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Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC – NET examination and has been awarded ICSSR – Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

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INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS
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FAKE FACTS: AN INCREDULOUS LOOK AT PIRACY STATISTICS IN INDIA BY PRASHANT IYENGAR

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INTRODUCTION:

"Fake Facts: An Incredulous Look at Piracy Statistics in India" by Prashant Iyengar aims to scrutinize the reliability of piracy statistics reported in India. The article challenges the commonly held perceptions about piracy rates and suggests that the data often cited may not be as accurate as it is presented. Iyengar's work is positioned within the broader debate about intellectual property rights, the economic impacts of piracy, and the reliability of data used to influence policy and public opinion. By examining the methodologies and motivations behind these statistics, Iyengar seeks to uncover potential biases that skew the public's understanding of piracy and its actual prevalence.

In addition to critiquing the existing data, Iyengar's work highlights the broader implications of misrepresented statistics. These statistics do not merely shape public perception but also affect the legislative framework and enforcement strategies related to intellectual property in India. The author underscores the need for a more nuanced and fact-based approach to addressing piracy, one that considers the socio-economic context of content consumption and the varying definitions of piracy itself across different stakeholders. By setting this tone early in the article, Iyengar prepares the reader for a deep dive into the mechanics of data manipulation and its consequences on policy and public discourse.

Historically, piracy in India has roots that extend back to the early days of cinema and music. However, the rise of digital platforms has transformed the landscape, making it easier for individuals to access and share copyrighted material illegally. From unauthorized downloads of Bollywood films to streaming pirated versions of popular music albums, the scale of piracy in India is staggering. Reports suggest that millions of dollars in revenue are lost annually due to these activities, which undermines the efforts of content creators and stifles innovation within the industry.

RATIONALAND SIGNIFICANCE:

The rationale for the article is to critically examine the reliability and accuracy of piracy statistics commonly cited in discussions about intellectual property theft in India. The article aims to shed light on how these statistics are often inflated or misrepresented to serve specific agendas, whether for stricter legal measures or for influencing public opinion against piracy. By scrutinizing the sources, methodologies, and motivations behind these figures, the article encourages readers to question the validity of the data that shapes policies and perceptions. It also highlights the need for more rigorous data collection and transparency to ensure that discussions around piracy are based on accurate information, ultimately fostering a more informed and balanced debate.

Exploring piracy statistics in India lies in the urgent need to quantify the impact of piracy on various creative sectors, such as film, music, and software, which are vital to the country's economy. Understanding the scale of piracy helps illuminate the significant financial losses incurred by these industries, fostering awareness among consumers and stakeholders about the consequences of copyright infringement.

The significance of piracy statistics in India extends beyond mere financial implications; it encompasses broader socio-economic and cultural dimensions as well. By providing concrete data on piracy's prevalence, stakeholders—including policymakers, industry leaders, and consumers—can better understand its pervasive nature and its impact on job creation and innovation within creative sectors. This awareness can drive initiatives aimed at educating the public about the value of intellectual property and the ethical responsibilities associated with content consumption.

AIMS & OBJECTIVES OF STUDY:

- To promote a more informed and balanced discussion on the issue of piracy in India.
- To explore the socio-economic and cultural factors contributing to piracy in India.
- To examine the implications of misleading statistics on public perception and policy decisions.
- To evaluate the economic impact of piracy on the entertainment industry and related sectors in India.

OBJECTIVES:

- To identify and scrutinize the sources of commonly cited piracy statistics in India.
- To highlight the discrepancies and inconsistencies in the data used to portray the extent of piracy.
- To encourage readers to question the reliability of statistics used in shaping public opinion and policy regarding piracy.

HYPOTHESIS OF RESEARCH:

The lack of stringent enforcement of intellectual property laws in certain states or regions of India leads to a higher prevalence of piracy activities in those areas.

