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BROADCASTING RIGHTS AND FUNDAMENTAL RIGHTS

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Abstract: Sports broadcasting rights are an essential connection between the sports industry and fundamental rights, resulting from the intricate interplay of legal, economic, and sociological issues. Important considerations for finding a fine balance between private interests, individual rights, and economic interests are raised by this intricate relationship at the intersection of intellectual property rights, public access, and freedom of speech. On the one hand, broadcasting rights are an example of intellectual property since they recognize the financial commitments made by organizations in producing and disseminating sports material. The preservation of these rights is essential to sustaining the financial viability of the sports industry, promoting innovation, and maintaining the standard of athletic events.

Index Terms – broadcasting, sports, intellectual property rights, fundamental rights, ownership

I. INTRODUCTION

Sports have always been an intriguing fascinating phenomenon for hundreds and thousands of people across the world. Sports are listed on item 33 of the state list, and only state legislatures are permitted under the constitution to pass laws pertaining to sports; the federal government is not. The tremendous sum of money spent on sports broadcasting over the years has made the sporting sector one of the biggest in the world. Technological advancements in the media, industry, and communication domains have enabled corporations to profitably broadcast various events and have given them a steady marketing advantage. Sports have evolved into an entertaining and desirable spectacle as a result of the expansion of the broadcasting industry. Sports and the television industry are discussed in regard to copyright and other relevant rights that are associated with broadcasting companies. Paying enormous sums of money to acquire the exclusive right to broadcast a certain athletic event is nothing new for media outlets and television networks. For instance, the BCCI received Rs 48,390 for the media rights to the 2023–2027 IPL. For 410 matches, TV rights brought in Rs 23,575 crore, while digital rights brought in Rs 23,758 crore. The primary source of funding for a number of organizations is derived from the selling of broadcasting rights. The people in charge of such groups seek for broadcasting agreements that would allow them to generate the funds they need for athletic events, stadium renovations, and grassroots sports development (an investment for a future revenue generation). As they get royalties from the sale of their exclusive material to other media outlets, the broadcasters are able to invest in the expensive administrative and technological infrastructure essential for broadcasting sports events to millions of followers all over the world.

What is Broadcasting?

The act of transmitting information or programs via radio or television is known as broadcasting. In contrast to private signals that are intended for specific receivers, it is understood to be the electronic transmission of radio and television signals meant for the general public to hear. As a parastatal of the Federal Government of Nigeria, the National Broadcasting Commission was founded under Section 1 of the National Broadcasting Commission Act, laws of the Federation, 2004. Its duties include: • Receiving, reviewing, and evaluating applications for the ownership of cable TV services, direct satellite broadcasts, and other radio and television stations. • Governing and managing the broadcast sector. • receiving, reviewing, and looking into complaints from people and organizations about a broadcast's content or a station's behavior. • Arbitrating and intervening in disputes within the broadcast sector.

What are Broadcasting Rights?

