

# ***Analyzing Cross-border Regime for Enforcing Copyright in the Age of Digital Piracy: A Comparative Study of Music Piracy in India and China***

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Music piracy poses significant challenges to intellectual property enforcement in India and China, two of the world's largest entertainment markets. While both countries have introduced legal frameworks to combat piracy, enforcement mechanisms face distinct opportunities and threats shaped by technological advancements, regulatory landscapes and socio-economic factors. The creative industry in China has gained policy currency, especially with the Chinese government pushing for Internet + Mass Entrepreneurship and Innovation initiatives. This, in turn, has led to strengthened anti-piracy enforcement through specialized IP courts, digital monitoring technologies, and cooperation with global platforms. This has ultimately resulted in a consolidation process with general income growth compared to other countries. However, a significant gap still exists between what can be monetized and achieved. The market potential is huge for China, which has a large population with a rising middle class, among whom 501 million consume music online. There is a general consensus among industry players that China's music industry has huge potential to catch up with other countries' music industries. However, the revenue collected through the MCSC, a major CMO in China, only accounts for 21.3% of that collected in Korea, 2.2% of that collected in Japan, and 1.07% of that collected in the US. It is important to examine China's weak copyright regime, which lacks effective enforcement measures. However, India's dynamic injunction mechanism is comparable to China's preliminary injunctions and evolving administrative enforcement strategies, which seek to pre-emptively curb piracy. This has led to problems such as the prevalence of shadow streaming services, P2P networks, and VPN-based circumvention, undermining legal remedies. However, both countries lack the desired enforcement framework, which raises valid scholarly questions about how to deal with the tensions amplified by disruptive technologies, which have drastically affected the industry despite their positive impacts. Particularly, MP3 and P2P technologies make it more difficult for artists and businesses to recoup their investments, creative labor, and costs.