

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS



Open Access, Refereed Journal Multi Disciplinary
Peer Reviewed

www.ijlra.com

DISCLAIMER

No part of this publication may be reproduced, stored, transmitted, or distributed in any form or by any means, whether electronic, mechanical, photocopying, recording, or otherwise, without prior written permission of the Managing Editor of the *International Journal for Legal Research & Analysis (IJLRA)*.

The views, opinions, interpretations, and conclusions expressed in the articles published in this journal are solely those of the respective authors. They do not necessarily reflect the views of the Editorial Board, Editors, Reviewers, Advisors, or the Publisher of IJLRA.

Although every reasonable effort has been made to ensure the accuracy, authenticity, and proper citation of the content published in this journal, neither the Editorial Board nor IJLRA shall be held liable or responsible, in any manner whatsoever, for any loss, damage, or consequence arising from the use, reliance upon, or interpretation of the information contained in this publication.

The content published herein is intended solely for academic and informational purposes and shall not be construed as legal advice or professional opinion.

**Copyright © International Journal for Legal Research & Analysis.
All rights reserved.**

ABOUT US

The *International Journal for Legal Research & Analysis (IJLRA)* (ISSN: 2582-6433) is a peer-reviewed, academic, online journal published on a monthly basis. The journal aims to provide a comprehensive and interactive platform for the publication of original and high-quality legal research.

IJLRA publishes Short Articles, Long Articles, Research Papers, Case Comments, Book Reviews, Essays, and interdisciplinary studies in the field of law and allied disciplines. The journal seeks to promote critical analysis and informed discourse on contemporary legal, social, and policy issues.

The primary objective of IJLRA is to enhance academic engagement and scholarly dialogue among law students, researchers, academicians, legal professionals, and members of the Bar and Bench. The journal endeavours to establish itself as a credible and widely cited academic publication through the publication of original, well-researched, and analytically sound contributions.

IJLRA welcomes submissions from all branches of law, provided the work is original, unpublished, and submitted in accordance with the prescribed submission guidelines. All manuscripts are subject to a rigorous peer-review process to ensure academic quality, originality, and relevance.

Through its publications, the *International Journal for Legal Research & Analysis* aspires to contribute meaningfully to legal scholarship and the development of law as an instrument of justice and social progress.

PUBLICATION ETHICS, COPYRIGHT & AUTHOR RESPONSIBILITY STATEMENT

The *International Journal for Legal Research and Analysis (IJLRA)* is committed to upholding the highest standards of publication ethics and academic integrity. All manuscripts submitted to the journal must be original, unpublished, and free from plagiarism, data fabrication, falsification, or any form of unethical research or publication practice. Authors are solely responsible for the accuracy, originality, legality, and ethical compliance of their work and must ensure that all sources are properly cited and that necessary permissions for any third-party copyrighted material have been duly obtained prior to submission. Copyright in all published articles vests with IJLRA, unless otherwise expressly stated, and authors grant the journal the irrevocable right to publish, reproduce, distribute, and archive their work in print and electronic formats. The views and opinions expressed in the articles are those of the authors alone and do not reflect the views of the Editors, Editorial Board, Reviewers, or Publisher. IJLRA shall not be liable for any loss, damage, claim, or legal consequence arising from the use, reliance upon, or interpretation of the content published. By submitting a manuscript, the author(s) agree to fully indemnify and hold harmless the journal, its Editor-in-Chief, Editors, Editorial Board, Reviewers, Advisors, Publisher, and Management against any claims, liabilities, or legal proceedings arising out of plagiarism, copyright infringement, defamation, breach of confidentiality, or violation of third-party rights. The journal reserves the absolute right to reject, withdraw, retract, or remove any manuscript or published article in case of ethical or legal violations, without incurring any liability.

COPYRIGHT PROTECTION IN THE ERA OF GENERATIVE AI: EMERGING LEGAL CHALLENGES AND THE NEED FOR REGULATORY REFORM

AUTHORED BY - DR. SUNIL SUDHAKAR VARNEKAR¹, & DR. UPANKAR CHUTIA²

1. Research Scholar, Alliance, School of Law, Alliance University, Bangalore, Karnataka, India
2. Associate Professor, Department of Law, Dayananda Sagar University, Bangalore, Karnataka, India

Abstract

The surge of Generative Artificial Intelligence (Generative AI) has raised novel issues for old copyright law in the fields of literary, artistic, musical and digital works. Current copyright laws, which were established to safeguard human creativity, are increasingly faced with intricate issues on topics such as human authorship, copyright ownership, originality, copyright infringement, on which AI training datasets are based, and liability. The study aims at analysing the new legal challenges that arise with the use of Generative AI in the context of copyright protection in a doctrinal and comparative legal perspective. The research has been carried out with a systematic analysis of legal literature and a legal analysis of the primary legal sources, such as international treaties, national laws, judicial decisions and official policy documents of the most relevant jurisdictions, namely the United States, the European Union, the United Kingdom and India. The study reveals that current copyright laws still offer a solid base to safeguard creative works, but they are not yet suitable for the specific challenges of content creation with the aid of autonomous and AI tools. This has led to legal uncertainty as there remains significant divergence in regulation, more litigation over AI training practices and no internationally agreed standards. To tackle these concerns, the study sets forth a four-pillar approach for an AI Copyright Governance Framework: first, human contribution assessment, which entails establishing the copyright owner or holders of the datasets employed in AI training; second, the introduction of licensing and remuneration mechanisms for AI training datasets; third, transparency and accountability requirements; and fourth, AI international harmonization through treaty-based standards. This study adds to the ongoing copyright scholarship as it offers a detailed comparative legal overview and a well-rounded approach that fosters technological innovation and protects the rights of human creators.

Keywords: Indian Copyright Law, Ethical Challenges, Generative AI Contents, Human Authorship.

Introduction

Background

Traditionally, copyright law has been used to safeguard literary, artistic, musical and dramatic works by giving the creator monopoly rights over his or her intellectual property. Recent developments in Artificial Intelligence (AI) and Generative AI have, however, revolutionized the creative industry by allowing machines to independently create artwork, writings, music, videos and software code. As AI tools are used to produce more creative content, there is a growing debate about the applicability of traditional copyright laws to AI-generated content, which were originally created to protect works of human imagination and creativity. The legal and regulatory landscape for copyright law presents new issues for consideration in the era of AI's involvement in the creative process.

Problem Statement

Since the advent of Generative AI, there is much uncertainty in the legal field about the use of the traditional copyright principles. The current copyright framework was conceived for copyright over human authorship and thus can only provide some guidance on a variety of problems, including those of authorship, ownership, originality, infringement, and liability in the context of work created using AI. There is currently no single set of legal principles or boundaries, leading to different interpretations of the law by judges and different regulations by governments across different jurisdictions, which has caused uncertainty for creators, developers and regulators.

