



## Article

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### ***Beyond the Box Office: Why Intellectual Property Is the Real Star of Modern Cinema***

Over the past decade, the Indian and global film industries have quietly undergone a massive shift. What was once a creative business built on scripts, directors, and star power has now become a strategic IP machine. Franchises, cinematic universes, character rights, and merchandising ecosystems now form the backbone of the business. As IP lawyers working closely with studios, producers, talent, and digital platforms, we have witnessed this evolution firsthand.

This article isn't just about the legal mechanics of film, but rather about the future of storytelling, and why intellectual property lawyers are now central to the creative and commercial success of cinema.

### **From Art to Asset: The Franchise Revolution**

It's no longer just about making a good film—it's about building a scalable universe. Think of *Baahubali*, *KGF*, the *YRF Spy Universe*, or Marvel's *MCU*. Each of these is not just a series of films. They're IP ecosystems generating revenues from OTT spin-offs, mobile games, theme park rights, publishing, collectibles, and merchandising.

This shift has fundamentally altered how stories are developed and monetized. Scripts are now evaluated not only for plot strength but for IP adaptability to evaluate a number of parameters such as can a supporting character get a spin-off? Can the story arc extend across seasons or formats? Can this be monetized across jurisdictions?

This evolution has transformed cinema from a one-time event into a long-term commercial asset. For studios, it means sustained revenue whereas for creators it translates to expanded creative possibilities. This signals a deeper shift—it is no longer just about the stories; it is also about how the stories live, grow, and generate value across platforms and borders.

### **The Hidden Architect: The IP Lawyer's New Role**

As this universe-building trend takes hold, the role of an IP lawyer has become pivotal. The role has changed from simpliciter filing applications for registration and drafting contracts to becoming architects of long-term value. It is no longer sufficient for studios and creators to look at IP as ancillary or after thought, but is an aspect of the project that must be considered right from the stage of inception to final execution and release.

#### **Strategic IP Scaffolding:**

Every cinematic universe begins with more than a script—it begins with legal foresight. Creators and producers need to work with IP lawyers from day one to lay down the foundation, such as;

- **Trademarks** for film titles, character names, taglines, and logos
- **Copyrights** for scripts, screenplays, lyrics, soundtracks, cinematographic films and other visual elements

- **Design registrations** for iconic character looks, props, costumes, and animation stills
- **Trade secrets** for story bibles, concept art, and confidential development materials

This legal scaffolding isn't just about protection—it ensures that as the film and the franchise grows, every component is fully monetizable, licensable, and enforceable.

### Rights Mapping & Ownership Clarity

Modern filmmaking is a rights maze—writers, directors, music producers, VFX teams, platform investors, actors with personality rights, and international co-production partners all stake claims. It is therefore critical to audit, map, and secure the chain of title across all IP assets, early in the development lifecycle. This not only prevents future disputes but also ensures the project is OTT-ready, investor-compliant, and safe for global release.

### Cross-Platform Licensing

Theatrical release is just the beginning. Today's IP-rich films are designed to expand into multiple mediums such as Mobile games and AR/VR experiences, Merchandise and collectibles, Spin-offs for OTT or animation, Books, graphic novels, and branded content, etc. to make a few.

Each extensions require carefully negotiated contracts—covering usage rights, royalties, approvals, limited liability, exclusivity, and territory-specific nuances. A good IP lawyer will help translate creative ambition into clear, scalable legal frameworks, enabling studios to commercialize IP confidently and compliantly.

### Global Rollout & Enforcement

With Indian films gaining traction across borders—from the Gulf to North America—producers face global IP challenges such as piracy and counterfeit merchandise, domain hijacking and infringing digital content, trademark conflicts in foreign jurisdictions, etc.

Thus, it is imperative to work closely with global enforcement networks, customs, and foreign counsel to monitor and act swiftly against infringements. Whether it's conducting trademark clearance in the UAE or filing takedown notices in Southeast Asia, IP vigilance beyond India is no longer optional—it's business-critical.

Thus, for creators, producers, and studios, IP is not just a legal issue—it's a business multiplier. But navigating it requires legal advisors who understand both commercial pressures and creative ambition.

### The Other Side: Risks, Saturation & Legal Complexity

However, this franchise-first approach isn't without its challenges, for example:

- **Creative Fatigue & Innovation Bottlenecks**

Studios now favour the predictability of sequels and spin-offs, often at the cost of greenlighting fresh voices or experimental narratives. This can slowly dull a brand's creative edge. Thus, it is imperative to have a forward-thinking IP strategy that allows for creative risk—carving out space for new characters and stories that can mature into the next wave of valuable IP assets. It's not just about protecting content but enabling sustainable creativity by leaving room for innovation from the very get go.

- **Cross-Border IP Complexities in Co-Productions**

As financing and production increasingly span geographies—think Indian studios collaborating with U.S. or European partners—the resulting IP web becomes harder to untangle. Who owns what rights across theatrical, OTT, gaming, and merchandising formats? A lack of watertight agreements at the beginning may lead to friction among co-producers over revenue shares, delayed release schedules, or blocked exploitation rights in key markets. Therefore, strategic clarity on territorial and format-based rights is critical from Day Zero.

- **Litigation Landmines & OTT Release Delays**

We're seeing a sharp rise in IP disputes, especially over character similarities, look-and-feel claims, or overlapping narrative arcs—many of which surface just before a release or during

licensing discussions with OTT platforms. In India, several films and shows have faced last-minute legal threats that stalled distribution deals or led to heavy edits.

The message is clear: a reactive legal approach is too little, too late. Pre-emptive clearance, rights mapping, and brand protection are no longer optional. From studios to streaming platforms, the need of the hour is to build IP strategies that are not just defensive, but rather *growth-oriented*.

### **Your IP Strategy Is Your Business Strategy**

In today's rapidly evolving film economy, IP is no longer a post-production formality. It is the very foundation upon which successful studios and creative ventures are built. Whether you're a filmmaker, showrunner, producer, or investor—your IP lawyer should be one of your first calls, not your last.

Now is the time to understand the full commercial lifecycle of IP. Not just protection—but expansion, monetization, enforcement, and preservation.

It is therefore imperative that studios, creators and all stake owners act early and not reactively, to create clarity before crisis. Let's stop thinking of films as content and start thinking of them as capital.

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