
PERSONALITY RIGHTS IN INDIA: A DOCTRINE RESERVED FOR THE FAMOUS

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ABSTRACT

Personality rights, which include the right to control one's name, image, likeness, voice, and other personal characteristics, are theoretically founded upon the universal values of privacy, dignity, and autonomy. Nevertheless, in the Indian context, the actual enforcement of personality rights is characterised by a remarkable strangeness: personality rights litigation is virtually monopolised by celebrities. Although there is no codified statutory regime to regulate personality or publicity rights, the Indian judiciary has consistently granted broad injunctive relief to celebrities, whereas similar claims by non-celebrities are practically non-existent. This paper integrates a close examination of constitutional jurisprudence, intellectual property, and landmark judicial decisions with a socio-economic and digital media analysis. It scrutinises leading cases such as *R. Rajagopal v. State of Tamil Nadu*, *D.M. Entertainment v. Baby Gift House*, *Titan Industries v. Ramkumar Jewellers*, and recent celebrity cases involving Amitabh Bachchan, Anil Kapoor, Jackie Shroff, and Aishwarya Rai Bachchan. These cases demonstrate a clear judicial trend of conflating celebrity identity with commercial property, thus giving precedence to market value. This paper contends that the jurisprudence of personality rights in Indian law has become a structurally celebrity-centric system because of three interrelated reasons: the commercialisation of personas in endorsement-based markets, judicial standards that give greater weight to recognizability and "drawing power," and the enforcement disparities that flow from unequal access to legal resources and platform responsiveness. Furthermore, the advent of digital technologies, artificial intelligence, and deepfakes has further exacerbated judicial anxieties, which in turn has solidified the protection of famous personas. This paper seeks to explore this phenomenon and pose a primary research question: why is personality rights litigation in India dominated by celebrities?

INTRODUCTION

In recent years, the Indian courts have seen a marked increase in the number of cases filed based on personality rights, especially between 2022 and 2025. The most interesting aspect of this phenomenon is that these cases are almost always filed by celebrities, including film stars, sports personalities, musicians, and other public figures. Cases filed by Amitabh Bachchan, Anil Kapoor, Jackie Shroff, Salman Khan, Aishwarya Rai Bachchan, and Sunil Gavaskar are only a few examples of a larger judicial phenomenon where courts have granted immediate and broad injunctive relief to celebrities to safeguard their names, images, voices, likenesses, and even their quirks. This phenomenon has been accompanied by the rapid development of digital platforms, artificial intelligence, and social media environments that facilitate the reproduction and distribution of personal identity on an unprecedented scale. The growing abuse of celebrity identities via deepfakes, unauthorised merchandise, deceptive advertising, and social media posts has raised the stakes for celebrities. Deepfakes, in particular, have become a disruptive technology, allowing the creation of realistic but fake videos and audio content that walk the thin line between authenticity and deception. The courts have reacted to these developments with a sense of urgency, often casting personality rights enforcement as a measure to avoid irreparable harm in the digital age. However, this rapidly developing case law exists in the context of a large legal void. There is no codified law in India that recognises or regulates personality or publicity rights. Instead, courts have had to fall back on a constitutionally based framework of common law concepts like passing off, intellectual property laws, and the Information Technology Act of 2000. The lack of legislative guidance has led to a judicial development of personality rights, which has largely been driven by celebrity litigation. In light of this, the paper aims to answer two major research questions. Firstly, why has the Indian personality rights regime developed into a celebrity-focused jurisprudence, despite its constitutional foundation in privacy and dignity? Secondly, is this development in line with the constitutional views of equality under Article 14 and privacy under Article 21, or is it an unequal distribution of legal safeguards in terms of fame, marketability, and access to resources? This research is limited to the Indian legal system. Although some comparative references may be made to other legal systems for the purposes of context, no detailed comparative examination is conducted. The attention of this research remains fixed on the Indian constitutional principles and judicial trends. Moreover, this research is focused on reported judicial decisions and developments in the area of personality rights, and not on experimental research or quantitative information. Thus, this research

examines how the courts have defined and enforced personality rights, but not the extent to which identity theft has occurred in various social circles. Notwithstanding the above, the scope of this research is adequate to critically examine whether the present course of personality rights jurisprudence in India is consistent with its constitutional foundations.

