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Blurring The Lines: Deepfakes, Creativity, and The Challenges To IP Protection and Copyright Law in India

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A B S T R A C T :

Everything has two sides to itself and so does the technology that comes with both advantages and disadvantages. Artificial Intelligence in the recent past has been one of the most advantageous human inventions. The transformations and advancements AI has given mankind are inevitable but so are its negative impacts. This essay delves into the Copyright issues originating with the use of AI-generated content specifically focusing on Deep fakes. Any deep fake content created using the copyrighted content of an author raises originality and authorship concerns. The authors here have tried to dig down deep on this issue and have raised questions regarding the regulation of deep fake and measures that could be used to tackle this concern. A comparative study of the UK, US and China has been done to analyze the approach taken to strike a balance between the technological innovation and human rights and dignity.

Keywords: Artificial Intelligence, Deepfakes, Copyright Infringement, Authorship and Originality, Comparative Legal Frameworks

1. Introduction

Deepfake refers to any synthetic media that is made by the use of AI to make fake videos that look realistic. Deepfake is made by using an Artificial Intelligence technology called Generative Adversarial Networks (GANs), which serves as the foundation for the tech behind. There are two features of the technology 'generator' which creates fake content and the other one is called 'discriminator' that examines the reliability of the content created. This process undergoes various stages of improvement until the content reaches such a level that a normal human cannot differentiate. The technology processes thousands of images while combining vocal and physical actions in order to create fake videos of individuals doing activities. The rise of Deepfakes showed us the true potential which the AI technology can give us, but this in turn gave us various challenges to tackle like the truth barriers as people are deceived by the videos. Deepfake also leads to the damage of reputation and also causes political instability in few cases if used in a democratic setup. Managing this technology is a challenging task. As the technology grows, there is a huge struggle as to balance the advancements with the negative side of deep fakes, all this is a strong reason to create the legislation to facilitate protection of deepfakes while preventing the innovations from impeding. There are various advertisements where the deepfakes appear, one such instance can be seen in the Cadbury's ad in 2021, where the campaign allowed users to integrate themselves alongside the video of Shahrukh Khan, this was a part of their marketing strategy [1]. With deepfakes the difference between real and fake is often undetectable.

1.1 The Double-Edged Sword

Every technology comes with pros and cons and AI is no different. Where on one hand it is the future of the world with humongous innovative possibilities, the other face of it is equally alarming. The positive side of AI could be transformative in the creative sector, education, fashion, space, research and what not. From being used by tech enthusiasts to being incorporated in primary schools to enhance the learning experience for children, AI has come a long way [2]. But the darker side, that is the misuse of AI including deepfake raises numerous safety concerns. The privacy of the public is at risk, the copyright infringements are taking place in leaps and bounds, public opinions are swayed in a blink of an eye misusing AI [3]. At one place filmmakers are using AI to experiment with visual effects and on the other hand some malicious actors are using AI to create explicit non-consensual content resulting in lifetime trauma of the person targeted. Unless tamed with regulations and strict legal framework, deep fake or any other AI-generated content holds the potential of causing irreparable damage to mankind.

2. Copyright Law in the Age of AI- Generated Content

The foundation of copyright law depends on preserving human creativity. Standard legal frameworks establish that humans need both time and expertise to develop new creative content. AI and deepfake technology has interrupted this fundamental belief. Can a machine hold copyright? Who owns a deepfake video? The new questions about both intellectual property laws force us to develop alternative foundational principles.

The ownership rights of generated content by AI remain unclear because they call into question who should gain legal ownership rights to AI music or deepfake video content. Current laws in this matter remain unclear. The U.S. Copyright Office states that machines lack the capability to claim copyright ownership since "human creativity" constitutes the essential requirement [4]. Similarly, India's law doesn't mention AI, leaving courts to postulate how to apply old rules to new problems. This creates chaos. Imagine a painter using AI software to generate a digital artwork. The painter might claim ownership, but the programmer who built the AI could argue they deserve credit too. Without clear rules, disputes continue to grow and pile up.