Research Gap

The existing scholarly literature covers individual aspects of generative AI, such as authorship, originality, fair use and copyright infringement. But relatively little research exists which offers a comprehensive doctrinal study of these questions in the different jurisdictions. Moreover, the book lacks discussion of novel copyright litigation and its potential future significance of AI. The aim of the study is to fill these gaps by comparing the legal regimes of the two countries with reference to the recent judicial and regulatory developments.

Research Objectives

The study aims the following objectives:

- To discuss some of the new copyright issues that are being raised with Generative AI technology.
- To make a comparative study of different legal approaches used by different jurisdictions.
- To assess the current copyright laws in relation to works created by AI.
- To suggest a legal framework of copyright governance in the age of Generative AI.

Research Methodology

The research design of this research is doctrinal legal research which aims to examine the emerging issues on copyright with Generative AI. Research methodology used is analytical and comparative which is used to analyze and compare legal frameworks and what has happened in court in various jurisdictions. This research uses descriptive, analytical and comparative method. It explains the current legal landscape for copyright, challenges to it from Generative AI and analyses the different approaches adopted towards regulation in different jurisdictions.

All the data for the study has been obtained from primary and secondary sources of secondary data. Primary sources include national copyright laws, international treaties and conventions, judicial rulings, government reports and guidelines provided by copyright authorities. Secondary sources include scholarly journal articles, books, conference proceedings, research reports and policy documents about copyright law and AI.

The different legal materials collected have been analysed by applying three approaches: doctrinal interpretation, comparative legal analysis and case law analysis. Thematic synthesis of the relevant literature is carried out to list and analyse the key legal challenges, the existing regulatory frameworks and a vision for a new legal framework to govern copyright in the age of Generative AI.

Review of Literature

Theory of Copyright and Generative AI

In recent years, the concept of a copyright owner has been undermined by the advent of generative AI, especially with the questions of originality and human author. It is now

recognized that the traditional basis of copyright law, namely the notions of human authorship and originality, have been thrown into turmoil by the arrival of generative AI. However, Lucchi (2024)¹ states that current copyright systems were created based on the human creative process, and thus are unsuitable for addressing the copyright on AI-generated works. Likewise, Hutson (2024)² argues that the potential for AI-generated works "underscores the need to rethink the doctrine of originality in light of technological progress," and Fenwick and Jurcys (2023)³ suggest that the doctrine needs a reinterpretation in the era of technological advancements. The studies in totality reveal that the traditional copyright doctrines have become insufficient to deal with AI-aided creativity.

Ownership and Authorship of AI-generated Works

The current status of the copyright of the work created by AI is among the most controversial topics in current copyright studies. As generative AI starts to challenge traditional notions of authorship, in which works are primarily the result of human creativity, Abbott and Rothman (2023)⁴ suggest that this is a shift that will involve varying degrees of collaboration between humans and machines. Similarly, Fontana (2025)⁵ stresses the importance of flexibility and adaptability of IP rights frameworks to ensure they can accommodate innovation and safeguard the rights of creators, and Novaes and Ferraz (2024)⁶ call for the adoption of internationally harmonized standards to prevent conflicts over ownership that may result from the commercialization of AI-generated creations. The findings of these studies show that there remains uncertainty about copyright ownership in the age of AI.

Copyright infringement and training data for AI

One key area of inquiry is the copyright implications of training AI models with copyrighted materials. A critical aspect of research is examining the copyright issues involved in training generative AI systems with copyrighted content. Sag (2023)⁷ states that the ambiguity around

¹ Lucchi, Nicola, *ChatGPT: A Case Study on Copyright Challenges for Generative Artificial Intelligence Systems*, 15 EUR. J. RISK REGUL. 602 (2024).

² Hutson, J., *The Evolving Role of Copyright Law in the Age of AI-Generated Works*, 2 J. DIGITAL TECH. & L. 886 (2024).

³ Fenwick, M. & Paulius Jurcys, *Originality and the Future of Copyright in an Age of Generative AI*, 51 COMPUT. L. & SEC. REV. 105892 (2023).

⁴ Abbott, R. & Elizabeth Rothman, *Disrupting Creativity: Copyright Law in the Age of Generative Artificial Intelligence*, 75 FLA. L. REV. 1141 (2023).

⁵ Fontana, A. G., *Intellectual Property Protection in the Era of Artificial Intelligence and the Problem of Generative Platforms*, 28 J. WORLD INTELL. PROP. 783 (2025).

⁶ Novaes, R. V. & F. F. Ferraz, *Protection of Copyrights in the Era of Generative Artificial Intelligence*, in *EPIA Conference on Artificial Intelligence 332* (Springer Nature Switzerland 2024).

⁷ Sag, M., *Copyright Safety for Generative AI*, 61 HOUS. L. REV. (2023).

the legality of the training datasets of AI poses a threat for copyright holders as well as artists and creators. To support the use of machine learning technologies, the current copyright exception such as fair use and fair dealing should be reconsidered, according to Thongmeensuk (2024)⁸. In the same way, Barqawi and Abdallah (2024)⁹ point out that there are no uniform international regulations for training practices of AI systems. The studies, taken together, highlight the increasing conflict between technological developments and copyright protection.

Liability & Regulatory Responses

Scholarship has increasingly more turned to the issue of liability and regulatory reform in recent years. The current studies have provided differentiated liability principles for the developers, platform providers, and users of AI-generated infringement. The current research has suggested differentiated liability principles for the developers, platform providers and users of AI generated infringements. Zain et al. (2025)¹⁰, on the other hand, point to extensive violation of the copyright provisions and call for reform of the laws. Kalyvaki, Nash, and McIntosh (2025)¹¹ also illustrate the compliance headaches businesses face when they do business across jurisdictions, due to conflicting national regulation. The results of these studies are all consistent with the necessity to harmonize more internationally.

Ethical Issues and Research Gap

In addition to copyright, Thoker, Marwaha, and Jan (2026) suggest that privacy, transparency, accountability, and ethical governance issues also need to be taken into account when considering the regulation of generative AI, thus making it advisable to have an integrated approach to their regulation. While there are many studies in the field of copyright that discuss originality, authorship, infringement, liability and copyright exceptions, the majority of studies are limited to the discussion of one question or one jurisdiction. There is relatively little existing work that offers a detailed doctrinal and comparative analysis of new copyright challenges in a number of legal systems, as well as a clear blueprint for the future of copyright law. The current research aims to fill that void and examines the changing legal landscape with generative AI by means of a comparative doctrinal approach.

⁸ Thongmeensuk, S., *Rethinking Copyright Exceptions in the Era of Generative AI: Balancing Innovation and Intellectual Property Protection*, 27 J. WORLD INTELL. PROP. 278 (2024).

⁹ Barqawi, L. & Mohammed Abdallah, *Copyright and Generative AI*, 8 J. INFRASTRUCTURE POL'Y & DEV. 6253 (2024).

