

"A man is  
great by  
deeds, not by  
birth"

-Chanakya

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Case Study

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**'Varaha Roopam' and 'Navarasam' Conundrum  
(VNC)**

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## **Varaha Roopam - Navarasam Conundrum' (VNC)**

### **Abstract:**

Varaha Roopam, released in 2022 and Navarasam, released in 2015 have remarkable similarities as cultural goods. This case is a vehicle to define and discuss cultural goods, including plagiarism in the same. The case provides rich context of how the Indian tradition and the Western tradition (covers) have interesting ways of dealing with the creative, intellectual and financial merits of the music pieces. Case provides opportunities for deliberation of whether this is a zero sum game between Kantara makers and Thaikudam Bridge (Navarasam) or whether it is indeed an opportunity of both of them. For international audiences, the case provides an opportunity to introduce Indian art forms like the Theyyam and Bhoota Kola.

## ‘Varaha Roopam’ and ‘Navarasam’ Conundrum (VNC)

*Intellectual property dispute or opportunity...?*

*By: Deepak Dhayanithy, Indian Institute of Management Kozhikode (IIMK)*

As the Varaha Roopam – Navarasam conundrum (VNC) rolled on, the festive season of 2022 brought with it interesting conversations about song plagiarism disputes. It is difficult not wonder how an academic, intellectual property protection term – plagiarism – was being employed to dissect the legal, commercial, creative and musical merits of the Kantara team headed by Rishabh Shetty vis-à-vis that of Thaikudam Bridge and its ‘Navarasam’ which was released around 2015. Someone who heard ‘Navarasam’ first and (like many I suspect) was blown away by the video, song-making and arrangement of classical and folk sounds and instruments (of which the ‘Chenda’ made a big impact) with Metallica-like elements. Those who heard Varaha Roopam first while watching Kantara on OTT were moved by the movie as well as the song. While the striking similarity in the soundscapes of the two songs has no doubt prompted thought on the plagiarism dimension, it is important to parse this similarity out more carefully, given the vast complexity of musical roots and inspirations.

While ‘covers’ are an acknowledgement of the creative well-springs of a track in western Pop and rock music, aficionados of the Indian music tradition would remind us of more [complex socio-cultural-musical inter-relationships](#)<sup>1</sup>. Both Navarasam and Varaha Roopam are based on the Todi raga, an old tune of the Carnatic tradition. Todi has also been quite influential in the dance drama tradition which permeates both Navarasam and Varaha Roopam, the former called Kathakali (story – drama), set in Kerala temples and the later called Bhoota Kola (ghost – form), set in Tulu speaking coastal Karnataka temples. Both Varaha Roopam and Navarasam have powerful percussion elements which further increases their similarity to the lay listener. Navarasam employs the ‘Chenda’ and ‘Elanjitharamelam’, percussion elements emblematic of the [Thrissur Puram](#)<sup>2</sup>. It is this arrangement and soundscape that draws thousands of fans towards Navarasam or Varaha Roopam or indeed has the elephants swaying in the Thrissur Puram. Ajaneesh Loknath, Varaha Roopam creator, has agreed to being ‘inspired’ by Navarasam.

[Wikipedia lists over a hundred songs, of the English pop, rock genres, that have been subject to plagiarism disputes and could shed light on our understanding of the VNC](#)<sup>3</sup>. If settlement terms so warranted, song writing credits would clearly indicate who wrote the song along with the person or band who sang it. Popular examples of such a settlement are Vanilla Ice number ‘Ice Ice Baby’

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<sup>1</sup> <https://swarajyamag.com/culture/in-brief-why-the-varaha-roopam-navarasam-controversy-is-more-complex-than-you-may-think>

<sup>2</sup> [https://en.wikipedia.org/wiki/Thrissur\\_Pooram](https://en.wikipedia.org/wiki/Thrissur_Pooram)

<sup>3</sup> [https://en.wikipedia.org/wiki/List\\_of\\_songs\\_subject\\_to\\_plagiarism\\_disputes](https://en.wikipedia.org/wiki/List_of_songs_subject_to_plagiarism_disputes)

(which some said was copied by Baba Sehgal, in his ‘Tanda Tanda Pani’), the 1989 track that many would agree was eerily similar to Queen and David Bowie’s 1981 ‘Under Pressure’. Settlements such as the one for Madonna’s 1992 ‘Erotica’ involved a cash transaction of \$2.5 Million but Fairuz did not get any song writing credits, though ‘Al Yawm Ulliqa Alal Khashaba’ was released three decades prior to ‘Erotica’. As far as song-writing credits go, albums would sometime feature a ‘cover’ or a single may be released which is itself a ‘cover’. Clarity over whether a track is an original or a ‘cover’ has the potential to preclude messy contestations of song credits.

For the music fan, the list of songs which are actually covers is endlessly surprising and includes (originals in parenthesis) Led Zeppelin’s ‘Bring it on home’ (Sonny Boy Williamson II) and Mick Jagger’s ‘Just Another Night’ (Patrick Alley). Though first recorded by David Bowie way back in 1970, ‘The Man Who Sold the World’ took the world by the scruff of its neck only when it was covered by Nirvana in the early 1990s, the song coming into its own in Kurt Cobain angst ridden voice. Nobel Laureate Bob Dylan’s ‘Knocking on Heaven’s Door’ (1973) has been covered by many artists, most popularly by Guns n’ Roses starting with live concerts in the late 1980s. Dylan’s own version of ‘All Along the Watchtower’ (1967) is perhaps less recalled than Jimi Hendrix’s cover (recorded in 1968). These numerous, superior covers could even be seen as the foundation on which is built [Dylan’s wider acceptance and eventual 2017 Nobel Prize](#)<sup>4</sup>.