CONCEPTUAL FRAMEWORK: PERSONALITY RIGHTS IN THEORY

Personality rights are defined as the personality and identity of another individual that may be identifiable by their name, photo, likeness, voice, signature, gestures, distinguishing characteristics (style of dress), and overall persona.¹ In the current legal environment, personality rights tend to be defined as the ability of an individual to control the commercial and unauthorised use of aspects of that individual's identity. While Indian law does not have a clear definition of a “right of publicity” or its enablement in its Constitution, Indian courts are noting that the legal protection of one's identity when commercially valuable is deserving of protection under the Constitution and doctrine of intellectual property.²

In India, the evolution of judicial articulation of the protection of ‘personality rights’ has been the result of the intersection of principles of passing off and jurisprudential privacy. For example, in *D.M. Entertainment Pvt. Ltd. v. Baby Gift House (2010)*³, the High Court agreed that a celebrity has a right to commercially exploit their persona, and it can be protected in law. Similarly, in *Titan Industries Ltd. v. Ramkumar Jewellers (2011)*⁴, the court stated that an unauthorised use of a celebrity's likeness for the purpose of commercial gain is infringement, even if the use does not create any confusion to consumers. These decisions reflect a gradual shift from viewing identity purely as a matter of dignity to treating it as a quasi-proprietary interest capable of commercial valuation.

Despite their similarities, personality rights differ from other legal rights. Privacy, as confirmed by the Supreme Court in *R. Rajagopal vs State of Tamil Nadu (1994)*⁵ and again enshrined under Article 21 of the Constitution as confirmed in *K.S. Puttaswamy vs Union of India (2017)*⁶, protects a person's autonomy and right to control their own information via the right to privacy; these rights are considered universal and therefore apply equally to all individuals. On the other hand, personality rights are often claimed by public figures who can demonstrate that other people have gained economic benefits from their identity. Indian courts have held that the right of publicity is an extension of the right of privacy and will only be enforced where there is evidence of the ability to generate income or “drawing power.” In *ICC Development*

*(International) Ltd. v. Arvee Enterprises*⁷, the Delhi High Court ruled that the right of publicity belongs to that individual but only if the individual can demonstrate that there is evidence of being a public figure or having received financial gain from a public figure's identity. Therefore, the dividing line between the right to privacy and the right to publicity is the economic benefit that can be derived from an individual's likeness or identity. An individual will claim the right to privacy if they have been published about without their permission, whereas a famous person would claim the right to publicity if their likeness or identity has been used for profit, without their permission. A private resident will seek to protect themselves from unwanted publicity, and a famous individual will seek control over the economic use of their identity. This distinction explains why personality rights jurisprudence has become predominantly celebrity-driven: commercial misuse, rather than mere intrusion, triggers judicial intervention.

EVOLUTION OF PERSONALITY RIGHTS IN INDIA: HISTORICAL DEVELOPMENT

For many years, Indian courts have recognised that people have an interest in privacy and identity, well before the term “personality rights” was created. In *R. Rajagopal v. State of Tamil Nadu (the “Auto Shankar” case, 1994)*, the Supreme Court held that publishing the life story of a private individual without their consent infringed an individual's fundamental right to privacy (Article 21). This ‘right to be let alone’ became the basis of subsequent protection of identity. In the 1990s, the Delhi High Court made an explicit link between publicity rights and privacy when it stated in *ICC Development (International) Ltd. v. Arvee Enterprises (2003)* that the right to publicity flows from the right to privacy and resides with individuals, rather than with event organisers.