¹⁰ Zain, A., A. N. Y. A. Kareem, O. Kazar & S. Ezzerouali, *The Legislative Gap for Copyright in the Era of Generative AI: Where Do We Stand in Achieving Sustainable Development Goals?*, 5 J. LIFESTYLE & SDGS REV. e06057 (2025).

¹¹ Kalyvaki, M., K. Nash & H. McIntosh, *AI, Copyright, and Business: Navigating Global Legal Challenges in the Era of Generative Content and Digital Replicas*, INT'L REV. L., COMPUTERS & TECH. (2025).

The Development of the Copyright Protection in the Digital Era

Philosophical Foundations

To enable the sharing of knowledge and culture, while at the same time protecting authors' rights over their original works, copyright law has developed. It is influenced mainly by two theories: the natural rights theory which recognizes an author's proprietary interest in the results of intellectual work and the utilitarian theory which considers copyright as a means to promote creativity for the public good. All these principles have influenced the international copyright law, as seen in different instruments like the Berne Convention¹², the TRIPS Agreement¹³ and the WIPO Copyright Treaty¹⁴, that aim to balance between the rights of the creators and the public interest.

Human Authorship

The human authorship has been, and continues to be, considered a key requirement for copyright protection. Works created as a result of human intellectual effort and creativity are deemed to be the creation of the mind and as such are protected by copyright. In *Thaler v. Perlmutter* (2023)¹⁵, the U.S. District Court again held that protection for copyright is afforded only to works by "human authors. The U.S. District Court again decided that copyright protection is only afforded to works by "human authors" in *Thaler v. Perlmutter* (2023). In the same way, the U.S. Copyright Office, in *Zarya of the Dawn*, has found copyright to be limited to the human-authored parts in a work that includes AI-generated images. While Section 2(d) of the Copyright Act, 1957¹⁶ has provided for copyright protection of works of authorship created by computers, the Indian Act does not recognise autonomous AI creations.

Originality

Originality is a crucial element for copyright protection, and must be the product of the author's intellectual skill and creativity. In *Eastern Book Company v. D.B. Modak* (2008), the Supreme Court of India found a minimum level of creativity is essential for originality, and not just labour and effort. Similarly, in *Feist Publications, Inc. v. Rural Telephone Service Co.* (1991)¹⁷ the U.S. Supreme Court had ruled that originality requires independent creation and a "modest" amount of creativity. The application of these standards with the rise in the use of generative

¹² Berne Convention for the Protection of Literary and Artistic Works, Sept. 9, 1886.

¹³ Agreement on Trade-Related Aspects of Intellectual Property Rights, Apr. 15, 1994.

¹⁴ WIPO Copyright Treaty, Dec. 20, 1996.

¹⁵ *Thaler v. Perlmutter*, 687 F. Supp. 3d 140 (D.D.C. 2023).

¹⁶ Copyright Act, 1957, No. 14, Acts of Parliament, 1957 (India).

¹⁷ *Feist Publications, Inc. v. Rural Telephone Service Co.*, 499 U.S. 340 (1991).

AI has become more difficult, especially when outputs from generative AI are similar to existing copyrighted works.

Economic Rights

Economic Rights give the copyright holder the ability to limit the commercial use of his works via the rights of reproduction, distribution, communication, adaptation and licensing. One such right is guaranteed under the Berne Convention, TRIPS Agreement and the Copyright Act, 1957¹⁸. With the digital era came many more new ways to produce, share and monetize copyrighted content, and a growing number of worries about unauthorized copying and the exploitation of protected works by AI.

Moral Rights

Moral rights are a means of protecting the moral connection of author(s) to the work, in that they have the right to be associated with it and to oppose the work being used in a way that they find offensive. These rights are acknowledged in Art. 6bis of the Berne Convention, and in S. 57 of the Copyright Act, 1957. The Delhi High Court also held that moral rights are independent of economic rights and in *Amar Nath Sehgal v. Union of India* (2005)¹⁹, it ruled this principle as applicable to the dignity, honour and reputation of the authors in question. The rise of AI-driven content creation has sparked debates on content ownership and authenticity, as AI tools become more adept at producing work that closely mimics existing content or styles. With the growing influence of AI in content creation, concerns are increasingly emerging around the question of content ownership and authenticity, as AI tools become more capable of generating content that closely resembles existing work or styles.

Digital Transformation

Digital technologies have revolutionised the world of copyright, allowing for the instant production, copying and distribution of copyrighted content via online platforms and over the internet. To tackle these events, the WIPO Copyright Treaty emerged and transferred copyright protection to the digital realm. More recently, generative AI has also posed new legal challenges by being able to produce original-looking content based upon huge amounts of pre-existing copyrighted content. Therefore, copyright law is in a new stage of development – it is now a matter of finding ways to keep respecting the author's rights, safeguard the basic

¹⁸ Supra, 12,13,14

¹⁹ *Amar Nath Sehgal v. Union of India*, 117 (2005) DLT 717.

functions of copyright, and ensure the development of technology.

Understanding Generative AI and Its Impact on Copyright

Generative AI Technologies

Generative Artificial Intelligence (Generative AI) is a type of AI that can generate new content based on patterns identified in a collection of data. Generative AI, as opposed to the traditional AI applications, which are mostly analytical or predictive, generates unique content in different formats. The key applications of generative AI technologies are:

- **Text Generation:** AI models produce text that is similar to human style in articles, reports, legal documents, emails, stories, and responses. These can include ChatGPT, Claude, and Gemini.
- **Image Generation:** AI systems generate images, illustrations and paintings, logos and graphic designs from a textual description. Some of these models are DALL·E, Midjourney and Stable Diffusion.
- **Music Generation:** AI tools create melodies, lyrics, instrumental music and soundtracks, helping musicians and content creators to create original music.
- **Video Generation:** AI technologies create videos, animations, digital avatars and visual effects from text prompts, images or video content, which makes the production of multimedia possible.
- **Code Generation:** AI coding assistants can create, finish, optimize and troubleshoot computer programs according to the user's instructions. These include GitHub Copilot, Amazon's Codd, Whisperer and Code Llama.

The technologies have greatly broadened the scope of AI's contribution—from making suggestions and options to creating works themselves—in the realm of literature, art, music, sound or audio recordings, and software, resulting in complicated legal issues regarding originality, authorship, copyright ownership and infringement.

The workings behind Generative AI.

The use of generative AI systems involves the creation of machine learning models by using large sets of data that can be referred to as training sets. Book, journal articles, images, music, software code, and other materials that are made available in the public domain or are otherwise licensed are commonly used examples of these datasets, where AI models are trained to recognize patterns in the language, art, and structure.

Large Language Models (LLMs), like the GPT-family models and other transformer-based models, analyze these datasets to generate coherent responses which are based on statistical relationships, not human understanding. These models are then trained by users, and interact with them via prompt engineering, which involves using text prompts or questions to direct the AI to create specific results. The quality and specificity of prompts greatly affect the quality and content of the content generated. The AI then generates output by synthesising patterns that it has learned from its training data to create a new piece of text, image, music, video or computer code. These outputs might be considered original, but they are based on a probabilistic prediction, given known information and not upon independent human creativity.