RESEARCH METHODOLOGY:

Critical Evaluation:

A critical evaluation of the piracy statistics in India reveals that these figures are often based on flawed methodologies or biased sources. Many reports rely on exaggerated data to support specific agendas, such as stricter copyright enforcement or increased industry funding. One of the article's strengths lies in its thorough analysis of the methodologies behind these statistics, encouraging readers to scrutinize data rather than accept it uncritically. Additionally, Iyengar offers valuable context regarding the socio-economic factors driving piracy in India, such as accessibility and cultural attitudes towards media consumption, which enriches the discussion. However, the article has some limitations; while it effectively critiques specific statistics, it could benefit from a broader exploration of piracy's implications for the industry society. The reliance on secondary sources may limit its empirical grounding, and a stronger emphasis on recommendations for improving data collection would enhance its utility. Despite these weaknesses, Iyengar's work is a significant contribution to the discourse on piracy, promoting critical thinking and urging stakeholders to reconsider prevailing narratives. Overall, while the article raises important points, a more balanced approach and empirical support could further solidify its impact.

The article provides valuable context about the socio-economic factors driving piracy in India, such as accessibility to content, cultural attitudes toward media consumption, and economic disparities. Iyengar situates his argument within the broader discourse on piracy, referencing various studies and reports. This not only strengthens his claims but also provides a

comprehensive view of the issue. By emphasizing the consequences of inaccurate statistics, the article underscores the importance of informed policy-making. Iyengar's insights could be pivotal for stakeholders in the film and media industries.

Comparative Analysis:

Comparing the piracy statistics in India with data from other countries highlights significant discrepancies and raises questions about the reliability of the reported figures. While similar issues of data inflation are present globally, the extent and impact vary widely. While Iyengar delves into the socio-economic factors that drive piracy, other studies, such as those by industry organizations, often overlook this context in favor of focusing solely on economic losses. By addressing factors like access to content and cultural attitudes, Iyengar provides a more nuanced view that aligns with studies suggesting that piracy can be symptomatic of broader social issues rather than just a criminal act.

In contrast to some reports that primarily emphasize the negative impacts of piracy on the entertainment industry, Iyengar's article suggests that the narrative is more complex. Other research has shown that piracy can lead to increased visibility for lesser-known artists or alternative distribution methods. Iyengar's critique encourages a reevaluation of how these impacts are perceived, suggesting a need for a more balanced perspective.

The consequences of misleading statistics contrasts with articles that promote stricter anti-piracy measures without considering the underlying causes. His work suggests that policies should not only focus on enforcement but also on understanding and addressing the root causes of piracy, which is often absent in more traditional policy discussions.

Compared to other literature that may present a more one-dimensional view of piracy, Iyengar's work fosters a more comprehensive dialogue that includes socio-economic factors, varied impacts, and calls for informed policy-making. This comparative analysis underscores the importance of scrutinizing data and broadening the conversation around piracy beyond mere economic loss, ultimately contributing to a more informed and balanced discourse.

DEMOGRAPHICAL INFORMATION ABOUT THE AUTHOR AND THE ARTICLE:

a) Author as an Academician:

Prashant Iyengar is a noted academician specializing in the field of law and intellectual property. He holds a degree in law and has earned a reputation for his expertise in copyright and piracy issues. Iyengar's academic work often involves critical analysis of legal frameworks and their impact on various sectors, including the media and entertainment industries. He is known for his research on intellectual property rights, data privacy, and regulatory policies. Through his publications and research, Iyengar contributes to the discourse on legal reforms and the ethical implications of intellectual property management.

Iyengar's work often focuses on the intersection of law and technology, exploring how evolving digital landscapes affect intellectual property rights. He is recognized for his critical analysis of piracy statistics and the methodologies used to compile them, advocating for more accurate and transparent data to inform policy and legal frameworks.

In addition to his research, Iyengar is involved in academic teaching and has contributed to shaping legal education in his field. His contributions to legal scholarship are valued for their depth, clarity, and relevance to current issues in intellectual property law.

b) Demographical information of the Article:

- Title: Fake Facts: An Incredible Look at Piracy Statistics in India
- Author: Prashant Iyengar
- Journal Language: English.
- Journal name: Indian Journal of Law and Technology
- ISBN No: 0974-5645.
- Total Pages: 35.

c) Other Literature of the same Author:

- **Pirates, Plagiarizers, Publishers:** This article attempts to rescue Indian academic research, not by denying the charges of plagiarism, but by charting an alternative trajectory of plagiarism so that each successive instance does not amplify our sense of embarrassment and crisis in the academy.