As of the 2000s, there were several cases addressing the unauthorised commercial use of a celebrity's identity. One such case was *D.M. Entertainment Pvt. Ltd. v. Baby Gift House (2011)*, in which the singer Daler Mehndi had his photograph and likeness used on dolls and related products without his consent. The court found that a singer has a statutory “right of publicity” and issued an injunction against the defendants prohibiting them from selling the dolls, stating further that a celebrity has the right to prevent a third party from making misleading commercial use of his or her persona. The celebrity singer's right of publicity was again recognised in *Titan Industries Ltd. v. Ramkumar Jewellers (2012)*, in which Amitabh and Jaya Bachchan, who were using their own profits as brand endorsers, sued the defendants

for using their likeness in advertising without a license. In considering both the Titan and Mehndi cases collectively, the Delhi High Court outlined two fundamental elements which must exist for there to be liability in a celebrity case based on the unauthorized use of the celebrity's identity: **(1) Validity** – There must be a valid right whose ownership by the plaintiff is recognizable and enforceable against third parties; and **(2) Identifiability** – The celebrity must be identifiable by the public in the unauthorized use of the celebrity's identity. The Delhi High Court also stated that once the celebrity is identifiable, there is no requirement to prove deceptive conduct by the defendant in order for there to be an infringement of the right of publicity. Though at the time, the early Delhi High Court rulings existed only in the context of existing common law and tort doctrines (passing off, trademark infringement, etc.) and not as specific legislation, they established a right of quasi-property in fame.

Another milestone was *Shivaji Rao Gaekwad v. Varsha Productions (2015)*⁸, involving superstar Rajinikanth. He enjoined a film that used his name, image, and “style of delivering dialogues” without permission. The court affirmed that Rajinikanth's persona had “acquired a unique commercial identity” and any unauthorised use (especially in a promotional film poster) would violate his personality rights. It held that unauthorised use of his image/style constituted infringement of his personality right (and copyright), and caused public confusion amounting to passing off. Thus, by the mid-2010s, Indian courts acknowledged that a famous individual could control commercial uses of his identity and be protected against products or media falsely claiming association.⁹

CURRENT LEGAL FRAMEWORK GOVERNING PERSONALITY RIGHTS IN INDIA

India does not have a specific “right of publicity” statute like other countries; instead, the protections available come from a combination of constitutional, common law, and intellectual property (IP) law. One key source of authority is through recognition by the Supreme Court of India that every person has a right to privacy under Article 21 of the Constitution of India (*K.S. Puttaswamy v. UOI*; 2017). The Constitution protects the privacy and dignity of identity, which implies some control over one's image or likeness. The courts have also turned to copyright and tort (like breach of confidence) to find legal justifications when they should be available but are not due to gaps in rights.

According to the Copyright Act of 1957, there are limited rights available to performers, specifically as they relate to Performer's Rights (Part III) and Moral Rights (Section 57). For example, an individual has a right to the integrity of their performance, meaning that it cannot be distorted. However, these two laws do not provide general publicity rights in relation to an individual's name or likeness. Instead, individuals usually rely on Trademark and Passing Off to protect their name or likeness from being used by someone else inappropriately. For example, Jaikishan "Jackie" Shroff was able to stop the use of merchandise using his nickname, "Bhidu," through his trademark registrations.¹⁰ Courts view the use of a celebrity's name or image as creating false endorsements through Passing Off when a defendant improperly uses the celebrity's name or image for financial gain.

The Information Technology Act of 2000 has been partially used in this digital age. Some well-known legal experts in the field have explained that parts of the Act addressing identity theft (Section 66C) and impersonation (Section 66D), while privacy violation (Section 66E) laws can potentially apply as well to deepfakes and abusive use of artificial intelligence technology¹¹. The Intermediary Guidelines (2021) require all intermediaries to quickly remove any images that are either "misleading" or of an intimate nature without consent. The High Court of Delhi has directed that intermediaries shall treat removal requests under these Guidelines as complaints pursuant to those laws, including advising all intermediaries to block URLs and provide subscriber information to the High Court in the case of a celebrity such as Aishwarya Bachchan.¹² Therefore, while there are no distinct statutory personality rights protections, a variety of existing laws provide a framework for some form of protection under the Constitution, the right to prevent passing off, trademark law, and other IT regulations that partially fill certain gaps.