Critiques of the traditional copyright principles

Conventional copyright principles are facing huge difficulties with the advent of generative AI. Although AI generated content can be based on human ideas and concepts, the originality and identifiable ownership that form the backbone of traditional copyright law may not always apply. There is also a concern about consent, licensing, and copyright infringement due to the extensive use of copyrighted works in creating AI models. Moreover, AI-generated outputs could also be similar to existing protected works, raising doubts about the originality, substantial similarity, derivative works and liability.

The developments have brought into light the shortcomings of the current copyright structure, which was mainly developed to cover human creativity and not autonomous or AI-generated content. With the ongoing evolution of generative AI, courts as well as the legislature in different jurisdictions are having to rethink and reconsider the fundamental concepts of copyright to manage technologies and safeguard creators' rights.

Legal issues concerning copyright protection.

Human Authorship

It has always been a key component for human authorship to be the key element for copyright. The key to the creation of a work that has copyright in most copyright laws is the exercise of creativity by the human mind. In *Thaler v Perlmutter* (2023), the U.S. District Court held that a work created "completely and solely by a computer without any human effort is protected by the Copyright Act of 1976²⁰. Similarly, the U.S. Copyright Office's processes have always been such that copyright protection is limited to human-authored elements of an AI-assisted work.

²⁰ Copyright Act of 1976, 17 U.S.C. §§ 101–122 (United States).

The developments underscore the difficulty of the traditional authorship rules with ever more independent AI systems.

Copyright Ownership

One of the questions that is still to be addressed legally is who is the owner of the AI-generated articles? The copyright is generally awarded to the author (when one exists) and when an author cannot be determined, then generally the first person to exercise the right. The definition of 'author' for various types of works under the Copyright Act 1957, Section 2(d), recognizes the individual behind the creation of the work, such as the person behind a computer-generated work. But the provision was in place before the advent of generative AI and doesn't explicitly mention AI-generated works that are created independently of humans. Therefore, it has never been agreed who may own the work, the developer, the user who provides the prompts or another stakeholder who is involved in the development of the work.

Artificial Intelligence-generated Works are copyrightable

We have considered copyrightability requirements of AI-generated works. The U.S. Copyright Office released a recent report which concluded that AI-generated work is not copyrightable (Copyright and Artificial Intelligence: Part 2 – Copyrightability (2025)). However, if a significant selection, arrangement, editing or other original contribution by the human, then there may be a copyright. The job is in line with the current trend of prioritizing all human elements as the basis for copyright and the increasing use of AI as a creative tool.

Train AI based on copyrighted content

Generative AI systems are trained with the use of vast quantities of data, many of which are copyrighted, such as books, articles, photographs, music, software code and more. It has even been the focus of much litigation. In *The New York Times Co. v. Microsoft Corp. & OpenAI, Inc. (2023)*²¹, the plaintiffs claimed that the copyrighted news articles were copied and utilized without authorization to prepare huge language models. The case raises several important questions about the rights of reproduction, licensing and fair use of copyrighted content in the creation of AI models. The same conflicts have led to a demand for more explicit statutory governance of the training of AI.

²¹ *The New York Times Co. v. Microsoft Corp. & OpenAI, Inc.*, No. 1:23-cv-11195 (S.D.N.Y. 2023).

Copyright Infringement

Generative AI's capacity to generate content that closely mirrors existing copyrighted material has led to intricate issues of infringement. In *Getty Images (US), Inc. v. Stability AI, Inc. (2023)*²², Getty Images has sued Stability AI for allegedly copying millions of its images without permission to use for training AI image generation systems. The case illustrates the issues of copyright principles as to whether the work created by the AI is an infringement of copyright or is substantial similarity. With the ongoing evolution of AI technologies, courts will be called upon to assess more and more the copyright infringement resulting from AI-generated works.

Issues of Fair Use and Fair Dealing.

Central concepts in assessing the legality of AI training are fair use and fair dealing. Fair use and fair dealing are key concepts to consider when determining the legality of AI training. Text and Data Mining exceptions are included in the Directives on copyright in the Digital Single Market (Directive (EU) 2019/790)²³ that aims to preserve copyright exceptions in the EU. The exceptions are, however, extremely limited and are far from being identical with other principles of fair use, such as those in the USA. The lack of harmonisation at international level leaves room for uncertainty as to the legal acceptability of AI training in different legal systems.

Moral Rights

Moral rights are about the relationship of the author and their work, and are concerned with the right to attribution and the right to integrity. The Berne Convention also acknowledges the author's right of authorship, and the right of the author to object to any distortion or modification that may prejudice the author's honour and/or reputation. These safeguards are also found in the provisions of Section 57 of the Copyright Act, 1957, in India and were once again reiterated in *Amar Nath Sehgal v. Union of India (2005)*²⁴ where the Delhi High Court said that it was essential to ensure the honour and the dignity of the authors. In an era defined by the increasing sophistication of AI technologies that can create and manipulate works of art based on their aesthetic traits, the role of moral rights in digital art is becoming more prominent.

Derivative Works

The copyright owner has the exclusive right to permit that derivative works may be produced

²² *Getty Images (US), Inc. v. Stability AI, Inc.*, No. 1:23-cv-00135 (D. Del. 2023).

²³ Directive (EU) 2019/790 on Copyright and Related Rights in the Digital Single Market.

²⁴ *Amar Nath Sehgal v. Union of India*, 117 (2005) DLT 717.

(adaptations, translations and other works based on the original works). The principle has been complicated by the advent of Generative AI, as AI created outputs are often based on patterns it has learned from other copyrighted works. Artists claimed that the images created by AI were derivative works of their copyrighted artworks that were used in the training process of the models in *Andersen v. Stability AI Ltd.* (2023)²⁵. The case underscores the ongoing legal challenges and uncertainties regarding the boundaries of inspiration, transformative works, and copyright infringement in AI-generated content.

Responsibility of AI developers and users

The current ownership of generative AI products, in terms of copyright infringement is not apparent at this time. The current copyright laws largely consider copyright infringement by humans and have little information on autonomous AI systems. A new Artificial Intelligence Act (Regulation (EU) 2024/1689)²⁶ was recently adopted by the European Union which places obligations on the providers of General Purpose AI models, such as transparency and risk management. While the Act does not directly define the copyright responsibilities, it does set out a key regulatory structure that will impact on future liability, between the developers, AI providers and users, for AI systems.

Transparency and Explainability

The principles of transparency and explain ability have become key players in the governance and copyright aspects of AI. The AI Act of the European Union calls for the providers of general-purpose AI to keep technical documentation and information on the training data and capabilities of their systems. This transparency helps copyright owners to ascertain if their copyrighted content has been used in the training of the AI and aids in the prevention of copyright infringement. There is also an increased level of explain ability, which aids in holding both parties to copyright works and copyright owners accountable for copyright infringement in cases involving generative AI systems.