Media rights, also referred to as broadcasting rights, are legal rights that a broadcasting organization owns and negotiates for the purpose of using for profit. The coverage and broadcast rights (media rights) encompass, among other things, movies, television, and radio. The media rights of an intellectual property item sold to a specific broadcasting corporation are referred to as "broadcasting rights." Basically, a company would get in contact with the distributing organization, negotiate, and sign a contract with the sports organization to have limited broadcasting rights or broadcasting exclusivity for a particular sport or sports events if it wanted the media rights to a sports organization or a competitive video game. Broadcasting rights in India and the world The Rome Convention of 1961 stipulates that for a duration of twenty years, broadcasters must be granted exclusive rights to transmit, rebroadcast, remake, and notify the public about their broadcasts. There have been discussions in recent years that suggest a new goal be established to safeguard the rights granted to broadcasters because they are now more susceptible to exploitation due to advancements in communication technology. The World Institute of Intellectual Property Rights has been discussing how to create a global framework that will suitably and seamlessly shield broadcasters from being exploited through piracy and privacy abuses. Competitive sport has developed into a billion-dollar industry around the world, mostly due to the protection of intellectual property rights and the increasing cooperation of broadcasters, advertisers, and sports authorities. However, the widespread availability of more sophisticated communications technologies has not only allowed sports followers to watch live events from wherever, but it has also opened up new avenues for signal theft. Live sports broadcasts have been the focus of several illegal web rebroadcasts. Transmission piracy is a challenge to the value of the broadcasters' exclusive rights to air live coverage of athletic events, which in turn jeopardizes their ability to make money from advertising and sales. Additionally, it threatens the revenues of the sports organizations. Even though national laws currently provide a number of measures to combat signal theft, such as shutting down illegal websites, broadcasting companies have campaigned for stronger legal protection at the international level. Broadcasters and sports organizations are embracing digital media at the same time to connect and engage their audiences, especially younger viewers, by offering a range of formats for sports programming. As the Indian sports industry has expanded, sponsorship and broadcasting have become more pressing issues. The creation of broadcasting rights, an extremely significant privilege, occurs when a sport is televised or displayed. The 1957 Indian Copyright Act recognizes a unique set of rights. No one is allowed to broadcast or stream licensed and copyrighted professional sporting events without the permission of a sports league or organization. The broadcasting rights belong to the transmission businesses, which are able to rerun the content as much as they choose after they have obtained it. The Indian Copyright Act of 1957 states that a person has violated the distribution rights if they broadcast or publish a work that has already been broadcast or published without the permission of the original owner, if they reproduce the work without permission, if they record the sound or reproduce it visually, if they sell or hire it to the public, or if they advertise that they are doing so. As per section 51 of the Copy Right Act 1957, broadcasting without the owner's permission is defined as an infringement. Advancements in technology have enabled sports events to be broadcasted worldwide. The Copyright Act did not originally safeguard the rights of broadcasters or live artists.

Landmark Judgement

ESPN Software Private India Ltd. vs Tudu Enterprise and Ors the defendants violated broadcasting reproduction regulations and did so without signing any legal contracts with the plaintiff or the distributor while exploiting the plaintiff's broadcasting networking routes to show events to its subscribers. To determine whether the defendants' actions during transmission across the plaintiff's network channels were illegal, an appeal was chosen. The court was to determine whether or not the defendant's unauthorized transmission of Plaintiff's network channels was warranted. The licensed cable operators of the Plaintiff utilized decoders or decryption devices that had unique numbers granted to them by the Plaintiff. Additionally, the plaintiff's illegally broadcast sports feeds are unlawfully captured by unauthorized cable operators. Because the defendants in this case had not entered into any license arrangements with the plaintiff's distribution firms and would not be permitted to distribute programs among their cable operators, broadcasting of these programs was prohibited under Section 37(3) of the Copyright Act.

Relationship between Broadcasting Rights and Fundamental Rights

What are Fundamental Rights?

Enshrined in the Indian Constitution, fundamental rights are the core human rights that every citizen is entitled to. On the grounds of gender, color, and other distinctions, they are applied impartially. It is noteworthy that, under specific circumstances, courts can uphold fundamental rights. There are six fundamental rights mentioned in the Constitution of India:

1. Right to Equality (Article 14-18)
2. Right to Freedom (Article 19-22)
3. Right Against Exploitation (Article 23-24)
4. Right to Freedom of Religion (Article 25-28)
5. Cultural and Educational Rights (Article 29-30)
6. Right to Constitutional Remedies (Article 32)

Features of Fundamental Rights:

- The Preamble of the Constitution states that India is a democratic, secular, socialist, sovereign republic and lays forth the goals of justice, liberty, equality, and brotherhood.
- India is a federal country where the federal government and the states have different authorities. Nonetheless, the Constitution permits a transition to a more unified structure in times of emergency.
- The Indian Constitution establishes a parliamentary form of government in which the Prime Minister leads the government, and the President leads the state. The Lok Sabha is the body to whom the Council of Ministers is accountable (House of the People).
- The fundamental rights of citizens are guaranteed by the Constitution, and these rights include the freedom of speech and expression, the right to equality, the freedom of religion, the right to education and culture, and the right to constitutional remedies.
- These are directives for the central government to implement social and economic justice. Despite not being legally binding, they are essential to the nation's governance and the wellbeing of its people.
- India is a secular nation where discrimination based on religion is forbidden by the Constitution. It gives people the freedom to follow and spread any faith.