2.1 Basics of Copyright and Definition of Author

Most copyright laws, including the U.S. Copyright Act [5] and India's Copyright Act of 1957 [6], define the "author" as a human being. For instance, the U.S. Copyright Office explicitly states that only works "created by a human being" qualify for protection [7]. This rule stems from the belief that copyright exists to incentivize human creativity, not machine output. Even in jurisdictions like the UK, where the Copyright, Designs and Patents Act 1988 acknowledges "computer-generated works," authorship is assigned to the "person by whom the arrangements necessary for the creation of the work are undertaken"—meaning a human still controls the process [8].

This creates a problem for AI-generated content. If a deepfake video is produced by a machine learning algorithm trained on existing data, who owns it? The programmer who coded the AI? The user who input the prompts? Or does it belong to no one, falling into the public domain? Courts and lawmakers are struggling with these questions.

2.2 Who owns a Deepfake?

Ownership battles over deepfakes often boil down to two questions:

- Who controls the AI?
- How is the output used?

Take the example of a deepfake video that swaps an actor's face into a movie scene. If the studio owns the AI software and dataset, they might claim copyright. But if the actor's likeness was used without consent, publicity laws and personality rights could override copyright.

In India, the Copyright Act grants "moral rights" to authors, allowing them to object to distortions of their work [9]. In the landmark case of Amar Nath Sehgal v. Union of India, the Delhi High Court upheld an artist's moral rights when his mural was destroyed, but similar protections for digital works remain untested [10]. However, When it comes to content altered by AI, there is no clear precedent, suppose if a deepfake alters an actor's dialogue in a movie, can they sue? It depends on how the judges interpret the vague laws.

2.3 Judicial Precedents

Judges worldwide are struggling to fit AI technology into old laws. In the United States, a court backed the Copyright Office's rejection of an AI-generated work stressing the fact that "authorship of humans is non-negotiable." [11] However, the EU's Directive on Copyright in the Digital Single Market (Directive 2019/790/EU) grants protection to works involving human intellectual creation but lacks a clear definition of 'control' regarding AI generated works, leaving ambiguity in determining the extent of human involvement required [12].

3. Moral and Economic Rights Under Threat

3.1 Moral Rights

Moral rights are the soul of creative work, they protect the reputation of the creator, they ensure creators are recognized for their efforts (attribution) and protect their work from being twisted or misused (integrity) [13]. Deepfakes, however, are shaking these foundations by making it easy to steal, alter, or misrepresent someone's work or identity.

3.1.1 Right to Attribution

Imagine spending years perfecting your art style, only to find an AI tool generating identical paintings without mentioning your name. This is the reality for many artists today. The Berne Convention, a global copyright treaty, requires creators to be credited for their work, according to Article 6 of the convention

the moral rights of the author must be extended to all of their works [14]. The AI systems like Midjourney or DALL-E often ignore this rule. They scrape millions of images from the internet, including copyrighted ones and train their algorithms to generate the asked content, all this without the permission or giving credit.

In India, Section 57 of the Copyright Act grants creators the right to claim authorship [15]. AI-generated works, such as those that replicate a singer's voice, raise complex legal questions. While U.S. copyright law requires human authorship for protection, existing frameworks struggle to cover the part as to how the AI uses the artist's voice or styles [16].

3.1.2 Right to Integrity

The right to integrity safeguards creators from modifications that harm their reputation or artistic intent. Deepfakes inherently violate this right by altering works or identities in ways the creator never imagined or sanctioned. A filmmaker's movie could be re-edited via AI to include offensive dialogue, or a politician's speech might be manipulated to spread misinformation. Such distortions not only damage reputations but also erode public trust in the media [17].