CELEBRITY-DRIVEN JURISPRUDENCE: ANALYSIS OF RECENT CASES

A. Rise of High-Profile Personality Rights Litigation

From 2022 to 2025, the area of Personality Rights Law has experienced tremendous growth due to an increased volume of high-profile lawsuits filed by Celebrities claiming that their Identity has been used for commercial gain without their permission. This trend toward accelerated litigation appears to have originated from the Delhi High Court, where Cases relating to the unauthorised use of celebrity's Names, sounds, and Digital Images have been adjudicated quickly by the High Court's Commercial Division; a division designed to

adjudicate disputes involving Intellectual Property in an expedited manner. The concentration of litigation in the Delhi High Court is a function of the fact that Delhi serves as a regional centre for the enforcement of intellectual property rights and the regulation of digital intermediaries. Many of the defendants in the disputes that have arisen from the infringement of personality rights are either physically located in Delhi (e.g., online marketplaces and social media platforms) or have offices located within the geographical boundaries of the territory of Delhi. Thus, the Delhi High Court has established itself as the primary drafter of modern Indian jurisprudence regarding personality rights through the issuance of interim injunctions, John Doe orders, and in-rem directions against currently unknown infringers; and is therefore seen as an important source for the future development of jurisprudence in this area.

B. Recent Celebrity-Driven Cases

In the 2020s, Indian celebrities have increasingly pressed similar claims, especially as digital misuse has grown. Many new cases are characterized by fast interim orders and broad relief.

- **Amitabh Bachchan v. Rajat Negi & Ors. (2022)**¹³- Amitabh Bachchan tried to stop his celebrity status from being taken advantage of by any unauthorised applications or content-related to his likeness. The Court granted an unprecedented in rem ad interim injunction on both the named defendants and “unknown” infringers; it was also the first “blanket” (John Doe) injunction in India protecting personality rights. Justice J.R. Midha stated that Mr Bachchan had a prima facie right to his own voice and likeness and that the reckless exploitation of this right could cause him severe and irreparable damage or harm to his reputation through the use of his likeness.
- **Sunil Gavaskar v. Online Platforms (2023)**¹⁴: This case was against an unauthorised digital use of the likeness of former cricket legend Sunil Gavaskar, including through the use of artificial intelligence (AI) in a way that violates his personality rights, and he pursued a case in the Delhi High Court. In an order addressing this issue, the High Court granted Gavaskar’s request for an injunction against certain social media intermediaries, ordering them to remove infringing content pursuant to the IT Rules. This case shows evidence that other public figures from sports can have their personality rights protected, just as actors do.

- **Anil Kapoor v. Simply Life India & Ors. (2023)¹⁵:** Actor Anil Kapoor objected to multiple websites and AI channels using his image, voice and famous catchphrase “Jhakaas” without license. Justice Hemant Gupta granted relief, restraining unauthorised use of his persona for advertising or merch. This order was one of several by the Delhi HC protecting an actor’s non-visual traits (voice, mannerisms) as personality attributes.
- **Jaikishan “Jackie” Shroff v. The Peppy Store & Ors. (2024)¹⁶:** Jackie Shroff sued dozens of infringers – from e-commerce sellers to AI chatbots – for using his name, photos and registered “Bhidu” trademark. The court (Sanjeev Narula, J.) granted interim protection, noting that Shroff had built significant “goodwill and reputation” in his persona. The judgment explicitly barred multiple online sellers and AI services from exploiting his voice or image without consent.
- **Aishwarya Rai Bachchan v. Various Defendants (2025)¹⁷:** Jackie Shroff sued many infringers (such as e-commerce sellers and AI) for using his name, images and registered "Bhidu" trademark. A court (Sanjeev Narula, J.) granted interim relief to Shroff, finding that there was sufficient "goodwill and reputation" in connection with his "persona." The order was specifically granted to prevent e-commerce sellers and AI from taking advantage of Shroff's voice or image without his consent.
- **Abhishek Bachchan v. Bollywood Tee Shop & Ors. (2025)¹⁸:** On the very next day, a similar case was filed by Abhishek Bachchan against unlicensed sellers, and AI uses of his persona. The court likewise granted injunctive relief (details published later) to protect his voice, image and identity. These “Bachchan family cases” demonstrate how the courts are responding quickly to protect celebrity likenesses against cutting-edge AI threats.

These examples show a clear pattern that almost all personality-rights litigation in India today is driven by **high-profile public figures** asserting that their identity is treated as valuable property and must not be exploited without permission. The remedies granted (usually swift interim injunctions and takedown orders) underscore the courts’ recognition that misuse of a famous person’s persona constitutes a serious injury.