Comparative Legal Analysis

International Legal Framework

The most important international treaties concerning protection of IP are the Berne Convention for the Protection of Literary and Artistic Works (1886), the WIPO Copyright Treaty (1996)

²⁵ *Andersen v. Stability AI Ltd.*, No. 3:23-cv-00201 (N.D. Cal. 2023).

²⁶ Directive (EU) 2024/1689 on Copyright and Related Rights in the Digital Single Market.

and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) (1994). Although they lay down minimum standards for copyright protection, these instruments were created prior to the advent of generative AI, and do not explicitly deal with works created by AI.

The Berne Convention is designed on the principle of national treatment between the member states, as well as on the principle of exclusive economic and moral rights of the author. Moreover, the TRIPS Agreement does not take anything away from the Berne Convention and adds to the enforcement provisions of the WTO. The WIPO Copyright Treaty also updated the copyright law to deal with the digital technologies, such as digital communication and technological protection measures. None of these international instruments, however, defines AI authorship, regulates training data for AI or clarifies who the owner of AI generated content will be, which will be left to the domestic legal system. At present, international copyright law just doesn't have much detail with regard to generative AI.

United States

One of the most advanced legal strategies to rights and generative AI is that has been taken by the United States via judicial rulings and administrative guidance. The Copyright Act of 1976 still demands the originality and human authorship as the two necessary elements for copyright protection.

Some time ago, the United States Copyright Office has issued a new ruling that works produced entirely by AI are not eligible for copyright, unless they incorporate "substantial and creative contribution from a human. That was restated in *Thaler v Perlmutter* (2023) where it was held that copyright can only be attached to works of human authorship. Likewise, in *Zarya of the Dawn*, the Copyright Office rules in favor of copyright protection of human authored text, but not AI created images.

There is also a significant litigation on the training datasets for AI in the United States. The cases include copyright infringement, fair use, unlawful use of copyrighted material, and derivative works arising from the use of AI tools with copyrighted content like in the case of *The New York Times Co. v. Microsoft Corp. & OpenAI, Inc.*, *Getty Images (US), Inc. v. Stability AI, Inc.*, and *Andersen v. Stability AI Ltd*. The proceedings are likely to have a strong impact on the future of the copyright law for AI.

European Union

The European Union has taken a more holistic regulatory stance, by merging copyright and AI-

specific regulation. The Directive on Copyright in the Digital Single Market (Directive (EU) 2019/790) provides for copyright protection and the obligations of AI providers are laid down by the Artificial Intelligence Act (Regulation (EU) 2024/1689).

One element of the European solution is that the exceptions for Text and Data Mining (TDM) outlined in Article 3 and 4 of the Copyright Directive are in place. The copyright provisions allow for the use of copyrighted material for data mining subject to particular conditions and ensure rights-holders have reserved rights in certain situations. Moreover, transparency requirements have been added to the AI Act for AI providers of general purpose AI models, such as documentation about the training data and compliance with copyright law. This package aims to be a “whole package” approach, and has become one of the most influential regulatory models in the world.

United Kingdom

The U.K., on the other hand, has a specially drafted system, and explicitly grants copyright protection to computer-generated works under the Copyright Designs and Patents Act 1988. If the work is computer-generated and there is no human author, then the author shall be the person who makes the necessary arrangements for the creation of the work, pursuant to the provisions of section 9(3). The policy dates back to a time prior to the advent of modern generative AI, but is applicable to current discussions about the use of AI-generated content. Even with this enforcement, however, the Act does not cover autonomous AI systems or make any indication on how much human participation is needed in order for it to be considered a copyrighted work. The United Kingdom Intellectual Property Office (UK IPO) recently announced consultations on AI and IP, a move that continues in a quest to assess if current IP law is still fit for purpose in an era of swiftly advancing AI technologies.

India

In India, there is no specific legislation that explicitly addresses the copyright laws in the context of generative AI; the Copyright Act, 1957 is the main law covering copyright. For computer-generated works, Section 2(d) recognizes authorship by stating that the person who caused the work to be created is the author, but this section was drafted before the rise of today's generative AI tools, and is not a specific informative with respect to authorship of autonomous computer-generated works.

The Indian courts have developed copyright concepts on the basis of the precedents set.

Supreme Court, in *Eastern Book Company v. D.B. Modak* (2008)²⁷ laid down the ground rule that the degree of creativity to establish originality is not very high and *Amar Nath Sehgal v. Union of India* (2005) reiterated the importance of moral rights under Section 57 of the Copyright Act. While these decisions offer valuable doctrinal direction, they don't directly consider issues related to generative AI.

India has yet to have any specific policy in place to address copyright concerns over AI. But the launch of the National Strategy for Artificial Intelligence and continued talks on responsible governance of AI highlight a need for a new set of laws. In the future, other reforms will likely be brought in, focusing on the problem of AI-generated works, training databases, transparency, and liability, that will ensure there is a balance between innovation and protection of creators' rights.

Study of Landmark Cases in the History of Indian Law

Human Authorship Cases

The issue of human authorship, particularly in connection with the issue of copyright protection for AI-generated works, has become the main topic of judicial discussion regarding copyright protection for AI-generated works. The courts and copyright authorities have reiterated their interpretation of copyright law to mean that a machine independently created expression is not protected by copyright law.

In *Thaler v. Perlmutter* (2023), a lawsuit filed by the creators of a system using artificial intelligence to create an image, the United States District Court denied registration of an image that was completely created by an artificial intelligence system. The Court assumed the Copyright Act of 1976 assumes that the work is authored by a person; and works without meaningful human creative involvement do not have copyright protection. The ruling once again affirmed the principle of copyright law that it is meant to protect the works of human creativity and not the ability of autonomous machines. The decision did not cover works "created with substantial human involvement" created with the help of AI, but established a precedent for "completely AI-generated content" being copyrightable in tricky copyright ability cases.

Zarya of the Dawn (2023)²⁸ was another film that used a similar strategy, in the U.S. Copyright Office. The copyright of the literary text and original of the graphic novel (the creative selection and arrangement of the images) has been registered, but the copyright of the images created

²⁷ *Eastern Book Company v. D.B. Modak*, (2008) 1 SCC 1.

²⁸ U.S. Copyright Office, *Re: Zarya of the Dawn* (Registration No. VAu001480196) (Feb. 21, 2023).

using Midjourney has been denied. While the Office believes AI could be a tool to create something new and original, it's only the parts of the work that reflect human authorship that would be protected. The ruling marks a fine balance as it separates between creative works with AI assistance and works created entirely by AI.

In sum, the rulings have helped to define the contours of what will continue to be essential to copyright protection in an increasingly powerful generative AI era: the capacity to make meaningful human creative contributions.

Training Data Cases

A debate that is coming to the fore is whether copyrighted works can be used for training generative AI. There are multiple cases currently under way that will determine whether it is legal for AI developers to use copyrighted content without permission when developing their model.

