



1ST RGNUL SPORTS & ENTERTAINMENT LAW NATIONAL MEDIATION COMPETITION

April 12-14, 2019

COMPETITION PROBLEM - QUARTER FINALS *

Facing the Music

The early 2010s saw the emergence of a wave of indie music artists from big metros and small towns alike, in India. Many more aspiring bands/groups were finding the courage to empower themselves with music and chase their passion. One such group was a five-piece alternative rock indie group from Delhi that called themselves Dil-Jeet.

Dil-Jeet spent a number of years playing cafes and lounges before the numbers started to pile up. Very soon, their popularity increased over YouTube and the band were conscious of their growing reputation, and what that could mean for them, commercially.

Smoothin' Records are a talent management record label that have been managing artists in a number of fields for many years. Their clients range from dancers to painters and even an enviable list of A-list actors. Smoothin' Records have always been on the look out for young and emerging talent in India and wanted to have the opportunity to manage new artists and capitalise on their growing potential and talent.

Smoothin' Records and Dil-Jeet got on like a house on fire. The connection was instant, all thanks to Smoothin' Records' in-house engagement team. The two parties very quickly

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signed a deal wherein Smoothin' Records agreed to manage all of the music and representation for Dil-Jeet for the coming ten years.

One of the key obligations that Dil-Jeet had contractually, was that they were required to produce one album every calendar year with a minimum of ten songs. Smoothin' Records made it very clear that this was the minimum output that they expected from the band in return for the services that they offered which included national performance tours, advertisements, appearances and as much support as they could give.

The relationship was highly lucrative for both the parties as they had a great three years to start off. Dil-Jeet produced 'Aapko Salaam', 'Wonder Days' and "Dil ki taiyaari" in the first three years. Smoothin' Records were experts in launching products in Indian markets and they ensured that Dil-Jeet got their pay-day.

In the year 2018, Dil-Jeet went through a bit of a creative lull. They were searching for inspiration for their next album but just couldn't find the right tone to their music that could set them on their way. With not a lot of time left and a deadline in sight, the band decided to release an acoustic throwback album instead, that covered their best music without any electronic sound.

The album received a lukewarm response from the market at best, sales didn't even cross a quarter of the expected targets and this affected all other marketing avenues that could be pursued for the band.

In April 2019, during the political campaigning in India that was being carried out prior to the General Elections, the HMS or Hamara Sangh Party released a new campaign video to appeal to the younger population of their Delhi constituencies. When the song was released, Dil-Jeet were taken aback as the music clearly belonged to them and was a recorded track from one of their jam sessions in 2018.

When Dil-Jeet approached Smoothin' Records about the issue, Smoothin' Records very bluntly made it clear that they made the decision to sell the rights to some tracks in order to try and recover losses from what they called, the disastrous acoustic throwback album that Dil-Jeet had put together.

Dil-Jeet were furious and decided to take the matter to some lawyers who immediately advised them to terminate the contract. Smoothin' Records made it very clear that the terms of the contract did not bode well for Dil-Jeet if they decided to terminate the contract and suggested instead, that they attempt to mediate the issue.