WHY ONLY CELEBRITIES? — CRITICAL ANALYSIS

In India what usually happens is that the phenomenon of celebrities that are predominantly claiming personality rights, surrounding rights to privacy and a control over one's name, image or voice comes from a joining of legal and social symbols that renders these protections as a luxury that is accessible primarily to the famous whereas the ordinary people are sidelined in a ruptured judicial landscape lacking mandated approval. Legally these personality rights are derive from Article 21 of the Constitution (right to life and personal liberty, expanded post-Puttaswamy in 2017 which now also includes informational privacy) also passing off under Trademark Act, 1999 and Copyright Act, 1957 as moral rights, but courts have inconsistently interpreted them as tied to commercial value for example, in case of *Supri Cassettes v. Dreamline* (2024), the relief was denied to singer Sukhwinder Singh as a non-celebrity without "marketable goodwill," set off with *Krishna Kishore Singh v. Sarla Saraogi* (2023), where the Delhi High Court extended rights to all and yet enforcement remains evasive without economic stakes. Actors and actresses like Aishwarya Rai Bachchan, Anil Kapoor, and athletes like Manu Bhaker dominate litigation while also securing injunctions against deepfakes, AI misuse, and morphed ads in 2025 via Delhi and Bombay High Courts, as their brand image generate crores in when it comes to revenue, think of Amitabh Bachchan's voice cloned for call ads or Yuvraj Singh's name trademarked. These showcase some prompting aggressive IP strategies used by none other than but specialized lawyers and swift judicial sympathy due to the reputational harm from public at large visibility. When it comes to non-celebrities, there are no financial incentive, as unauthorized image use, rarely translates to quantifiable loss. These evidentiary hurdles proving "distinctiveness" or "likelihood of confusion", judicial backlog overburdened by insignificant claims, and cultural indifference where capturing someone's privacy are normalized amongst growing social media. Critically, this creates a "persona paradox" like rights that are apparently universal under human dignity but practically arrogance, prioritizing capitalist publicity over essential privacy, which result in complicating inequalities or social imbalance in the digital age where tools like Artificial Intelligence normalizes exploitation yet these remedies still favor the powerful, creating breathless situation for small creators using vague precedents while ignoring the masses vulnerable to revenge pornography or identity theft. A country like India needs a proper system of dedicated laws like the US's right of publicity. Where the law should set clear rules for everyone as equal balance it with free speech under Article 19(1)(a) and must require registration for claims or penalties and handle deepfakes without relying on old IT rules and

regulations. Without this the India's system will only favor the celebrities, showcasing how laws reflect social imbalance where the fame gets protection and the dignity is just for the famous.

ACADEMIC & SOCIAL MEDIA PERSPECTIVES

In India these personality rights which protect your name, face, voice, image, and personal traits from misusing them are commonly claimed by the celebrities, and both psychological experts and social media users showcase insights into why this is happening while also highlighting a clear division between legal theories and real-world access. Educators and psychological theories in journals and law reviews like those from National Law University of India and West Bengal National University of Juridical Sciences explains that the statutory framework of India lacks a dedicated statute while relying instead on Article 21 of the Indian Constitution which was mainly and progressively strengthened by the 2017 Puttaswamy judgment, Trademarks by using passing off and copyright claims for performances. Scholars have shown that Indian actors like Anil Kapoor in 2024 deepfake case, Aishwarya Rai Bachan in fake ads case and finally Suniel Shetty in case of AI misuse injunctions succeeded because of their "marketable persona", which proves fiscal distress and money lost in supports, while an ordinary individuals fail, as seen in the case of Supri Cassettes v. Dreamline of 2024, denying the singer Sukhwinder Singh a relief for insufficient commercial goodwill, regardless of Krishna Kishore Singh, 2023 the Delhi High Court alleging it as universal rights. Professors criticize this "celebrity biasness" as ritzy, arguing dignity trumps economics, urging to bring reforms like USA style publicity statutes, image registries, low-cost courts, and an AI-specific rules to shield all people from deepfakes or scams, cautioning that judicial inconsistency and high costs exclude the crowd. On social media like "X" often referred as Twitter, Instagram, Reddit, there is a debate which rages with viral frustration wherein users post memes of Shah Rukh Khan getting a trademark for his name while a Delhi student's mutated picture gets viral unchecked, hashtags like #PersonalityRightsForEveryone spike after an athlete wins but failure for influencers hit by content theft, with reviews like "Bollywood gets 24-hour injunction and we get court dates in 2028" or "Fame is equal to justice"; feminists criticize gendered harm (90% women in mutated pornography cases ignored), mid-tier creators mourn "star SLAPP suits bully us but no protection," trolls do parodies like "woke judges favoring heroes over a free speech," and techies demand app-level AI filters over lawsuits. Both perspectives converge where the celebrities dominate with resources and top lawyers, media clout, quick wins while

