
COPYRIGHT LAW IN THE DIGITAL AGE

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ABSTRACT

This study examines the evolving challenges of copyright protection in the digital era, with a focus on key concerns including digital piracy, online infringement, rapid technological advancements, international enforcement issues, and the balance between copyright control and user freedoms. Drawing on diverse academic sources, industry analyses, and legal frameworks, the research adopts a holistic, interdisciplinary perspective to understand the complex dynamics that shape modern copyright law.

The research examines the widespread unauthorized sharing of copyrighted materials and persistent issues with piracy. It analyzes the factors contributing to these violations and evaluates the effectiveness of current anti-piracy measures. Additionally, the study explores how emerging technologies—such as digital watermarking, encryption, and streaming services—both enhance and complicate copyright enforcement, highlighting the nuanced relationship between innovation and regulation.

Through a comprehensive review of case studies and established best practices, this research proposes practical solutions to pressing issues faced by copyright stakeholders. The study provides valuable insights and policy recommendations for legislators, rights holders, and digital content creators seeking to enhance copyright protection in today's rapidly evolving digital landscape.

Keywords: Copyright, Digital Era, Infringement, Stakeholders, Encryption

INTRODUCTION

In today's Digital Age, where creative content and information are readily accessible and easily shared, copyright protection faces significant Challenges. Online platforms often find it challenging to effectively oversee and manage the vast volume of content uploaded by users. As a result, they frequently struggle to detect and take down copyrighted materials that are shared without proper authorization.¹

Copyright infringement has become a pressing concern in India, driven by the rapid growth of digital platforms. The vast circulation of pirated material, coupled with the ease of sharing unauthorized content through social media and file-sharing sites, and the global accessibility of the internet, makes it difficult to regulate and enforce copyright laws effectively. Consequently, the protection of intellectual property remains under constant threat, leading to significant financial losses for creators and rights holders such as writers, musicians, filmmakers, and software developers.

INTELLECTUAL PROPERTY LAW(IPR)

Intellectual Property Rights (IPR) laws are meant to protect the ideas and creations people come up with—whether it's a book, a song, a new invention, a logo, or even a unique product design. These laws give creators the legal right to control how their work is used and help make sure they're recognized and rewarded for their efforts.

In today's world, especially with everything being online, IPR is more important than ever. It's incredibly easy for someone to copy and share content without permission, which makes it harder to protect original work. That's why strong IPR laws—and making people aware of them—are so important. They help support creativity, encourage innovation, and ensure that creators don't lose out just because their work is shared without credit or compensation.

“Property and Law are born together and die together. Before laws were made, there was no property.”²

Copyright law

¹ <https://legalresearchandanalysis.com/copyright-infringement-in-digital-age/>

² https://www.alrc.gov.au/wp-content/uploads/2019/08/fr_129ch_18._property_rights.pdf

The term “copyright” was first used in this context in 1586 and is derived from the phrase “**copies of the words.**” It is a set of laws that gives owners and authors exclusive rights of creative works, is essential for encouraging creativity and innovation as well as making sure that creators receive just pay.

The first major shift happened in the copyright law when the **Statute of Anne in 1710 in England**. For the first time, authors were legally recognized as the owners of their work, giving them exclusive rights for a limited period, often called the first real copyright law.

The word “*copyright*” itself began appearing more frequently in legal and literary contexts in the **18th and 19th centuries**, especially as new forms of media—like music, photography, and later, film—emerged. As society entered the 20th century, international agreements like the **Berne Convention (1886)** helped establish copyright standards across countries

Section 13 of the Copyright Act 1957 (revised in 2012) protects the rights of the original work, of creators such as original literary, dramatic, musical, and artistic works; cinematograph films; computer software and sound recordings

International legislative and Regulatory framework of the copyright law

Copyright laws and regulations play a crucial role in protecting creators and rights holders by defining their intellectual property rights. These legal frameworks are especially important in the digital age, as they establish the responsibilities and rights of authors, content owners, and users to ensure proper enforcement and protection of original works.