Indian jurisprudence has upheld integrity rights in traditional contexts. Current laws do not account for the fluidity of digital content where alterations can be infinite and instantaneous, nor do they provide a proper framework to regulate the content generated by AI. This gap leaves creators vulnerable to reputational harm with limited legal solutions.

3.1.3 Personality Rights and the Illusion of Consent

Beyond copyright, deep fakes infringe on personality rights, the right to control one's likeness, voice, or public persona. In India, these rights derive from the constitutional right to privacy (Article 21) and right to dignity, as affirmed in Justice K.S. Puttaswamy v. Union of India (2017) [18]. Celebrities like actors or politicians often rely on these rights to block unauthorized commercial use of their image.

However, deepfakes exploit ambiguities in legal frameworks. For example, a deepfake might superimpose a celebrity's face onto a different body for a fictional film. While the celebrity's likeness is used, the transformative nature of the work complicates claims under traditional personality rights. Courts have begun addressing this through expansive interpretations. In ICC Development v. Arvee Enterprises (2003), the Delhi High Court ruled that celebrities hold exclusive rights over their persona, and have control over the use of their persona in commercial use [19]. Yet, non-celebrities lack equivalent safeguards, leaving ordinary individuals exposed to identity theft or defamation via deepfakes.

3.2 Economic Implications: The Cost of Unregulated AI

Deepfakes disrupt economic ecosystems by blurring ownership lines and enabling unauthorized exploitation of creative and personal assets. This erosion enables exploitation without consent thereby disrupting the traditional economic models.

3.2.1 Unauthorized Commercial Use

The commercial use of deepfakes often involves leveraging someone's likeness or creative output without consent. For instance, brands might deploy AI-generated influencers digital avatars modeled after real people to endorse products. These avatars, although they are fictional, might borrow facial features or mannerisms from existing individuals, creating a legal gray area.

Under Section 55 of the Indian Copyright Act, creators can sue for damages if their work is used without authorization [20]. However, the existence of deepfakes complicates enforcement. An AI might generate a song that evokes a musician's style without directly copying their work, making it difficult to prove infringement. Similarly, deepfake ads featuring a politician's likeness could sway public opinion, yet existing laws lack mechanisms to address such indirect economic harm.

3.2.2 Licensing Challenges: Who Owns AI-Generated Content?

Ownership of AI-generated content remains a legal dilemma. Traditional copyright frameworks assume human authorship, but AI operates autonomously once trained which leads to the ownership of the output being questioned. The U.S. Copyright Office explicitly denies protection to works "absent human creative input" [21], leaving AI-generated music, art, or videos in a right vacuum. For example, if an AI produces a painting, neither the programmer nor the user can claim ownership under current U.S. law.

The UK's Copyright, Designs and Patents Act, 1988 offers a potential solution by attributing ownership of "computer-generated works" to the "person who made the arrangements necessary for the creation." [22] This approach recognizes the human effort behind configuring the AI, even if the output is machine-generated. However, India lacks such provisions, forcing the courts to rely on outdated precedents and frameworks. In Eastern Book Company v. D.B. Modak, the Supreme Court emphasized "labour, skill and capital invested " and "creativity" as the basis for copyright [23]. Applied to AI, this could mean crediting programmers or users who guide the AI's output, but no rulings have tested this theory.\

3.3.3 Market Disruption and Lost Revenue

Deepfakes also destabilize markets by flooding them with AI-generated replicas. Artists face competition from algorithms that produce similar works at lower costs, diluting the value of human creativity. In 2018, an AI generated painting titled "Portrait of Edmond Belamy" was sold for $432,500, this purchase sparked a heated debate regarding the future and value of work generated by AI [24].

There is deception everywhere in the marketplace that makes it an issue for consumer research. Deception means an attempt or act to communicate false or omitted information with the aim to create false belief in the minds of the receivers. Deception penetrates the marketplaces and undermines the trust and faith in the system. The Deepfake can further increase this deception. For example, a fake video of a CEO admitting that their company was fined by authorities due to regulatory issues can lead to severe damage and may also lead to decrease in the value of stock price in the market [25].

