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6th RGNUL National Sports & Entertainment Law Mediation Competition, 2024

GENERAL INFORMATION

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**6th RGNUL NATIONAL SPORTS & ENTERTAINMENT LAW MEDIATION
COMPETITION, 2024**

GENERAL INFORMATION: IP BATTLES: NEWS CHANNEL v. ANCHOR

BACKGROUND

TV show host and household name Tintin Sharma has been associated with leading news channel *Parso Tak* for the last fifteen years, having anchored their hit prime-time show, *The Court of Public Opinion*, having two major segments – the first covering burning social and political issues, and the second, popular segment called *Talk to Tintin* (“**TTT**”) where celebrities and politicians are interviewed by Tintin at *Parso Tak*’s studio and also asked some questions that the public posts on the official X (Twitter) handle of TTT.

Over the years, *The Court of Public Opinion* has gained mass popularity and become *Parso Tak*’s most viewed show. Tintin has been acutely aware of his fame and likeability and has been using the first segment of the show to pick up burning political issues, often giving a narrative aligning with his own political views and opinions, going beyond the script. Further, Tintin has been using his network and connections built over years of fame to bring celebrities with a particular outlook to TTT. Some viewers have expressed through various forms of social media that Tintin often takes stands that could be considered partisan rather than neutral, while reporting.

With the switch to OTT and in the competitive news market, *Parso Tak* has been facing a slowdown in the last five years and largely grossing its revenue through the viewership generated by *The Court of Public Opinion*. In December 2023, business tycoon Captain Haddock, with ventures of the Haddock Group being spread in various sectors including airlines, breweries, infrastructure, and the likes, expressed an interest in investing in *Parso Tak*. The board of directors of *Parso Tak* were more than eager to welcome the investment on account of the financial hardship being faced by the channel. The Haddock Group, however, has expressed their displeasure on the nature of reporting and coverage being done in *The Court of Public Opinion*, where Tintin has on several occasions attacked and made allegations impacting the conglomerate’s market standing and reputation.

The Haddock Group has made its investment offer of INR 200 Crores, which is critical to the channel’s functioning at this stage, dependent on assurance by the representatives of *Parso Tak* that they can “handle” the Tintin issue.

DISPUTE

Parso Tak has brought the issue of Tintin's reporting style and the impact it may have on their investments to Tintin's notice. They are of the view that Tintin needs to alter the nature of his content to be more neutral and not politically charged, else a more suitable candidate may have to be considered by the channel for hosting *The Court of Public Opinion*.

Tintin is vehemently opposing this proposition, stating that the same is an attack on his right to free speech and expression. He is of the view that *The Court of Public Opinion*, particularly the segment TTT, is a part of his personality rights as he has conceptualized and created the content, has throughout been hosting the show, and the segment is named after him. The revenue, goodwill and fame associated with the *The Court of Public Opinion*, and to a large extent even *Parso Tak*, is directly linked to Tintin, who is the face of the show, and is threatening to sue, as *The Court of Public Opinion* is not the creation of *Parso Tak* but of Tintin.

The following information with regard to the retainership agreement between *Parso Tak* and Tintin is of relevance:

- a) The agreement between the parties is a retainership at will and can be terminated by either party with a notice of 60 days, without cause or penalty.
- b) All the content developed by the retaineer in the course of the retainership for the purpose of being aired on *Parso Tak* is the exclusive intellectual property of *Parso Tak*, and cannot be used in violation of applicable laws, unless duly licensed by *Parso Tak*.
- c) There is no clause specifically determining the ownership of personality rights of Tintin Sharma in relation to *The Court of Public Opinion* or TTT.
- d) In case of any dispute arising in relation to the terms of the agreement, parties must first attempt to amicably settle the dispute through mediation.

In view of the above, the parties have agreed to first attempt to resolve their disputes through mediation.