

Pitch Submission for

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Theme

Music and IP

Title

From Legacies to Lo-fi: The dilemma of music sampling and remixes in India

By

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Pitch:

If you have scrolled through Instagram, YouTube Shorts or Spotify playlist lately, you've likely come across the same beat looping across platforms – whether it is “*Kaliyon ka Chaman*” sample resurfacing in international pop hits, the viral remix of “*Jhoom Jo Pathaan*” or classical Bollywood melodies set to lo-fi beats. Music sampling – the practice of taking snippets from existing recordings and repurposing them into new compositions – has become a defining feature of modern music. However, in India, it exists in a legal and ethical gray area. Globally, artists like *Kanye West* and *The Weeknd* legally license samples, ensuring that original creators receive due recognition and royalties. In India, the situation is far more ambiguous. Bollywood has a long history of borrowing from older Indian and International tracks without proper credit, and folk musician often hear their traditional compositions reworked into mainstream hits without acknowledgment or compensation. The rise of social media has further

accelerated the issue. Viral remixes and mashups generate millions of record labels, while the original artists often receive nothing. This growing tension between creative reinterpretation and intellectual property rights highlights critical challenges in India's music industry.

The reimagining of Bollywood classics through lo-fi beats, DJ remixes, and Instagram reels has introduced nostalgic melodies to younger audiences, yet the legal framework for licensing these samples remains murky. While independent creators frequently face copyright takedowns, Bollywood itself has a long history of musical 'borrowing,' with major film studios aggressively enforcing copyright claims despite their own productions often drawing from older works without proper attribution. Beyond Bollywood, India's folk music traditions present even greater legal and ethical dilemmas—when a centuries-old "*Manganiyar*" or "*Baul*" song is transformed into a trending Spotify track, should the original community receive royalties? Unlike commercial recordings, folk music is passed down orally, making ownership difficult to define under current copyright laws. Without clear protections, these traditional compositions risk being commercialized by mainstream music industries, leaving the communities that have preserved them for generations without recognition or compensation.

The imbalance of power between major music labels and independent artists further complicated matters. Streaming platforms provide significant advantages to record labels, making it easier for them to claim rights over disputed tracks while similar producers struggle to navigate India's fragmented copyrighted system. Independent musicians often lack the resources to secure legal permissions for samples, leaving them vulnerable to takedown and revenue losses.

Music sampling has evolved from an underground practice into a defining force in India's creative economy, yet the country still lacks a clear legal framework for sample clearance, fair compensation, and cultural protection. As technology and digital platforms transform the music landscape, India's intellectual property laws must adapt to new trends to ensure that both contemporary artists and traditional custodians of musical heritage receive the recognition and compensation they deserve. This piece will explore these urgent issues through an in-depth analysis of India's IP laws, case studies of Bollywood's most controversial sampling disputes, and comparisons with global best practices. It will examine how India can strike a balance between artistic creativity and legal accountability. By weaving

together legal analysis, industry perspectives, and real-world examples, this discussion will study the future of music sampling in India—and what must be done to protect both artists and heritage in an era of rapid technological change.

Tentative word count of the piece: 1200-1500 words

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Shivani Singh is a legal researcher specializing in intellectual property (IP) law, innovation policy, and technology regulation. Her work explores how IP frameworks drive economic growth and cultural preservation. She has authored articles in *The Secretariat* and *De/cypher Journal* and co-curated *Tales of Traditions: The GI Atlas of India*. She also runs *ReadIPWave*, a newsletter on IP law and emerging technologies. A frequent speaker at national and international forums, Shivani has contributed to IP policy discussions, including Standard Essential Patents (SEPs). She holds an LLM from ICAFI Law School, Dehradun, and a Diploma in IP Law from GNLU.

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