The covers discussed above can be thought of as the same song ‘plagiarized’ by someone else, or may be more broadly conceptualized as interpretations of the original or go a step further as homage to the original or being inspired by the original (see exhibit 1) or even acknowledgement of the original being a ‘[culture-bearer](#)<sup>5</sup>’. It appears that both Western and Indian music cultures take a broader, more inclusive approach to the possibility of similar soundscapes.

A cover that is released years after the original may or may not threaten the song writing credits getting misappropriated. Music fans know their history. Sigrid’s cover of [Everybody Knows](#)<sup>6</sup> introduced newer audiences to the song writing genius of [Leonard Cohen](#)<sup>7</sup> rather than detract from his originality or misappropriate returns. If school and college kids of today are familiar with Cohen’s 1988 work it is in no small measure due to the Sigrid cover in Justice League. Amy Winehouse’s ‘Valerie’ is a cover. For Varaha Roopam and Navarasam creators it is not without precedence that musicians have dealt with these ‘copies’ or covers, elegantly, musician to musician. The Rolling

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<sup>4</sup> <https://www.nobelprize.org/prizes/literature/2016/dylan/lecture/>

<sup>5</sup> <https://www.livemint.com/Consumer/8XfvIMJvnDhNGIIEPILxfK/The-unlikely-success-of-Robert-Pirsigs-Zen-and-the-Art-of-M.html>

<sup>6</sup>

[https://www.google.com/search?q=everybody+knows&rlz=1C1CHBF\\_enIN913IN913&oq=everybody+knows&aqs=chrome..69i57j0i6712j46i131i433i512j0i512j46i512j0i512j69i60.3079j0j7&sourceid=chrome&ie=UTF-8#fpstate=ive&vld=cid:6ab6c760,vid:zrV5of2p-oc](https://www.google.com/search?q=everybody+knows&rlz=1C1CHBF_enIN913IN913&oq=everybody+knows&aqs=chrome..69i57j0i6712j46i131i433i512j0i512j46i512j0i512j69i60.3079j0j7&sourceid=chrome&ie=UTF-8#fpstate=ive&vld=cid:6ab6c760,vid:zrV5of2p-oc)

<sup>7</sup> <https://www.rollingstone.com/music/music-lists/10-great-leonard-cohen-covers-117444/joe-cocker-bird-on-a-wire-1969-119368/>

Stones shared song writing credits with K. D. Lang for their 1997 number 'Anybody Seen My Baby?' once it became clear that it did sound in sections like K. D. Lang's award winning 'Constant Craving'. James Brown shared the copyright and a third of the royalties of 'It's a Man's Man's World' in 1966 with Betty Jean Newsome. When Bruce Springsteen's 2009 'Outlaw Pete' sounded strongly similar to 'I Was Made for Loving You' (1979), KISS 'did not pursue legal action...over respect' for the Boss.

It isn't only the tunes and musical skill that made a big impact, it is also the sheer devotion of the whole set of performers – to the music and to each other (see figure 1 – Thaikudam Bridge). Thaikudam Bridge on one hand and Kantara makers including Rishabh Shetty could settle their dispute in such a way that their music – Varahara Roopam and Navarasam would draw new listeners and fans – from the hard rock music community and the more classical Carnatic music community. The alternative for both parties would be stuck in a legal quagmire, rather unbecoming of their valuable gift.

As 2022 drew to a close, it remained to be seen whether or not Thaikudam Bridge and Kantara team to pursue a settlement out of court. Music fans and business watchers wondered if that settlement would bring more listeners to the fold as well.

## Exhibit 1: Navarasam – Kantara controversy – timeline

- October 29, 2022 [Kerala Court verdict agreeing with Thaikudam Bridge](#)
  - Supreme Court Music attorney, Satish Murthi, represents Thaikudam Bridge
  - “similarity between their song Navarasam and Varaha Roopam was an infringement of their song copyright... a distinct and undisputable line between inspired and plagiarised work, which they felt had been crossed. Further, they were given no acknowledgement for their content...”
  - Varaha Roopam can’t be shown on OTTs
- November 14, 2022 [Rolling Stone India magazine featured piece](#)
  - Ajaneesh Loknath said it was “inspired” by the 2015 track
  - “Thaikudam Bridge and their management reportedly spoke to the *Kantara* team director Rishabh Shetty ... “Varaha Roopam” composer Ajaneesh Loknath – and clearly they weren’t satisfied with the explanations they received.
  - On October 24th, Thaikudam Bridge took to social media and accused the makers of “Varaha Roopam” of plagiarizing “Navarasam.”
  - “The unavoidable similarities between our IP ‘Navarasam’ and ‘Varaha Roopam’ in ...a blatant infringement of copyright laws.
  - ...the line between ‘inspired’ and ‘plagiarized’ is distinct and indisputable and ...we will be seeking legal action against the creative team responsible for this. There has been no acknowledgment of our rights over the content and the song is propagated as an original piece of work by the movie’s creative team.”
- October 28, 2022
  - “October 28th, the Kozhikode District court passed an injunction order against *Kantara* based on a suit filed by the band.”
  - “On November 2nd, the Palakkad District Court also passed an ad-interim injunction order based on a copyright infringement suit filed by the band’s company, Mathrubhumi”
  - “Varaha Roopam” singer Sai Vignesh, “I had not listened to ‘Navarasam’ before we recorded the track. In my opinion, the mood of both the tracks are different [...] ‘Varaha Roopam’ is not based on the same set of Ragas as ‘Navarasam’.”
  - “Everyone from lay listeners to musicians and vocalists and now, the courts, have had something to say about whether “Varaha Roopam” has plagiarized “Navarasam...”



Figure 1: Kerala fusion band, Thaikudam Bridge ([Rolling Stone India, retrieved Dec 22, 2022](#))

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