Relationship:

Sports broadcasting rights represent a complex interaction of legal, economic, and sociological factors and serve as a crucial link between the sports sector and fundamental rights. This complex interaction at the nexus of intellectual property rights, public access, and freedom of speech poses important concerns about striking a delicate balance between private interests, individual rights, and commercial interests. Broadcasting rights, which acknowledge the monetary commitments made by organizations in creating and distributing sports content, are, on the one hand, an example of intellectual property. Maintaining the financial sustainability of the sports sector, encouraging innovation, and upholding the caliber of sporting events all depend on the protection of these rights. However, as guaranteed by fundamental rights, the public's ability to obtain information and take part in cultural and sporting activities must be balanced against this commercial need. By restricting the audience's access to information and ideas via sports, access restrictions may violate the right to

freedom of speech. Legal systems need to find a careful balance when negotiating this terrain. Policies should protect fundamental rights and promote a market that is competitive and innovative. It becomes crucial to have policies that address exclusivity, anti-competitive behavior, and guarantee fair access for the general public. Thus, the argument over sports broadcasting rights goes beyond the confines of the sports sector and serves as an indicator for balancing private profit, individual liberties, and the greater welfare of society.

I Freedom of Expression in Sports Broadcasting

Broadcasting as Expression In many legal regimes, broadcasting sports is protected as a form of expression under the fundamental right to freedom of speech. This fundamental right covers a wide range of media, including the dissemination of ideas, knowledge, and opinions through sports coverage. It goes beyond traditional forms of communication. Because they broadcast sporting events, broadcasters add to the diversity of public opinion and cultural expression. Sports broadcasting includes more than just providing play-by-play information; it also includes narratives, analysis, and commentary aimed at enhancing the general public's knowledge and admiration of sports. The importance of sports broadcasting to society as a means of amusement, community building, and cross-cultural communication is highlighted by its recognition as a protected form of expression. Broadcasters' freedom of expression protects their capacity to provide a range of viewpoints, criticisms, and analyses. This strengthens the democratic fabric by giving the public access to a broad range of sports-related information and viewpoints. Legal policies must so carefully strike a balance between safeguarding broadcasting rights and upholding the more general ideals of free speech in order to maintain the public's access to a diverse range of viewpoints and ideas via sports coverage.

Regulatory Considerations Although essential, freedom of expression is not unrestricted, and governments often regulate broadcasting to balance the interests of the public, content creators, and broadcasters. These rules accomplish a number of goals, such as promoting fair competition, avoiding monopolies, and resolving issues with diversity and high-quality material. Governments impose rules in order to maintain fair competition in the broadcasting sector, avoiding an excessive concentration of power that would impede growth and reduce the range of opinions in the media. The goals of anti-monopoly laws are to safeguard against possible power abuse by a small number of dominant businesses and to encourage market diversity. The purpose of content regulations is to protect the public by preventing the spread of offensive or dangerous content. These regulations frequently cover matters of decency, truthfulness, and safeguarding young audiences in particular. Rules that mandate broadcasters to provide airtime to a range of content, including that which represents other cultures, languages, and viewpoints, can also be designed to encourage cultural diversity. This guarantees that a diverse range of viewpoints and expressions are presented to the general public. Broadcasting laws are essentially an attempt to balance the natural conflict between the freedom of speech and the need to protect the public interest, competition, and diversified, high-caliber content in the dynamic media environment.