Getty Images (US), Inc. filed a lawsuit against Stability AI, Inc. over allegedly taking millions of its copyrighted photos to train its Stable Diffusion. Plaintiff's claims: Reproduction of protected images during training of the AI infringes upon its exclusive copyright rights; and the training of the model is a technological process. The case is ongoing, but it will likely help to clarify the issue of whether or not the use of AI for training itself is a form of Copyright infringement.

The New York Times Co. v. Microsoft Corp. & OpenAI, Inc., is a noteworthy case that challenges the alleged use of copyright articles for newspapers to train the large language models. The plaintiffs say the AI-generated answers are stealing large swaths of the protected journalistic work, and they have entered the fray in competition to the original. This is a big problem to think about, and some of the rights at stake here are the right to reproduction, the rights of licensing and using generative AI under the fair use doctrine.

Authors contend that copyrighted books were used in AI training without permission, infringing upon their rights of reproduction and distribution, as spouses do in Authors Guild v. OpenAI. The authors' claims are that the use of books in AI training constituted an infringement of their exclusive rights of reproduction and distribution, similar to what the spouses allege in Authors Guild v. OpenAI. It also considers whether or not there should be licensing conventions for commercial training of AI.

The same applies to the case of Andersen v. Stability AI Ltd., where artists claim that they are being infringed upon by AI image-generating systems that were trained using their copyrighted images without their consent. The plaintiffs also assert that AI output is a derivative work and

can be a violation of original artistic works, as it is created from the original work. The plaintiffs also claim the AI-generated work is a derivative work and thus can be infringed upon based on the use of the original work.

All these cases illustrate that legality of training datasets for AI is one of the biggest outstanding legal questions of today. The end results they deliver will have a significant impact on the future of licensing, data management and AI creation globally.

Originality Cases

Although not always decisions on originality for AI, the judgments of cases are still a foundation for the evaluation of AI-generated works.

As to the case *Eastern Book Company v D.* In the year 2008, B Modak before the Supreme Court of India discarded the 'sweat of the brow' test and adopted the 'minimum level of creativity' test. The Court ruled that the copyright protection could not be afforded to a piece of work which is merely a reflection of labour or investment, but not intellectual skill and judgment. This principle has come to the fore in assessing the originality requirement in the context of works created with the aid of AI.

Likewise, in the case of *R.G. Anand v. Deluxe Films (1978)*, Supreme Court has elucidated the difference between idea and expression and laid down the rule of substantial similarity when determining the infringement of copyright. The Court found and ruled that copyright should be assigned to the expression of ideas, and not to the ideas. With the increased number of cases involving AI-generated output, courts will now need to determine whether similarities can be attributed to protected expression or unprotected ideas and styles acquired as a part of training an AI.

While these cases date back before the advent of generative AI, the principles of originality and infringement on which they were grounded are still relevant in current discussions on the topic.

Comparative Judicial Trends

Over the last few years, courts have recognized new principles of copyright protection in this age of generative AI, using some of the newly added adjectives to the copyright doctrine.

Firstly, courts are insistent on the creative nature of works on which the concept of copyright is grounded. First, courts are inflexible concerning the creative nature of works that the concept of copyright is grounded upon. In both cases, the judge has been more interested in maintaining the human authorship as the common feature of copyrightable works, namely *Thaler v.*

Perlmutter and Zarya of the Dawn.

Secondly, there is a growing emphasis on the legal aspects of training AI processes, instead of the legal aspects of AI outputs. The litigation against The New York Times, Authors Guild and Andersen, along with the controversy regarding Getty's copyrights in its images for use in the creation of AI training set, demonstrate growing concern over the unauthorized use of copyrighted material in AI training set. From the clashes it looks like copyright issues with the products of AI systems will not be the only ones to be fought, and that the data that powers the models and the way they are created will be at the heart of those battles.

Thirdly, there is a lot of variation among jurisdictions. The major way to address copyright infringement through AI in the U.S. has been through judicial interpretation and administrative guidance, whereas the E.U. has followed a legislative path with the AI Act and the Copyright Directive. India has not seen any case before the courts on copyright related issues concerning artificial intelligence, so the existing case law on originality and infringement will apply to future cases.

Last, the developments in the judiciary suggest that the traditional copyright principles still hold, but must be adapted to fit with the new technology. Courts are increasingly striving for a balance between the protection of authors' rights and technological innovation, and are finding that current laws are not geared towards regulating autonomous creative systems.

This is because current precedent (as explained by the courts) indicates that there will be additional cases to be litigated in the future that will further delineate copyright protections without any sweeping changes to the statute. The definition of authorship, originality, ownership, infringement and liability will be a major theme of courts in various jurisdictions as AI systems get more sophisticated and valuable.

Critical Analysis

Do current copyright laws meet the needs of AI

The current copyright laws were created with the premise that creative works are a product of humans' intellectual work. These laws are effective as they apply to traditional mechanisms of authorship, but are inadequate in dealing with autonomous creation of content by AI. There are currently limited provisions in the law that address issues of authorship, ownership, originality, training datasets and liability for AI systems, and courts are left to interpret the framework of conventional copyright law, which were not created for generative AI. This means that the existing legal frameworks need to be greatly modernized and left alone to judicial interpretation.

Innovation versus Creators' Rights.10.2 Innovation vs Creators' Rights

The introduction of generative AI has ushered in a policy question about how to balance technological advancements with the protection of creators' interests. While AI developers believe access to massive datasets is key to innovation and economic growth, copyright owners want more control of the use of their protected works. AI developers say that having access to big data is a critical factor for innovation and economic development, while copyright owners want more control of the use of their protected works. Absolute exclusivity is unfeasible and unrestricted access is not a viable solution. Responsible development of AI tools must be encouraged and a copyright framework must provide proper recognition and remuneration to the creators.

Regulatory Fragmentation

A key issue is that there is no uniformity between jurisdictions. In the United States, interpretations of existing legislation and administrative guidance have been the primary means of addressing the use of AI, whereas in the European Union, the approach has been more thorough with legislation such as the AI Act and the Copyright in the Digital Single Market Directive. The United Kingdom, and India, still rely heavily on the existing copyright law. The current patchwork patch of regulations gives rise to legal uncertainty for both AI developers and copyright holders, as well as for companies doing business transnationally.

Practical Enforcement Challenges

Implementing copyright in the context of generative AI is very challenging. It is challenging to prove infringement and/or unauthorized use as copyright owners often do not have information on the datasets that have been used to train AI models. Moreover, establishing substantial similarity between the output of AI systems and existing works of copyright is becoming more complicated due to the fact that AI systems produce content based on probabilistic learning rather than copying content. The enforcement issues are testament to the need for improved transparency and compliance procedures.

