$96 million from US\$90 million in 2003. Every copy of software used without proper licensing costs tax revenue, jobs and growth opportunities for burgeoning software markets.

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
45.	2006	Software (Global)	Worth of pirated software estimated at close to \$200 billion	BSA-IDC	IDC estimates have put the business and consumer IT (PC and software) spend at more than \$300 billion over the next five years and at the current piracy rate.
46.	2001	Video	500 crore	Video Federation of India	New agency created.
47.	2003	Video	60 % piracy, loss of \$75 million,	MPA	Links loss of profits by films directly to piracy.
48.	2004	Video	42% loss due to piracy	FICCI	One of the main reasons for film piracy in India is the time that it takes for Bollywood films to reach smaller towns. Adlabs Films Ltd., the country's largest film processing company, has found a simple solution using digital technology and by the end of August, would have helped nearly 200 movie halls in B and C class cities to get films the day they are released.
49.	2007	Video	186 million in 2006		USIBC Ray Vickery, senior advisor, USIBC said, "Bollywood makes

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
					more films than Hollywood, yet its revenue is only 2% as compared to Hollywood. Of the 132 films made in 2006, only 8 films made money.
50.	2007	Video		USIBC/E&Y	Appoints E&Y to conduct survey.
51.	2005	Video (Andhra Pradesh)			A Bill seeking to amend the Andhra Pradesh Exhibition of Films on Television Screen through Video Cassette Recorders (Regulation) Act, 1993 so as to curb video piracy effectively was introduced in the Legislative Assembly on Monday. The Bill seeks to incorporate VCD DVD under the definition of "Cable Operator" in the original Act on the lines of an ordinance promulgated by the Tamil Nadu Government.
52.	2004	Video (Telugu and Tamil)			The Telugu film industry has got a shot in the arm with the Government agreeing to set up a high-level



S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
					committee to look into the issue of piracy and recommend measures to curb the menace in the State. There are 6,000 outlets selling pirated video discs in the State. Recently, about 200 traders in Burma Bazaar said that by legitimising the video business, producers could recover up to 25 per cent of their investment.
53.	2004	Video (Telugu)	Rs 100 crore and Rs 150 crore	Movie Artistes' Association	Competition from the satellite channels is a major contributor to the poor performance. "There's a flood of movies targeting the youth, with clichéd themes. People with little experience and understanding of the industry have become directors and actors. Viewers are a confused lot. They see a new face every other day, acting in movies with similar titles," he told Business Line.

S. No.	Year	Type	Loss	Agency	Miscellaneous Comments/ Extracts
54.	2008	Video (Telugu)	Rs. 200 to Rs. 300 crore	Motion Pictures Association (MPA) of US and AP Film Chambers of Commerce (APFCC).	Presently, there are over 6,000 video-piracy cases pending in courts and since 2005, the number of convictions is a paltry 27. Between May, 2005 and December, 2007, the number of piracy cases reported from Hyderabad is 403 while throughout the State, it is at 4,687 cases. The number of accused arrested for piracy is 4,799 in the State.
55.	2009	Video	Rs. 1000 crore	Northbridge Capital Asia Report	Indian film industry, which is currently pegged at Rs 14, 400 crore, produces around 1,050 films every year but loses 14% of its revenue to video piracy.