Licensing frameworks are ill-equipped to handle such scenarios. Music royalties, for example, are calculated based on verifiable usage of copyrighted tracks. AI systems that generate original melodies inspired by existing songs bypass royalty payments, therefore depriving artists of income. Organizations like France's SACEM (Society of Authors, Composers, and Publishers of Music) are experimenting with AI licensing models, but global standards remain elusive [26].

4. A Global Perspective- Comparative Analysis of IPR Laws and AI Governance

Today's copyright laws aim to protect the creativity of the person who made the particular content, the content can by anything ranging from artistic work to films and sound recordings, it encourages creators by giving them exclusive rights of their work and balance it with the social incentives such as knowledge, culture and innovation which inturn helps the society in general. Previously, the rise in technology such as photocopy machines led to the threat of copyright, where people can copy works without the permission of the creator, which in turn led to low revenue [27]. Rapid progress of technology makes it harder for the copyright laws to keep up, just as deepfakes which are posing a new threat to the overall regime of copyright as well as to the other aspects of society ranging from politics, economy etc.

4. 1 The U.S. Approach

In the United States, the copyright is governed by the Copyright Act, 1976 which bases its copyright philosophy on the fair use doctrine, which permits limited use of copyrighted material without permission for purposes like criticism, parody, or education. This flexibility has inadvertently created loopholes for deepfakes. Under Section 107 of the Copyright Act, transformative works, even those generated by AI may qualify as fair use if they serve

a new purpose or add creative value [28]. However, the application of fair use to content generated by AI has to be evaluated on a case to case basis. Courts apply a four-factor test to determine fairness, weighing aspects like the work's purpose, nature, amount used, and market impact [29].

Deepfakes complicate this framework. In Thaler v. Perlmutter (2023), the D.C. District Court affirmed that works lacking human creative input cannot be copyrighted, leaving AI-generated content in a legal void [30]. This stance discourages investment in ethical AI tools while failing to curb malicious uses.

4.1.1 Naruto V. Slater (2018)

The Naruto v. Slater case, involving a monkey's "selfie," underscores the U.S. judiciary's rigid adherence to human authorship. The Ninth Circuit Court ruled that animals (and, by extension, machines) cannot hold copyrights, emphasizing that the law protects "the fruits of intellectual labor founded in the creative powers of the human mind." [31] This precedent directly impacts AI-generated deepfakes. If a machine autonomously creates a video, no copyright exists, leaving the output in the public domain. However, if a human guides the AI selecting data or editing outputs courts may recognize authorship under existing frameworks.

The U.S. also struggles with intermediary liability under Section 230 of the Communications Decency Act, which shields platforms from liability for user-generated content. [32] While platforms like YouTube remove deepfakes violating community guidelines, their inconsistent enforcement raises questions about accountability. The lack of federal deepfake specific legislation forces reliance on outdated statutes, creating a reactive rather than preventive legal environment.

4.2 The UK Model

The UK's Copyright, Designs and Patents Act (CDPA) 1988 offers a pioneering approach to AI-generated content. Section 9(3) designates the "person by whom the arrangements necessary for the creation of the work are undertaken" as the author of computer-generated works [33]. This provision acknowledges the human intervention behind AI systems, whether programmers, users, or entities commissioning the work. By attributing authorship to the orchestrator of the AI, the UK avoids debates over machine creativity while encouraging responsible AI development.

The CDPA's fair dealing provisions further balance innovation and protection. Unlike the U.S. fair use doctrine, fair dealing in the UK is limited to specific purposes like research, criticism, or news reporting [34]. Deepfakes created for parody or satire fall under this umbrella, provided they meet proportionality standards. For example, a deepfake mocking a public figure's speech may be permissible if it does not disproportionately harm their reputation. The UK's Online Safety Act 2023 addresses the issue of non-consensual sharing of images, deepfakes , it classifies these as offences, which in turn mandates the platforms to remove such content and prevent it from spreading [35].