Ethical Dimensions

The rise of Generative AI leaves one with more than legal concerns about copyright. Issues of fairness, responsibility and accountability arise from the non-approved use of creative works for training AI, their mimicking, unauthored use and the opacity of algorithms. AI systems need to be designed to respect intellectual property rights and other societal values, such as

transparency, trust, and accountability, in ethical governance.

Balancing Public v. private rights.

The aim of copyright legislation from its inception has been to strike a balance between the rights of those who have developed ideas, inventions, artistic works, and other creative products and the interest of the public. Copyright promotes creativity by providing exclusive rights, but it also helps to promote access to knowledge by limiting and excepting rights. A similar balancing act is needed for generative AI. New laws and statutes are needed, which will provide authors with the necessary protection from commercial uses of their work without unnecessarily limiting technological innovation, research, learning and public access to information.

The above analysis shows that current copyright laws and regulations are inadequate to deal with the particular legal and technical issues posed by generative AI. It is essential therefore for the time being, to have a balanced and sustainable copyright regime, which requires comprehensive legislative reform, and international cooperation.

Recommendations

Legislative Reforms

There should be copyright specific rules for AI, which clarify what works created by AI constitute, who is the author or copyright owner, and what constitutes copyrightable work. There would be far fewer legal uncertainties if there were a statutory framework for licensing training datasets for AI and liability rules were established.

Judicial Interpretation

There should be an uniform approach adopted by courts to determine meaningful input from human creativity, originality in AI generated products and substantial similarity. The interpretation of the laws by the judges must be technology neutral, but retain the underlying principles and protections of copyright.

Governments should have record-keeping requirements for AI developers, transparency requirements and procedures to enable copyright owners to know if they have created AI that is using their copyrighted work without their consent. Administrative bodies also should promote voluntary licensing systems and dispute resolution processes in cases of copyright disputes related to AI.

International Harmonization

International organizations, especially WIPO, should help build a harmonized system for principles of AI authorship, principles of training datasets for AI, transparency requirements, and principles of cross-border copyright enforcement. International cooperation would help to minimise regulatory fragmentation and legal uncertainty for creators, developers and users.

AI Copyright Policy Recommendations and Proposals

The authors suggest that the current copyright law should be strengthened with four pillars to tackle the new copyright issues created by the emergence of generative AI. The framework does not introduce new copyright principles, but is meant to update the copyright principles without changing their ultimate aim.

Figure 1 – Suggested 4 Pillar framework

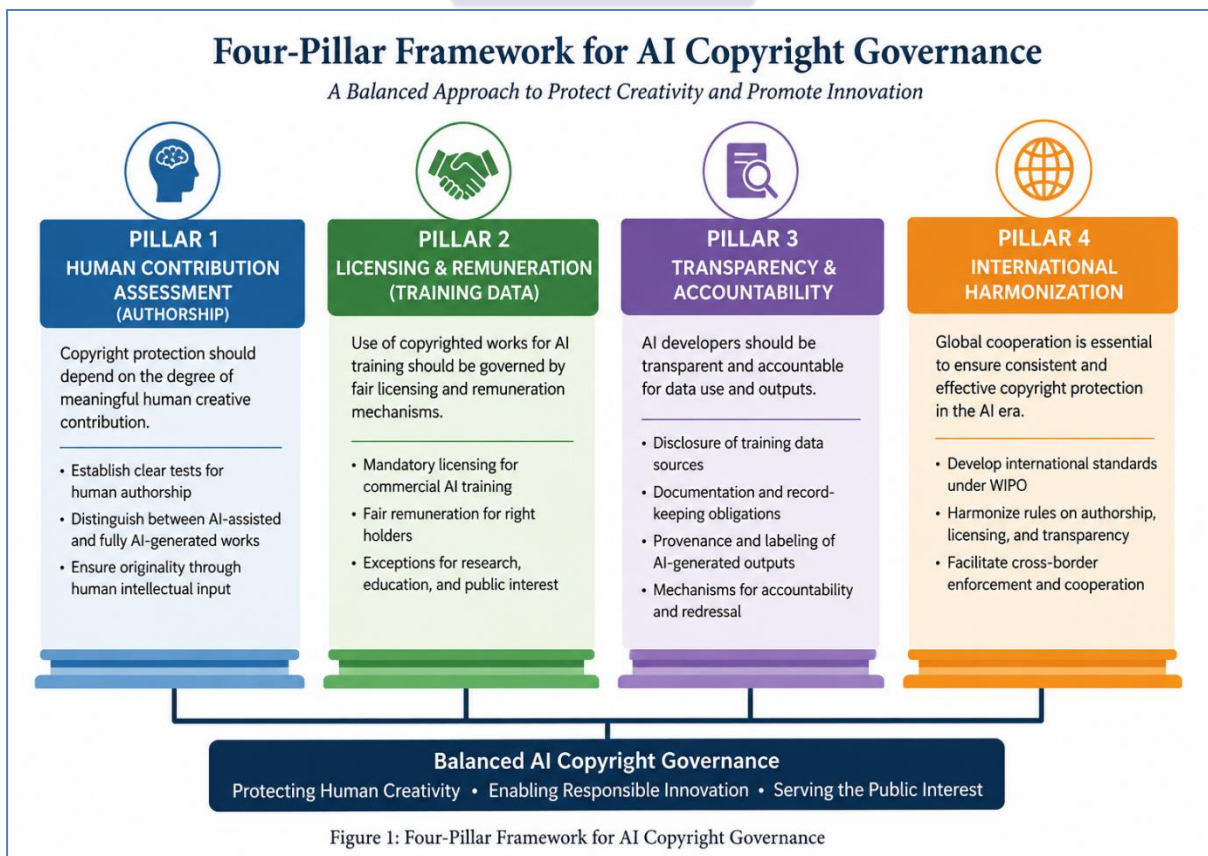


Figure 1: Four-Pillar Framework for AI Copyright Governance

Part 1 of the assessment – Human contribution.

The amount of meaningful human creative involvement should be the basis for granting copyright protection. While AI-generated works that involve significant intellectual effort on the part of humans should be protected by copyright, fully autonomous AI-generated works should be treated differently.

Pillar II – Licensing and Remuneration Framework (LARF)

There should be clear licensing procedures to ensure the use of copyrighted content for training artificial intelligence. The fair remuneration of the rights holder is to be ensured when his/her works are commercially used in the process of training AI models, with reasonable exceptions for research and public interest uses.

Pillar III – Transparency and Accountability.

AI developers should share information about the sources of its training datasets, keep technical documentation and provide information on the provenance of its outputs. Improved transparency would help strengthen the trust of public systems in AI and enforce copyright laws.

Pillar IV – International Harmonization.

The development of common standards for the authorship, ownership, licensing, transparency and enforcement of AI works at international level, led by WIPO, should be conducive to the updating of international copyright treaties. The updating of international copyright treaties should be facilitated by the development of common standards for the authorship, ownership, licensing, transparency and enforcement of works of AI, led by WIPO. International harmonisation would help to minimise legal risks and stimulate responsible innovation.