treating persona as IP assets, and all non-celebs see it as basic human respect but lack motive behind it or any precedent. Academics push balanced legislation while capping speech harms without overreach, social media wants tech fixes like the auto-deepfake bans, but the disbelievers fear celebrity overkill suffocating parody. This academic-social media choir exposes an India's "persona paradox" which includes a progressive constitution undermined by plutocrat courts, where the fame buys enforcement in a deepfake era impending billions while also demanding urgent equity so rights aren't spotlight privileges but everyday protections.

CONSTITUTIONAL AND POLICY IMPLICATIONS

The doctrine of personality rights in the India finds the constitutional roots primarily in Article 21 which truly guarantees the right to life and personal liberty where a provision whose expansive judicial interpretation has come across to encompass human dignity, privacy and the individual's right to control their own image and identities. This foundation was significantly reinforced by the landmark judgement of *Justice K.S. Puttaswamy v. Union of India* of 2017, which, though not explicitly addressing personality rights, affirmed the principles of informational and decisional autonomy by providing a strong constitutional basis for individuals to resist the commercial exploitation of their name, voice, likeness, and other identity characteristics. However, this constitutional protection does not follow in isolation where it operates in constant tension with the Article 19(1)(a) which clearly guarantees freedom of speech and expression while also including the freedom to satirize the public figures. This expansive interpretation of the personality rights risks these chilling legitimate artistic and cultural expression which is why these courts have consistently emphasized on the necessity of balance while also shielding identity from any naked commercial issues while saving the democratic and innovative breathing space that the Article 19 is made to protect. The judiciary has articulated this balance by drawing a distinction between an unauthorized usage of commercial appropriation of a person's identity which is actionable and genuine artistic, satirical, or journalistic engagement with a public figure's persona which clearly and ordinarily remains protected. The tension between these two constitutional guarantees is not merely academic but also it has direct implications for how broadly or narrowly courts define the scope of these personality rights or any kind of judicial or legislative overreach in favor of rights-holders risks while transforming a protective doctrine into an instrument for suppressing public discourse. Compounding this constitutional complexity is like a serious structural policy gap where India currently lacks a dedicated standalone statute governing personality right while

leaving the doctrine to be pieced together through some inconsistent patchwork of intellectual property law and the tort of passing off and judicial pronouncements. This legislative emptiness has produced doctrinal ambiguity and an unpredictable outcome with an uneven access to remedies where a problem is made far more acute by rapidly increasing technology. Where Deepfakes, online influencers, and non-consensual digital merchandising now operate at a speed that is reactive judicial intervention simply cannot keep up with also exposing a regulatory blind spot that existing frameworks were never designed to address this. From a broader rights-based policy perspective the judiciary has consistently confirmed that the right to control one's identity transcends mere commercial interest where it is a matter of human dignity, ensuring that the individuals are not reduced to the commodities to be exploited without the consent thereby also giving personality rights a quasi-fundamental character. Yet this philosophical elevation has not translated into an accessible or codified protection for ordinary individuals. This path leading forward therefore demands the involvement of precise and technologically future-proof legislation where anyone that evolves the doctrine from its current preoccupation with celebrity reputation management toward a genuinely universal protection of the human identity as both a constitutional right and an legally enforceable economic asset which is available not merely to the famous but to everyone.