However, the UK framework struggles with cross-border enforcement. A deepfake created in the UK but hosted on a U.S.-based server may evade penalties due to jurisdictional conflicts. This underscores the need for international harmonization in AI governance.

4.2.2 Nova Production V. Mazooma Games (2007)

In Nova Productions v. Mazooma Games, the UK Court of Appeal examined whether video games qualified for copyright protection [36]. The court ruled that the programmer's input in designing algorithms and defining creative parameters constituted "sufficient skill and labor" to establish originality. Applied to deepfakes, this precedent suggests that individuals are guiding AI tools such as selecting training data or refining outputs that could assert copyright over synthetic media. However, fully autonomous AI creations remain contentious, as the CDPA does not define the threshold of human involvement required.

4.3 China's Regulatory Landscape

China's approach to AI and deepfakes reflects its broader strategy of state-controlled innovation. The 2023 Generative AI Governance Rules mandate that AI-generated content align with "socialist core values" and undergo strict security assessments [37]. Deepfake platforms must label the uses of their services and clarify the user groups, put out effective measures to prevent children (minor people) from excessive dependence on AI technology [38]. These rules prioritize public order over individual rights, enabling swift state intervention against harmful content.

China's Copyright Law (2020 amendments) extends protection to works such as cinematography, product designs, sketches and other graphic works as if they "reflect human intellectual creation." These can be understood by wider interpretation in the context of AI generated content [39]. This vague standard allows courts to award copyright to entities demonstrating substantial human input, such as data curation or algorithmic refinement. For instance, a company training an AI on curated datasets to produce marketing content may claim ownership. However, the law remains silent on scenarios where AI operates autonomously, leaving gaps in enforcement.

The interplay between national security and intellectual property further complicates matters. Deepfakes threatening state interests, such as fake speeches by political leaders, are aggressively prosecuted under cybersecurity laws. Conversely, commercial deepfakes face lighter scrutiny if they bolster economic growth. This dual-track system highlights China's utilitarian view of AI, where technological advancement and social stability supersede individual rights.

Comparing the stance on the ever evolving use of AI and its interplay with the copyright laws of these countries, the absence of global regulation raises concerns. Although few countries have come together and taken the initiative of creating a global treaty on the subject. The European Union, United States, United Kingdom and several other countries have signed a landmark AI safety treaty, the first legally binding international agreement that intends to align artificial intelligence (AI) systems with democratic values [40].

5. Gaps in the Current Framework

India's Copyright Act, 1957, drafted in an analog era, struggles to address the complexities of AI-generated deepfakes. The law's core principles of authorship, originality, and moral rights are ill-equipped to handle synthetic media that blurs the lines between human and machine creativity.

5.1 Ambiguity in Authorship

The Act defines an "author" as a human creator, excluding non-human entities like AI systems [41]. This omission creates uncertainty over ownership of AI-generated content. For instance, if a filmmaker uses AI to de-age an actor or synthesize dialogue, the law does not clarify whether the director, programmer, or AI itself holds rights. Unlike the UK's Copyright, Designs and Patents Act, 1988, which assigns authorship of "computer-generated works" to the human orchestrator [42], India's framework lacks analogous provisions. This gap discourages investment in AI-driven creative industries, as stakeholders cannot secure legal ownership over outputs.

5.2 Inadequate Protection of Moral Rights

Section 57 of the Act grants creators the right to claim authorship (paternity) and prevent distortions (integrity) [43]. However, these rights are narrowly interpreted in the context of digital alterations. Deepfakes that manipulate an artist's work or likeness such as altering a song's lyrics or grafting an actor's face onto another body fall outside traditional definitions of "distortion." In Amar Nath Sehgal v. Union of India (2005), the Delhi High Court protected a sculptor's moral rights when his mural was destroyed [44], but similar protections for digital works remain untested. The absence of explicit safeguards against AI-driven modifications leaves creators vulnerable to reputational harm.