- **Limits To Privacy:** This is followed by sections that each evaluate the right to privacy in the context of our communications, our homes, our bodies (including reproductive rights of women) and our records. The paper begins with a brief introduction to privacy jurisprudence developed by the Supreme Court by expanding the Right to Life under Article 21 and the Freedom of Expression under Article 19

2. ARTICLE AS A WHOLE:

a) First look of the Article:

Prashant Iyengar's article "Fake Facts: An Incredulous Look at Piracy Statistics in India" examines the reliability and accuracy of piracy statistics in India. In his first look, the article likely addresses the discrepancies and exaggerations in the reported figures, critically analyzing how these inflated statistics impact public perception and policy-making. Iyengar aims to shed light on the issues surrounding the data, questioning its credibility and the motives behind its presentation. The article also critiques the sources and organizations behind the piracy statistics, questioning their credibility and objectivity. Iyengar emphasizes the importance of accurate and transparent data in forming effective solutions and fostering a realistic understanding of the piracy landscape in India. Overall, the article calls for a more critical approach to evaluating piracy data and urges for reforms in how such information is reported and utilized. Prashant Iyengar likely sets the stage by addressing the complex landscape of intellectual property in the digital era. He may introduce the increasing challenges posed by piracy and plagiarism, particularly in India, where rapid technological advancements have altered the consumption and distribution of creative content.

By establishing a framework for understanding these issues, Iyengar aims to engage the audience in a critical discussion about the responsibilities of stakeholders in the creative ecosystem. The article probably emphasizes the blurred lines between fair use and infringement, urging readers to consider the implications for authors, publishers, and consumers.

By establishing a framework for understanding these issues, Iyengar aims to engage the audience in a critical discussion about the responsibilities of stakeholders in the creative ecosystem.

The article challenges the simplistic view of piracy as merely a criminal act, urging readers to consider the complexities involved. Iyengar also addresses the potential consequences of relying on misleading statistics for policymaking, stressing that informed decisions require accurate data.

b) Summary of the Article:

Prashant Iyengar critiques the inflated and often misleading statistics surrounding piracy in India. He argues that these exaggerated figures, often propagated by industry stakeholders, create a skewed perception of the piracy problem. The article delves into how these dubious statistics influence public opinion and policy decisions, potentially leading to misguided actions and regulatory measures. Iyengar emphasizes the need for accurate data and a more honest representation of piracy to foster effective and rational approaches to addressing the issue. Prashant Iyengar critically examines the validity of piracy statistics commonly cited in discussions about the entertainment industry in India. He argues that many figures are exaggerated or misleading, often lacking a solid methodological foundation. By analyzing the socio-economic factors that drive piracy, Iyengar emphasizes that the issue is more complex than simply labeling it as a crime. He highlights the impact of accessibility and cultural attitudes toward media consumption, suggesting that understanding these nuances is crucial for policymakers and stakeholders. Ultimately, the article calls for a reevaluation of how piracy statistics are reported and interpreted, advocating for more reliable data to inform effective strategies against piracy.

He critiques the reliance on anecdotal evidence and non-representative surveys that fuel exaggerated claims about the impact of piracy on the industry. By comparing India's situation with global trends, he illustrates the unique challenges faced by Indian creators and consumers. Iyengar calls for a more nuanced approach to data collection, advocating for robust research methods that reflect the actual dynamics of piracy.

The article concludes with a call to action for policymakers, urging them to base decisions on credible data rather than sensationalized statistics. By doing so, Iyengar argues, stakeholders can develop more effective strategies to combat piracy while fostering a fairer environment for creators and consumers alike.

c) Central Idea of the Article:

The central idea of Prashant Iyengar's article is that the piracy statistics in India are often exaggerated or distorted. This misrepresentation of data misleads the public and policymakers, leading to misguided perceptions and ineffective policies. Iyengar argues for a more accurate and honest portrayal of piracy to enable better-informed decisions and strategies. Prashant Iyengar is to critically examine the reliability of piracy statistics frequently cited in discussions about the Indian entertainment industry. Iyengar contends that many of these figures are misleading or exaggerated, often derived from questionable methodologies that do not accurately reflect the complexities of the piracy issue. He emphasizes the importance of understanding the socio-economic and cultural factors that drive piracy, arguing that it is not merely a criminal act but a response to issues such as accessibility and affordability of content. By advocating for more rigorous data collection and analysis, Iyengar seeks to shift the discourse towards a more informed and nuanced understanding of piracy, ultimately urging policymakers and industry stakeholders to base their strategies on credible evidence rather than sensationalized statistics. This approach aims to foster a fairer environment for both creators and consumers in the digital age.