II Intellectual Property Rights and Exclusive Broadcasting

Ownership of Sports Content Unquestionably, sporting events are considered intellectual property, and the legal mechanism that confers ownership is the use of broadcasting rights. Sports organizations may now regulate and profit from the usage of their works thanks to this intellectual property status, which serves as a major financial motivator for large-scale investments in talent, facilities, and events. Sports organizations can negotiate profitable partnerships with broadcasters and streaming platforms thanks to the exclusivity provided by broadcasting rights, which guarantees a return on investment. Large-scale event planning and execution are made possible by the revenue from these rights, which strongly supports the financial viability of sporting organizations. Furthermore, the creation of cutting-edge sports facilities and the development of talented athletes are encouraged by the protection of broadcasting rights. Sports organizations are incentivized to invest in the long-term growth and success of their specific sports, knowing that their intellectual property is protected. Essentially, the broadcasting rights associated with sports events' intellectual property status create a mutually beneficial link between financial incentives and the sports industry's sustained growth. This legal framework promotes an atmosphere that is favorable to sports' growth as a cultural and economic force in addition to protecting the interests of sports organizations.

Economic Incentives In order to create strong financial incentives for sports organizations, broadcasters, and sponsors alike, exclusive broadcasting rights are essential. Due to the broadcasters' exclusive rights, there is intense competition for these rights, which increases their market value and generates a sizable income stream for sports leagues. The selling of exclusive broadcasting rights is a major source of funding for sports groups. They are able to invest in infrastructure, bring in elite talent, and plan and enhance the scope of athletic events thanks to the significant financial returns. Consequently, this enhances the sport's general development and prestige. By obtaining exclusive rights, broadcasters provide themselves with a competitive advantage by providing audiences with original

programming. Because of its exclusivity, the channel attracts advertisers and sponsors who want to pair their products with high-profile sports content, increasing subscriber and audience numbers. The advertising income that follows is a vital part of the economy that keeps sports broadcasting afloat. Sponsors discover worthwhile marketing opportunities as a result of the wide audience and attractiveness of exclusive sports broadcasts. Sponsors find it attractive to interact with a wide and enthralled audience through the increased visibility and engagement that come with major athletic events, which feeds the economy even more. Broadcasting rights exclusivity essentially establishes a mutually beneficial relationship in which increased competition drives financial incentives, supporting the growth and continuation of major athletic events and bolstering the sports industry's bottom line.

III Access to Information and Public Interest Considerations

When major public interest sporting events occur, the conflict between exclusive broadcasting rights and the public's right to information access becomes especially evident. It is up to policymakers to strike this careful balance in order to promote an equal and just distribution of sports material. Exclusive broadcasting rights guarantee the financial sustainability of events and offer financial incentives to sports organizations, but they also run the risk of restricting public access to highly publicized and culturally significant athletic events. Legislators must balance the public's right to information, entertainment, and cultural involvement with the financial interests of rights holders. Regulatory frameworks may contain rules that establish a balance in order to meet this difficulty. One of them can be making certain that a certain number of important events is still available on public platforms like free-to-air channels. By preventing the excessive concentration of exclusive rights, these regulations hope to maintain some degree of accessibility for people who might not be paying for premium broadcasting services. A vital role that politicians play in traversing this terrain is minimizing potential inequities, promoting diversity, and acknowledging the wider cultural significance of particular sporting events. Maintaining equilibrium guarantees that the financial advantages obtained from exclusive broadcasting rights are balanced with the public's entitlement to information and cultural content of noteworthy interest. Regulatory Intervention Concerns over exclusive broadcasting rights and access are frequently addressed by governments, particularly in the case of culturally significant sporting events. This could entail requiring some events to be televised on free-to-air channels or via other available platforms. The goal of this intervention is to achieve a delicate balance between the public's fundamental right to access culturally valuable content and economic interests. Enforcing the airing of some events on free-to-air networks guarantees that a larger portion of the public, including those without access to subscription services, may watch and participate in big sporting events. This strategy is in line with the idea that some events have cultural significance and need to be publicly accessible. Governments acknowledge the socio-cultural significance of sports and work to prevent certain groups from being excluded from common national experiences by putting such measures in place. By protecting the public's right to information and culturally relevant content, this intervention helps preserve inclusivity even while broadcasters and sports organizations use exclusive rights agreements to further their economic goals. The end product is a coordinated strategy that takes the larger public interest into account in addition to commercial imperatives. Governments acknowledge the socio-cultural significance of sports and work to prevent certain groups from being excluded from common national experiences by putting such measures in place. By protecting the public's right to information and culturally relevant content, this intervention helps preserve inclusivity even while broadcasters and sports organizations use exclusive rights agreements to further their economic goals. The end outcome is a coordinated strategy that takes the larger public interest into account in addition to commercial imperatives.