5.3 Jurisdictional and Enforcement Challenges

Deep fakes often involve cross-border creation and dissemination, complicating enforcement under India's territorial copyright regime. A deepfake video generated on foreign servers but targeting Indian audiences may evade accountability due to conflicting laws. The Information Technology Act, 2000, which governs digital content, focuses on punitive measures (e.g., Section 66E for privacy violations) rather than preventive governance [45]. Platforms hosting deepfakes benefit from Section 79's safe harbour, which shields intermediaries from liability unless they fail to remove content post-notification [46]. This reactive approach enables the unchecked spread of harmful synthetic media.

5.4 Lack of Clarity on Fair Dealing

India's fair dealing exceptions (Section 52 of Copyright Act) are restrictive compared to the U.S. fair use doctrine. Permitted uses, such as criticism or review, do not account for transformative AI applications like satire or parody. A deepfake critiquing a politician's policies might qualify as fair dealing, but the law's rigidity leaves room for subjective judicial interpretation. This ambiguity stifles creative expression while failing to curb malicious uses.

6. Proposed Amendments to the Copyright Act

To address these gaps, India's copyright framework requires modernization that balances innovation with ethical safeguards.

6.1 Recognizing Hybrid Authorship

Amendment of section 2(d) of the Copyright Act to include AI generated work would mitigate the ownership debate. Definition of an author to incorporate AI generated content could be revised referring to the UK model and be framed around "person who undertakes the arrangements necessary for the creation" covering programmers, coders, curators, entities commissioning AI tools etc.

6.2 Expanding Moral Rights for the Digital Age

To avoid unauthorised deep fake exploitation, codification of personality rights under Article 21 of the Constitution is required. Section 57 of the Copyright Act could be amended to prohibit AI-driven distortions of creative works. Any alterations harming the creator's honour or dignity should be prohibited. This concept is also inspired from France's Droit model. The Delhi High Court's ruling in Anil Kapoor v. Simply Life India (2023), which barred the misuse of a celebrity's likeness in AI generated ringtones, ring-back tones etc. offers a judicial foundation for such reforms.

6.3 Introducing Transparency Mandates

The disclosure of algorithmic content of the AI-generated content should be enforced globally to promote transparency. The EU's Digital Services Act (2023) contains such provisions. Intermediary platforms should be required to reveal details of any AI-generated content they share including details of training data. The requirement for companies to identify AI contributions in creative products improves traceability

6.4 Modernizing Fair Dealing Exceptions

Inserting transformative AI applications into Section 52 of the Copyright Act in line with international benchmarks would benefit Indian copyright law. A proportionality test adopted by courts would enable proper discrimination of beneficial deepfake applications from problematic ones through consideration of public interest along with creators' intentions and market effects.

6.5 Strengthening Intermediary Accountability

The intermediary platforms have been taking reactive measures instead of playing a proactive role when it comes to prevention of misuse of AI. A vigilant care system needs to be deployed for AI detection for prevention of misinformation and ensuring transparency in AI-generated media concerning government regulations. UK's Online Safety Act 2023 ensures strict penalties for deep fake content providers and the Section 79 of the IT Act should be amended accordingly to create mandatory care responsibilities.

7. Conclusion

The tremendous rise in technological advancements over the decades has been at the cost of human rights majorly cornering privacy issues. Decades old Indian Copyright framework fails to regulate the AI generated content by manipulating its rigid definitions of authorship and creator rights. Diverse

factors such as the intermediary immunity and jurisdictional loopholes have resulted in shooting up of deep fake cases globally. The traditional laws of Copyright in the 21st century need extensive alterations and a broader perspective in order to address the originality and authorship issues that tag along the AI generated content.