Conclusion

Gaining traction since its inception, the use of generative AI has posed a significant threat to the traditional notion of authorship, originality, ownership, infringement, and liability in copyright law. Creativity by humans was well protected by current copyright laws, but they were not created to address autonomous or AI-generated creation. There is also considerable variation from jurisdiction to jurisdiction, as illustrated by comparative analysis, from the vague interpretation of the law through the courts to broad reform of the law in the legislature.

The study reveals that the legal doctrines are not sufficient to enable sustainable copyright governance. Going forward, reform should offer more clarity on the human authorship and ownership of AI-generated content, licensing requirements for training datasets, the transparency requirements, and liability allocation. Meanwhile, copyright legislation must be further developed to foster innovation while maintaining incentives for human creativity.

Therefore, the present study suggests a four pillars AI Copyright Governance Framework which consists of human contribution assessment, licensing and remuneration, transparency and accountability, and international harmonization. With its capabilities, copyright law can be developed to meet technological change and at the same time preserve the core of protecting creativity in an age of technology. A balanced approach could be a viable approach to the creation of an adaptive, fair and worldwide copyright regime in the age of Generative AI.

References

A. Journal Articles

- Abbott, R. & Elizabeth Rothman, *Disrupting Creativity: Copyright Law in the Age of Generative Artificial Intelligence*, 75 FLA. L. REV. 1141 (2023).
- Barqawi, L. & Mohammed Abdallah, *Copyright and Generative AI*, 8 J. INFRASTRUCTURE POL'Y & DEV. 6253 (2024).
- Fenwick, M. & Paulius Jurcys, *Originality and the Future of Copyright in an Age of Generative AI*, 51 COMPUT. L. & SEC. REV. 105892 (2023).
- Fontana, A. G., *Intellectual Property Protection in the Era of Artificial Intelligence and the Problem of Generative Platforms*, 28 J. WORLD INTELL. PROP. 783 (2025).
- Hutson, J., *The Evolving Role of Copyright Law in the Age of AI-Generated Works*, 2 J. DIGITAL TECH. & L. 886 (2024).
- Kalyvaki, M., K. Nash & H. McIntosh, *AI, Copyright, and Business: Navigating Global Legal Challenges in the Era of Generative Content and Digital Replicas*, INT'L REV. L., COMPUTERS & TECH. (2025).
- Lucchi, Nicola, *ChatGPT: A Case Study on Copyright Challenges for Generative Artificial Intelligence Systems*, 15 EUR. J. RISK REGUL. 602 (2024).
- Sag, M., *Copyright Safety for Generative AI*, 61 HOUS. L. REV. (2023).
- Thongmeensuk, S., *Rethinking Copyright Exceptions in the Era of Generative AI: Balancing Innovation and Intellectual Property Protection*, 27 J. WORLD INTELL. PROP. 278 (2024).
- Wu, S., *Research on the Liability for Copyright Infringement of Generative Artificial Intelligence*, 1 L. & HUMANITIES 42 (2025).
- Zain, A., A. N. Y. A. Kareem, O. Kazar & S. Ezzerouali, *The Legislative Gap for Copyright in the Era of Generative AI: Where Do We Stand in Achieving Sustainable Development Goals?*, 5 J. LIFESTYLE & SDGs REV. e06057 (2025).

B. Conference Paper

- Novaes, R. V. & F. F. Ferraz, *Protection of Copyrights in the Era of Generative Artificial Intelligence*, in *EPIA Conference on Artificial Intelligence* 332 (Springer Nature Switzerland 2024).

C. Book Chapter

- THOKER, Z. A., L. MARWAHA & S. JAN, COPYRIGHT, PRIVACY, AND ETHICAL ISSUES OF GENERATIVE AI, *IN THE RISE OF EXPLAINABLE AND GENERATIVE AI-DRIVEN CYBER AND INFORMATION SECURITY* 81 (IGI Global Scientific Publishing 2026).

D. Books

- BENTLY, LIONEL, BRAD SHERMAN, DEV GANGJEE & PHILLIP JOHNSON, *INTELLECTUAL PROPERTY LAW* (Oxford University Press, 6th ed. 2022).
- CORNISH, WILLIAM, DAVID LLEWELYN & TANYA APLIN, *INTELLECTUAL PROPERTY: PATENTS, COPYRIGHT, TRADE MARKS AND ALLIED RIGHTS* (Sweet & Maxwell, 9th ed. 2019).
- NARAYANAN, P., *COPYRIGHT AND INDUSTRIAL DESIGNS* (Eastern Law House, 4th ed. 2017).
- STERLING, J. A. L., *WORLD COPYRIGHT LAW* (Sweet & Maxwell, 5th ed. 2008).
- WIPO, *UNDERSTANDING COPYRIGHT AND RELATED RIGHTS* (World Intellectual Property Organization 2020).

E. Statutes and Regulations

- Artificial Intelligence Act, Regulation (EU) 2024/1689.
- Copyright Act, 1957, No. 14, Acts of Parliament, 1957 (India).
- Copyright Act of 1976, 17 U.S.C. §§ 101–122 (United States).
- Copyright, Designs and Patents Act 1988, c. 48 (United Kingdom).
- Directive (EU) 2019/790 on Copyright and Related Rights in the Digital Single Market.

F. International Treaties

- Agreement on Trade-Related Aspects of Intellectual Property Rights, Apr. 15, 1994.
- Berne Convention for the Protection of Literary and Artistic Works, Sept. 9, 1886.
- WIPO Copyright Treaty, Dec. 20, 1996.

G. Cases

- Amar Nath Sehgal v. Union of India, 117 (2005) DLT 717.
- Andersen v. Stability AI Ltd., No. 3:23-cv-00201 (N.D. Cal. 2023).
- Authors Guild v. OpenAI, Inc., No. 1:23-cv-08292 (S.D.N.Y. 2023).
- Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1.
- Feist Publications, Inc. v. Rural Telephone Service Co., 499 U.S. 340 (1991).
- Getty Images (US), Inc. v. Stability AI, Inc., No. 1:23-cv-00135 (D. Del. 2023).
- R.G. Anand v. Deluxe Films, (1978) 4 SCC 118.
- Thaler v. Perlmutter, 687 F. Supp. 3d 140 (D.D.C. 2023).
- The New York Times Co. v. Microsoft Corp. & OpenAI, Inc., No. 1:23-cv-11195 (S.D.N.Y. 2023).

H. Government Reports and Official Publications

- NITI Aayog, National Strategy for Artificial Intelligence (2018).
- U.S. Copyright Office, Copyright and Artificial Intelligence: Part 1 – Digital Replicas (2024).
- U.S. Copyright Office, Copyright and Artificial Intelligence: Part 2 – Copyrightability (2025).
- U.S. Copyright Office, Zarya of the Dawn Registration Guidance (2023).
- World Intellectual Property Organization, Generative Artificial Intelligence and Copyright (2024).