Shemaroo restrained from reproducing and distributing 'Teesri Kasam'

News & Updates • January 11, 2017

Two legal heirs of renowned lyricist Shri Shankardas Kesarilal Shailendra (popularly known by his pen name, Shailendra) and producer of the evergreen classical film 'Teesri Kasam', obtained an order restraining Shemaroo Entertainment Limited from making reproductions of the film or distributing the same. After his death soon after the release of *'Teesri Kasam',* the Bombay High Court ordered that each of Shailendra's legal heirs were entitled to 1/6th share in his estate, including all rights in the film 'Teesri Kasam'. Shemaroo, to whose notice such succession had been brought, utilized the film commercially by distributing VCDs/DVDs, airborne rights (providing the content for inflight entertainment) and internet rights (by making the movie available for viewing on online platforms). The Delhi High Court passed an order restraining Shemaroo from making further reproductions of the film. It negated Shemaroo's objections that it had entered into the assignment of copyright for 'Teesri Kasam' with the other defendants. Co-defendants in the instant suit, wife and daughters of the late Hemant Shaily Shailendra, one of Shailendra's sons, collectively were entitled to only 1/6th share in the said film. They could not without the permission of the other legal heirs including the plaintiffs exercise the rights in the said film. '*Teesri Kasam*' was Shailendra's maiden venture as a producer. The film won critical acclaim and various prestigious awards including the President's Gold Medal for the Best Feature Film 1966. It was nominated for the Grand Pix award at the Moscow International film Festival in 1967 and Shri Shailendra was also nominated in the category of Best Lyricist at the Filmfare awards for the song *'Sajan Re Jhoot Mat Bolo'. Amla Shailendra Mazumdar & Anr. V Atul Maru & Ors.; CS(COMM) 1637/2016 before the Delhi High Court*
Read more on Indian Express, India Today and Business Standard.

RELATED INDUSTRIES

CONTRACTUAL AND COMMERCIAL IP

RELATED PRACTICES

COPYRIGHT
PATENTS
TRADEMARK