BERNE CONVENTION 1968³

The Berne Convention for the Protection of Literary and Artistic Works was established in 1886 when ten European nations came together to clarify international copyright standards. Since then, the convention has grown to include **164 member countries**. Although multiple revisions have been made over the years, not all countries have adopted the most recent version. Membership, however, remains open to any nation willing to join.

The Berne Convention is built upon three core principles. The most prominent among them is

³ https://www.wto.org/english/tratop_e/trips_e/trips_e.htm

the principle of “**national treatment**,” which requires each member country to grant the same copyright protections to foreign authors as it does to its own citizens.

UNIVERSAL COPYRIGHT CONVENTION

In 1952, UNESCO introduced the Universal Copyright Convention (UCC) as an alternative to the Berne Convention. It was designed to offer international copyright protection for countries—such as the United States and the former Soviet Union—that were unwilling to join the Berne Convention at the time.

The UCC featured more flexible provisions than the Berne Convention, aiming to accommodate countries with different levels of development and diverse economic and social systems. Like the Berne Convention, the UCC supports the principle of national treatment, ensuring that foreign authors receive the same copyright protections as domestic creators. However, the UCC imposes fewer mandatory requirements on member countries, making it a more adaptable, though less rigorous, framework for international copyright protection.

Since the majority of nations are either WTO members or Berne Convention parties, the UCC is no longer as relevant. The trade-related components of the intellectual property rights (TRIPS) agreement govern the copyright responsibilities of WTO members.⁴

ROME CONVENTION (1961)

On October 26, 1961, the World Intellectual Property Organization (WIPO) established the Rome Convention to address the growing need for stronger legal protection of recorded content. This agreement expanded copyright coverage beyond just the original creators to include those involved in producing tangible forms of a work—such as performers, record producers, and broadcasters. Examples of these fixed formats include audiocassettes, videodiscs, and compact discs.

Countries that signed the Rome Convention are required to safeguard the rights of artists, recording producers, and media organizations. However, the Convention also allows for certain exceptions, enabling member states to permit the use of these recordings for valid educational

⁴ https://www.wto.org/english/tratop_e/trips_e/trips_e.htm

or scientific purposes without needing prior permission. This approach ensures both protection and practical flexibility.

Digital Millennium Copyright Act (DMCA)

Digital Millennium Copyright Act (DMCA) is a United States copyright law passed in 1998 to address issues related to digital media and the internet. It was designed to protect the rights of copyright holders while also defining the responsibilities and protections for online platforms.

The DMCA makes it illegal to circumvent digital rights management (DRM) systems or other technological protection measures, even if the intent is not to infringe on copyright. For example, removing copy protection from a DVD or bypassing restrictions on software can be a violation under this law.

WIPO COPYRIGHT TREATY (WCT)⁵

In the digital age, copyright holders have had to rethink how they distribute, sell, and reproduce their content. With the rise of electronic formats, internet distribution, and digital databases, a wide range of media—including music, literature, images, and essays—are now shared and stored more efficiently. However, the same technologies that enable this convenience have also made it easier to copy and share copyrighted material illegally.

To address these issues particularly those raised by developed nations, the World Intellectual Property Organization (WIPO) established two significant treaties: the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT). The WCT, designed as a complement to the Berne Convention, entered into force on March 6, 2002.

It was the **first international agreement to extend copyright protection to computer software and digital databases explicitly.**

Under the WCT, member countries are also required to prohibit the circumvention of digital tools that protect copyrighted works, such as encryption and rights management systems. These

⁵ <https://www.numberanalytics.com/blog/wipo-copyright-treaty-comprehensive-guide>

technologies help control how works are accessed, copied, and distributed, reinforcing the legal rights of authors and content creators in the digital environment.