The international community needs to mutually devise rules to tackle this rampant issue with a balanced approach between technological innovation and ethical governance. Laws need to be formulated focusing on intermediary accountability, diverse moral creator rights and transparency mechanisms. An affirmative advancement of AI generated content needs to be promoted so as to encourage further investment in this domain. India's draft, Digital India Act, 2023, which proposes watermarking synthetic media, signals legislative awareness but requires deeper engagement with copyright complexities.

Judiciary's guiding principles on the complexities of definitions of art, author, originality, identity etc. attempts to bridge the gap between human dignity vis a vis technological progress but needs imperative legislative backing exclusively designed for AI generated works. The cornerstone of any future regulation should be to not compromise on human rights and human dignity in the light of technology to avoid any ramifications. The legislators, creators, authors and technologists must fraternise to design a sturdy copyright framework to revolutionise AI generated content while safeguarding human creation.

REFERENCES

[1] Sayanak, S. (2023). A study on deepfakes and copyright infringement. *International Journal of Law, Management & Humanities, 6*, 3541. https://doi.org/10.10000/IJLMH.116506

[2] Lees, D. (2023). Deepfakes in documentary film production: Images of deception in the representation of the real. *Studies in Documentary Film, 18*(2), 108–124. https://doi.org/10.1080/17503280.2023.2284680

[3] Citron, D. K., & Chesney, R. (2019). Deep fakes: A looming challenge for privacy, democracy, and national security. *California Law Review, 107*(6), 1753–1819.

[4] U.S. Copyright Office. (2021). *Compendium of U.S. Copyright Office practices* (3rd ed., § 101).

[5] Copyright Act of 1976, Pub. L. No. 94-553, 90 Stat. 2541 (1976).

[6] The Copyright Act, No. 14 of 1957, INDIA CODE (1957).

[7] U.S. Copyright Office, Compendium of U.S. Copyright Office Practices § 101 (3d ed. 2021).

[8] Copyright, Designs and Patents Act 1988, c. 48 (UK).

[9] The Copyright Act, No. 14 of 1957, § 2(d), § 55, § 57, INDIA CODE.

[10] Amar Nath Sehgal v. Union of India, 2005 (30) PTC 253 (Del).

[11] Thaler v. Perlmutter, No. 22-1564, 2023 WL 5333236 (D.D.C. Aug. 18, 2023).

[12] Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market.

[13] Rosenblatt, B. (2025, February 25). Moral rights basics. *Harvard University*. https://cyber.harvard.edu/property/library/moralprimer.html

[14] Berne Convention for the Protection of Literary and Artistic Works, Sept. 9, 1886, as revised at Paris on July 24, 1971, and amended in 1979, S. Treaty Doc. No. 99-27 (1986).

[15] The Copyright Act, No. 14 of 1957, § 2(d), § 55, § 57, INDIA CODE.

[16] U.S. Copyright Office. (2023). Copyright registration guidance: Works containing material generated by artificial intelligence. *Federal Register, 88*, 16,190–16,192.

[17] Citron, D. K., & Chesney, R. (2019). Deep fakes: A looming challenge for privacy, democracy, and national security. *California Law Review, 107*(6), 1753–1819.

[18] Justice K.S. Puttaswamy (Retd.) & Anr. v. Union of India & Ors., (2017) 10 SCC 1.

[19] ICC Development (International) Ltd. v. Arvee Enterprises, (2003) 26 PTC 245 (Del.).

[20] The Copyright Act, No. 14 of 1957, § 55, INDIA CODE. https://www.indiacode.nic.in/show-data?actid=AC_CEN_9_30_00006_195714_1517807321712&sectionId=14578&sectionno=55&orderno=76

[21] U.S. Copyright Office. (2021). *Compendium of U.S. Copyright Office practices* (3rd ed., § 101). https://www.copyright.gov/comp3/

[22] Copyright, Designs and Patents Act 1988, c. 48, § 9(3) (UK). https://www.legislation.gov.uk/ukpga/1988/48/section/9

[23] Eastern Book Company v. D.B. Modak, 2008 (36) PTC 1 (SC).