IV Competition law and Anti-Competitive Practices

Monopoly Concerns In the media sector, exclusive broadcasting rights could lead to monopolistic conditions that limit competition and hinder innovation. A single party gains a substantial competitive advantage when it holds the rights to transmit a certain piece of material, which discourages the entry of new rivals and reduces consumer choice. Price increases, a decline in quality, and a reduction in the variety of content options are possible outcomes of this power concentration. Regulatory agencies frequently use competition law to stop anti-competitive behavior linked to the purchase of broadcasting rights in response to these worries. By encouraging market entry, prohibiting the misuse of dominant positions, and defending the interests of consumers, these regulations seek to maintain fair competition. Regulatory intervention can take the form of placing restrictions on the purchase of exclusive rights, encouraging openness in the bidding process, or even thwarting transactions that might unnecessarily limit competition. Regulatory bodies aim to prevent the formation of monopolies that could have an adverse effect on the media industry as a whole by balancing

innovation, consumer protection, and competitive landscape maintenance when intervening in the exclusive broadcasting rights market.

Antitrust Considerations

Enforcing fair competition and safeguarding consumer interests through the acquisition of broadcasting rights is a critical function of antitrust laws. The purpose of these laws is to protect consumer welfare, encourage market competition, and stop monopolistic practices. Antitrust analysis, as it pertains to the acquisition of broadcasting rights, centers on determining whether the concentration of these rights could impede competition or restrict market access. Antitrust authorities scrutinize these acquisitions in an effort to stop behaviors that could limit innovation, create monopolies, or negatively impact consumer choices. They might evaluate whether the concentration of broadcasting rights prevents new rivals from entering the market or leads to anti-competitive actions like price-fixing or exclusionary behaviors. In the context of broadcasting rights, the enforcement of these laws contributes to the preservation of a competitive and diverse media environment. In order to guarantee open bidding procedures, stop discriminatory acts, and, if required, place restrictions on the acquisition of exclusive rights, authorities may step in. In order to ensure that consumers have access to a wide range of content options, promote fair competition, and avoid any unwarranted concentration of power in the hands of a small number of dominant corporations, regulatory monitoring is crucial.

V Cultural Impact of Broadcasting

Shaping Cultural Values

Sports broadcasting has a significant impact on cultural values since it chooses which games and events to cover, which in turn shapes societal tastes and views. In this situation, the media's function goes beyond simple entertainment to include cultural narrative curation, reflecting and reaffirming social ideals. The cultural significance attached to particular sports can be greatly influenced by the selection and prominence of such sports. The aforementioned dynamic prompts significant inquiries on the obligation of broadcasters to foster ethnic diversity. Broadcasters have the power to either support prevailing cultural standards or add variety to the way sports are covered. Broadcasters can move away from any biases that favor specific sports and contribute to a more inclusive depiction of cultural interests by displaying a variety of sports and events. Furthermore, ethical sports broadcasting takes into account the appeal of sports on a local and international level while taking into account the wide range of audience interests. In addition to demonstrating a dedication to tolerance, embracing ethnic variety in sports coverage aids in dispelling myths and fostering mutual understanding across various populations. Therefore, it is the duty of broadcasters to uphold cultural values by providing a wide range of sports material that accurately reflects the diversity and depth of the societies they cover.