CONCLUSION

Personality rights in country like India stand at a very compelling yet also an uncomfortable crossroads which is constitutionally recognized in principle yet is structurally inaccessible in practice. The judicial integration of this doctrine from early privacy articulations under the Article 21 to the protections declares in cases involving celebrities like Anil Kapoor, Amitabh Bachchan or Jackie Shroff where it demonstrates that the Indian courts have not been reluctant to acknowledge the importance of protecting an individual's identity. Yet the very trajectory of this jurisprudence reveals its most glaring limitation: the doctrine has overwhelmingly developed in response to the grievances of the famous, leaving ordinary individuals without meaningful recourse against the same forms of exploitation. The absence of an legislative framework still remains the doctrine's most crucial structural weakness. By also leaving the personality rights to be arranged from the overlapping fragments of intellectual property laws including passing off and constitutional privacy principles and India has created a system that is expensive to direct and is inconsistent in its outcomes, also fundamentally skewed in favor of those with the resources and public profile to litigate. This inequity is not merely a procedural

concern where it reflects a deeper philosophical failure to treat identity as a universal human right rather than an elite legal privilege. As artificial intelligence, deepfake technology, and digital commodification continue to blur the boundaries of identity, the urgency for comprehensive reform only intensifies. A future legislative framework must be consent-centric, technologically adaptive, and democratically inclusive extending protection beyond celebrity persona to every individual whose identity is capable of being exploited. Until that legislative moment arrives, personality rights in India will remain a doctrine that speaks the language of universal dignity while continuing, in practice, to serve the famous. True doctrinal maturity demands nothing less than closing that gap entirely.

ENDNOTES:

¹ J. Thomas McCarthy, *The Rights of Publicity and Privacy* § 1:3 (2d ed.unauthorised 2023).

² *Titan Indus. Ltd. v. Ramkumar Jewellers*, C.S. (OS) No. 2662 of 2011 (Del. H.C. Apr. 26, 2012).

³ *D.M. Ent. Pvt. Ltd. v. Baby Gift House & Ors.*, C.S. (OS) No. 899 of 2010 (Del. H.C. Aug. 31, 2011).

⁴ *Titan Indus. Ltd. v. Ramkumar Jewellers*, C.S. (OS) No. 2662 of 2011 (Del. H.C. Apr. 26, 2012).

⁵ *R. Rajagopal v. State of T.N.*, (1994) 6 S.C.C. 632 (India)

⁶ *K.S. Puttaswamy v. Union of India*, (2017) 10 S.C.C. 1 (India)

⁷ *ICC Dev. (Int'l) Ltd. v. Arvee Enters.*, 2003 (26) P.T.C. 245 (Del.)

⁸ *Shivaji Rao Gaekwad v. Varsha Prods.*, C.S. (COMM) 445/2014

⁹ *When Identity Becomes Property: Understanding Personality Rights* (Jan. 19, 2026).

¹⁰ *Protecting Personality Rights: Jackie Shroff's Victory Against AI and Social Media Infringements* (June 2, 2024).

¹¹ *NDTV Goodtimes* (Fact sheet on law), *Deepfakes and Identity Theft Laws in India* (Oct.

2025).

¹² Aishwarya Rai Gets Relief: Delhi HC Grants Interim Injunction... (Sept. 12, 2025).characterised

¹³ Amitabh Bachchan v. Rajat Negi & Ors., C.S. (COMM) 868/2022 (Del. H.C. Apr. 28, 2022) (ex parte order).

¹⁴ Sunil Gavaskar v. Online Platforms, C.S. (COMM) (Delhi H.C. 2023).

¹⁵ Anil Kapoor v. Simply Life India & Ors., C.S. (COMM) 205/2023 (Del. H.C. Sept. 20, 2023).

¹⁶ Jaikishan Kakubhai Saraf (aka Jackie Shroff) v. The Peppy Store & Ors., C.S. (COMM) 1514/2024 (Del. H.C. Apr. 25, 2024).

¹⁷ Aishwarya Rai Bachchan v. Various Defs., C.S. (COMM) 956/2025 (Del. H.C. Sept. 9, 2025).

¹⁸ Abhishek Bachchan v. Bollywood Tee Shop & Ors., C.S. (COMM) 957/2025 (Del. H.C. Sept. 10, 2025).