[24] Kinsella, E. (2018, October 25). The first AI-generated portrait ever sold at auction shatters expectations, fetching $432,500-43 times its estimate. *Artnet News*. https://news.artnet.com/market/first-ever-artificial-intelligence-portrait-painting-sells-at-christies-1379902

[25] Mustak, M., Salminen, J., Mäntymäki, M., Rahman, A., & Dwivedi, Y. K. (2023). Deepfakes: Deceptions, mitigations, and opportunities. *Journal of Business Research, 154*, 113368. https://doi.org/10.1016/j.jbusres.2022.113368

[26] Goldmedia. (2024). *AI and music: Market development of AI in the music sector and impact on music authors and creators in Germany and France* (Commissioned by GEMA and SACEM). https://www.goldmedia.com/en/publications/detail/ai-and-music-market-development-of-ai-in-the-music-sector-and-impact-on-music-authors-and-creators-in-germany-and-france

[27] Mayank Negi, *A Comparative Study of Copyright Laws in India, US, UK*, 8 Int'l J. Sci. & Res. 5 (2019).

[28] 17 U.S.C. § 107 (2020).

[29] Campbell v. Acuff-Rose Music, Inc., 510 U.S. 569 (1994).

[30] Thaler v. Perlmutter, No. 22-1564, 2023 WL 5333236 (D.D.C. Aug. 18, 2023).

[31] Naruto v. Slater, 888 F.3d 418 (9th Cir. 2018).

[32] 47 U.S.C. § 230 (2020).

[33] Copyright, Designs and Patents Act 1988, c 48, s 9(3).

[34] Hyde Park Residence Ltd. v. Yelland, [2000] EWCA Civ J0210-2 (Eng.).
[35] Online Safety Act 2023, c 50.
[36] Nova Productions Ltd v. Mazooma Games Ltd, [2007] EWCA Civ 219 (Eng. & Wales C.A.).
[37] Interim Measures for the Management of Generative Artificial Intelligence Services (promulgated by the Cyberspace Admin. of China, Nat'l Dev. & Reform Comm'n, Ministry of Educ., et al., July 10, 2023), available at http://www.cac.gov.cn/2023-07/13/c_1690898327029107.htm.
[38] Cyberspace Administration of China, National Development and Reform Commission, Ministry of Education, et al. (2023, July 10). *Interim measures for the management of generative artificial intelligence services*. http://www.cac.gov.cn/2023-07/13/c_1690898327029107.htm
[39] Standing Committee of the National People's Congress. (2020). *Copyright Law of the People's Republic of China*. https://www.wipo.int/wipolex/en/text/466268
[40] Kuewor, R. G. (2025, May 13). *EU, US and UK sign landmark AI safety treaty, and other digital technology stories you need to know*. World Economic Forum. https://www.weforum.org/stories/2024/09/ai-deepfake-digital-news-september-2024/
[41] The Copyright Act, No. 14 of 1957, s 2(d) (India).
[42] Copyright, Designs and Patents Act 1988, c. 48, s. 9(3) (UK).
[43] The Copyright Act, No. 14 of 1957, s 57 (India).
[44] Amar Nath Sehgal v. Union of India, 2005 (30) PTC 253 (Del. HC).
[45] The Information Technology Act, No. 21 of 2000, s 66E
(India). https://www.indiacode.nic.in/bitstream/123456789/13116/1/it_act_2000_updated.pdf
[46] The Information Technology Act, No. 21 of 2000, § 79
(India). https://www.indiacode.nic.in/bitstream/123456789/13116/1/it_act_2000_updated.pdf