VI Digital Rights and Technological Transformations

Emergence of Streaming Platforms With the introduction of streaming platforms that have fundamentally changed how consumers consume sports material, the digital era has brought about a radical transformation in sports broadcasting. However, a number of issues pertaining to online rights, piracy, and access have been brought about by this change, requiring adjustments to laws and regulations. As streaming services gain popularity and traditional broadcasting models compete, online rights for sports content have become a key issue. The complexity of negotiating and determining the terms of online broadcasting rights has increased, necessitating the development of legal frameworks that take into account how digital platforms are changing. In the world of digital sports broadcasting, piracy is a serious concern. Online content sharing and access has made it easier than ever to distribute content illegally, which has an effect on rights holders' income sources. Effective legal action and technological advancements are necessary to prevent piracy and protect the rights of broadcasters and sports leagues. Another regulatory concern is ensuring equitable access to sports information online. Careful legal adjustments are needed to strike a balance between defending intellectual property rights and guaranteeing widespread access for fans. In order to preserve stakeholders' rights and interests while promoting an atmosphere where innovation in sports broadcasting may flourish, regulatory agencies must change to meet these difficulties. For the sports broadcasting industry to remain sustainable and maintain its integrity, technological improvements and legal and regulatory frameworks must keep up with this changing world.

VII Privacy and Image Rights in Sports Broadcasting.

VII Athlete Privacy

Broadcasting sporting events raises important questions about athletes' image rights and privacy. Athletes are public personalities, so it's common for their photos to be taken and shared publicly. This has sparked conversations about how to properly balance the public's interest in sports coverage with the privacy rights of individuals. Because they own image rights, athletes can decide whether or not to have their likeness used for commercial purposes. The problem occurs when the public's desire to consume sports content collides with this right. Even while athletes voluntarily enter the public glare through their participation in sports, they have a right to privacy outside of their professional pursuits. Managing the ethical use of athletes' photographs is necessary to strike a balance between the public interest in sports coverage and personal privacy. Athletes' rights must be upheld by broadcasting organizations and legal frameworks, which also recognize the general public's interest in sports. Although athletes may provide permission for their photos to be used in advertising or other commercial contexts, it can be difficult to stop unethical or exploitative uses of their images. Achieving a just equilibrium necessitates unambiguous legal norms and moral principles that uphold athletes' rights and permit appropriate utilization in public areas. Maintaining the credibility of sports broadcasting while respecting the rights to privacy and dignity of those who make contributions to the show requires a sophisticated approach.

VIII Human Rights in Sports

Inclusive Participation Promoting fair access to sports content and inclusive sports participation requires a strong foundation in human rights concepts. This viewpoint emphasizes the idea that, as a cultural phenomenon, sports ought to be accessible to all people and should not be limited by background or demographics. The Fundamental Human Right to take part in cultural, recreational, and leisure activities is in line with inclusive sports participation. This idea highlights the idea that everyone should be able to engage in sports and reap their benefits without facing any forms of discrimination. It is in favor of removing obstacles that could keep people from different backgrounds—such as those from underprivileged communities or those with disabilities—from fully participating in sports. In addition, the right to access sports content emphasizes how crucial it is to guarantee that everyone has an equal chance to watch and enjoy sporting events. This covers factors including price, accessibility to technology, and broadcasting rights. Human rights advocates in the sports industry contend that in order to preserve the values of equality and non-discrimination, practices that restrict access on the basis of socioeconomic status or other considerations need to be addressed.