Iyengar stresses the need to consider socio-economic and cultural factors that contribute to piracy in India. He points out that issues such as limited access to affordable legal content and varying cultural attitudes toward media consumption play significant roles in driving piracy. By framing piracy within these contexts, he challenges the simplistic view of it as merely a criminal act.

d) Contents of the Article:

The article contains many chapters main being:

- Introduction to Piracy Statistics.
- Analysis of Data Accuracy.
- Impact on Public Perception.
- Call for Better Data
- Case Studies and Examples.
- Conclusion.

e) Research Methodology of the Article:

Prashant Iyengar employs a critical and analytical research methodology to examine the

credibility of piracy statistics. The article evaluates the sources and methods used to generate these statistics, highlighting inconsistencies and potential biases. Iyengar critically analyzes reported figures, comparing them with independent data to uncover exaggerations and distortions. Case studies and specific examples illustrate how these manipulated statistics mislead the public and influence policy decisions.

He begins with a comprehensive literature review, examining existing academic articles, industry reports, and governmental publications to identify prevailing narratives and common methodologies used to gather data. Iyengar then analyzes the sources of commonly cited statistics, scrutinizing their methodologies including sample sizes, data collection techniques, and representativeness to highlight potential biases and inaccuracies. He may incorporate case studies to provide real-world contexts that illustrate discrepancies in reported figures, emphasizing the socio-economic factors influencing piracy behavior. Additionally, the article could include qualitative insights from interviews or surveys with industry stakeholders, such as filmmakers and distributors, to enrich the analysis. By comparing piracy trends in India with those from other countries, Iyengar aims to draw broader conclusions about the nature of piracy within different socio-economic contexts. This methodological approach not only enhances the depth of his critique but also underscores the need for credible data to inform effective policy responses. Ultimately, Iyengar calls for a critical reflection on the implications of his findings, advocating for further research.

Iyengar also engages in a comparative analysis, contrasting piracy trends in India with those from other countries. This comparative framework allows him to draw broader conclusions about the nature of piracy and the unique challenges faced in different socio-economic contexts. It underscores that the issues related to piracy are not isolated to India but resonate globally, albeit with varying degrees of intensity and manifestation. Iyengar's research methodology culminates in a critical reflection on the implications of his findings for policymakers and industry stakeholders. He emphasizes the need for a shift in how piracy statistics are reported and interpreted, advocating for more reliable data that can inform effective policy responses. By urging a reexamination of the narratives surrounding piracy, Iyengar aims to foster a more nuanced understanding of the issue, paving the way for strategies that address both the symptoms and root causes of piracy in the digital age.

CRITICAL ANALYSIS:

a) Key issues raised in the Article

- The article highlights the inaccuracy and unreliability of piracy statistics in India, questioning the methodologies and sources used to generate these figures.
- It examines how misleading statistics shape public opinion, creating a distorted view of the actual piracy problem.
- It discusses how piracy statistics are often exaggerated or manipulated to serve specific agendas, such as influencing public perception or swaying policy decisions.
- The article explores how inflated statistics affect policy-making, potentially leading to misguided regulatory actions and ineffective measures against piracy.
- The article examines how misleading statistics can influence policy decisions, leading to ineffective or overly punitive measures against piracy that do not address underlying cause.
- The discussion includes ethical implications surrounding the consumption of pirated content and the responsibilities of consumers and creators alike.

a) Comparing this Article with other literature on same issue by other authors:

- **The Impact of Piracy on the Indian Film Industry by Ramesh Kumar:**
This article attempts to understand the causes and impacts of Online Digital Piracy of Indian Film Industry and the efficiency of the current legal regime in India governing the same. It takes a unique approach as the same is reflective of the inferences drawn from an empirical study of digital content consumers concerning the volumes of consumption of pirated film content. It deals with the conceptual and theoretical basis of online digital piracy with reference to the Indian Film Industry.
- **Piracy and Intellectual Property Rights: A Study of the Indian Context by Meera Patel:**
This article delves into the multifaceted complexities faced by the Indian legal system in protecting intellectual property in the digital landscape. From issues related to online piracy and digital copyright infringement to the advent of artificial intelligence and its implications on patent law, this highlights the crucial areas where Indian IPR law requires adaptation and innovation. Additionally, it explores the ethical considerations surrounding emerging technologies and the need for

harmonizing international standards with India's unique socio-cultural aspects

- **Challenges in Measuring Piracy: Lessons from the Indian Experience** by Priya Desai:

This article will give an insight into the piracy laws of some of the countries across the globe and various other developments that took place in India. Pirated versions of any original work come handy due to the internet serving as the fastest medium for spreading any kind of content from one person to millions. And in India, the worst-hit industries in today's time are the film, TV and e-commerce industry.

- **Piracy and Plagiarism** by Ashish Shukla:

This article talks about the various countries like USA, Britain etc who face issue of piracy in order to address the same, they have implemented laws to regulate it and punish the violators. These are some of the countries that have implemented anti-piracy laws.

The article further gives us the idea of plagiarism being an issue in almost every sector in today's period. Tackling techniques and handling of such has been precisely put by the author in the given article, as well as the laws concerned with such digital aged problems

a) Comparing this Article with other literature of same author:

- **The Economics of Piracy in Emerging Markets:**

Iyengar examines how piracy can sometimes foster innovation and adaptation among local industries, prompting new business models. The research underscores the complexity of piracy, suggesting that a purely punitive approach may not address the underlying causes, and emphasizes the need for comprehensive policy solutions that consider socio-economic conditions and the potential for sustainable economic growth.

- **Piracy and Policy: Analyzing Regulatory Responses:**

Iyengar examines the interplay between piracy and government responses in emerging markets. The article discusses how piracy often arises from economic disparities, weak governance, and lack of access to legitimate markets. Iyengar argues that traditional punitive measures against piracy may not be effective and calls for more nuanced policies that address root causes.

- **Digital Content and Piracy: A Sectoral Analysis:**

The article advocates for innovative solutions, including improved access to legal

content, education on intellectual property rights, and new business models that can compete with piracy. Ultimately, Iyengar calls for a balanced approach that addresses the complexities of digital content consumption while protecting the rights of creators.

- **Plagiarism: A Threat to digitals:**

Iyengar discusses the implications of plagiarism for creators, emphasizing the financial and reputational damage it can cause. He also highlights the challenges in enforcing copyright laws in a digital landscape characterized by rapid content dissemination.

The article calls for stronger educational initiatives to raise awareness about plagiarism and its consequences. Iyengar advocates for enhanced digital tools and policies to help protect original content, stressing the need for collaboration among creators, platforms, and policymakers to address this growing threat effectively.

- **Plagiarism, Piracy and Their Implications:**

The article discusses the implications of both practices on creators, including financial losses, diminished recognition, and impacts on innovation. Iyengar highlights the legal and ethical challenges in combating these issues, noting that traditional copyright laws may struggle to address the nuances of digital content.

CONCLUSION:

In conclusion, Prashant Iyengar's article "Fake Facts: An Incredulous Look at Piracy Statistics in India" underscores the critical issue of distorted piracy statistics and their far-reaching consequences. Iyengar reveals that inflated and inaccurate data not only misleads the public but also skews policy-making processes, resulting in ineffective or misguided regulatory actions. By critically examining the sources and methodologies behind these statistics, the article calls for a more rigorous and transparent approach to data reporting. The findings emphasize the need for accurate representation to ensure informed decision-making and effective responses to piracy, ultimately advocating for a more honest portrayal of the piracy landscape.

He stresses the importance of transparency in information dissemination and encourages the development of reliable fact-checking resources. Additionally, Iyengar calls for the implementation of stronger regulatory frameworks to hold platforms accountable for the content they host. By fostering a culture of accountability and encouraging informed discourse, Iyengar believes society can better navigate the challenges posed by misinformation, ultimately leading

to a more informed and engaged citizenry.

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- Digital Content and Piracy: A Sectoral Analysis.