IX Contractual Agreements Negotiation Dynamics

Complex Negotiations In the field of sports, acquiring the right to broadcast is a difficult process that requires careful negotiations between broadcasters, sports organizations, and other parties. Contractual agreements play a critical role in determining the terms and conditions pertaining to these rights, including important components like duration, exclusivity, and cost concerns. When establishing whether a certain broadcaster has the exclusive right to air particular sports programming, exclusivity is a crucial component of broadcasting rights contracts. Broadcasters benefit from this exclusivity, which frequently raises the rights' market value and gives them a competitive advantage. Another important factor is duration, which specifies the period of time the broadcasting rights are given. Contracts usually indicate whether rights are acquired for one or more events, a season, or several years, which has an effect on broadcasters' and sports organizations' long-term planning and tactics. The economic foundation of these agreements is composed of financial factors. The economic relationship between sports organizations and broadcasters is defined by the negotiated fees, revenue-sharing schemes, and other financial elements. Taking into consideration variables like audience, market demand, and the prestige of the events, the financial terms frequently represent the perceived value of the sports content. All things considered, these contracts function as the legal framework that controls the obligations and interactions of the concerned parties, reshaping the sports broadcasting industry and impacting the availability and financial performance of sports material. Impact on Stakeholders For all parties involved in the sports industry, the terms established in broadcasting agreements are extremely important. They have a profound impact on audience size, income streams, and the overall commercial success of sporting events. The licensing fees and revenue-sharing arrangements that are a part of these agreements have a direct effect on the income streams of broadcasters and sports organizations. Exclusivity clauses affect the competitiveness of the broadcasting landscape and audience loyalty by defining whether a broadcaster has the exclusive rights to air specific material. The agreement's duration, whether it be for a single event or a long time, affects sports organizations' long-term financial stability and planning. The conditions of these contracts ultimately have a cascading influence on the entire financial performance of sporting events. They affect sports organizations' capacity to fund projects aimed at involving fans, building infrastructure, and developing athletes. The sports industry's

continuing growth and prosperity are contingent upon the careful negotiation of these agreements, particularly as the landscape of sports broadcasting continues to change.

Landmark Judgement

Star India Pvt. Ltd. & Anr Vs Haneeth Ujjawal & Ors In the given case, the Plaintiff asked the Internet Service Providers (ISPs) to restrict more than a hundred websites and other similar websites that broadcast content owned by Star India Private Limited in the matter of *Star India Pvt. Ltd. & Anr Vs Haneeth Ujjawal & Ors*. They argued that blocking specific URLs that contained content that had been obtained illegally would not be sufficient since websites could always broadcast the illegal content by changing a single character in the URL setting. Finding the owners of these websites was almost impossible because so many of them were unidentified. Owing to the challenge of accurately identifying each defendant, the Hon'ble Delhi High Court issued a John Doe order that forbade the defendants from using telecommunications to host, stream, broadcast, rebroadcast, retransmit, exhibit, make available for viewing and downloading, or communicate with the public (including its subscribers and users). The division bench of the Delhi High Court determined that websites that primarily provide pirated content should be completely blocked when it comes to live telecasts of cricket matches, as opposed to just blocking a certain URL. A two-year prison sentence and a monetary fine are also imposed under Section 65B of the Copyright Act of 1957 on anyone who knowingly distributes, imports for distribution, broadcasts, or communicates to the public without authority copies of any work or performance knowing that electronic rights management information has been removed or altered without authority.

Conclusion

The legal environment is dynamic and ever-changing where sports broadcasting rights and basic rights converge. Careful legal and regulatory frameworks are necessary to strike a balance between the interests of broadcasters, sports organizations, and the general public. It is important to carefully balance fundamental rights—like the right to privacy and information access—against the business needs of the sports sector. Innovations in technology, such as the emergence of digital media and streaming platforms, have changed the face of sports broadcasting. Regulators must modify laws to handle concerns about privacy, equitable competition, and the availability of sports material on several platforms. A sophisticated strategy is needed to guarantee an equitable and inclusive sports broadcasting ecosystem. Legal frameworks should protect fundamental rights and promote competition and innovation. This entails dealing with concerns about piracy and exclusivity as well as making sure that a variety of audiences may benefit from technical improvements. Government officials need to be flexible as the digital era develops, creating rules that responsibly balance protecting people's fundamental rights with promoting a competitive sports broadcasting industry. This flexibility is essential to maintaining a dynamic, approachable, and morally pure sports broadcasting atmosphere.