National Legislative Framework of Copyright Law

Introduction to Copyright in India

Copyright is a legal framework that grants exclusive rights to creators and authors regarding their original works. In India, the significance of copyright protection cannot be overstated, as it serves to safeguard the interests of individuals and entities engaged in artistic and intellectual endeavors. The fundamental principles of copyright law in India are enshrined in the Copyright Act of 1957, which provides a comprehensive legal foundation for the protection of various forms of creative output, including literature, music, films, and software.⁶

Copyright serves to empower creators by giving them control over how their work is used, ensuring they gain both recognition and fair compensation for their contributions. This protection is especially important in a country like India, which boasts a rich cultural heritage and a rapidly growing creative sector. By conferring exclusive rights, copyright law not only safeguards creators but also motivates innovation and the development of original works, helping cultivate a thriving artistic ecosystem.

At the same time, India's copyright framework carefully balances creators' rights with the broader public interest. While it enables authors and artists to earn from their work and guard Copyright not only safeguards creators from misuse but also incorporates crucial exceptions—such as fair use and compulsory licensing—that ensure creative works remain accessible to the public. These provisions play a vital role in promoting cultural exchange, education, and the free flow of knowledge, striking a balance between private rights and public benefit.

Legal Framework of Copyright in India

The foundation of copyright law in India is the Copyright Act of 1957⁷, which lays down comprehensive rules for the protection of original works of authorship, including literary, musical, artistic, and other creative outputs. Enacted with the dual purpose of protecting

⁶ <https://generisonline.com/an-overview-of-copyright-protection-laws-in-india/>

⁷ <https://generisonline.com/an-overview-of-copyright-protection-laws-in-india/>

creators' rights and fostering access to knowledge, the Act embodies a balanced approach that seeks to both reward innovation and serve public interest.

Over time, the Act has undergone several important amendments to adapt to evolving technologies and international standards. Revisions in 1983, 1984, and 1994 introduced changes in the duration of protection, addressed issues related to cinematographic works, and recognized rights in computer software. The most significant overhaul came with the 2012 amendments, which expanded the scope of protection into the digital environment and strengthened the rights of authors and performers. These updates brought Indian copyright law closer in line with global practices and addressed challenges arising from digitization and online dissemination.

In addition to domestic legislation, India is bound by various international treaties and conventions that shape its copyright regime. Among the most influential is the Berne Convention for the Protection of Literary and Artistic Works, which establishes minimum standards for protection and emphasizes the principle of automatic rights without the need for registration. India is also a signatory to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), under the framework of the World Trade Organization (WTO), further embedding its copyright policies within international intellectual property norms.

Copyrightable Works⁸

Under the Copyright Act of 1957, protection is extended to a broad range of works, provided they meet the fundamental requirement of originality. Originality implies that the work must originate from the author and display a degree of creativity distinguishing it from pre-existing content.

The Act identifies several categories of copyrightable works. Literary works represent one of the largest categories, encompassing not only books, articles, and poems but also computer programs—underscoring the adaptability of copyright law in recognizing technological advances. Dramatic works, including plays, scripts, and performance-based compositions, are similarly protected as unique expressions of the author's creativity. Each category of work reflects the diversity of creative expression while ensuring that authors are recognized and

⁸ <https://generisonline.com/an-overview-of-copyright-protection-laws-in-india/>

rewarded for their intellectual contributions. against misuse, it also incorporates important exceptions—such as fair use—that keep knowledge and creativity accessible to society

Musical works form another significant category under copyright law, covering compositions, musical scores, and lyrics. Such protection incentivizes creativity by ensuring that composers and lyricists retain exclusive rights over their creations. Similarly, **artistic works**—including paintings, sculptures, drawings, and photographs—are safeguarded, allowing visual artists to prevent unauthorized reproduction or exploitation of their work.

Beyond these, the Copyright Act also protects **cinematographic films and sound recordings**. Copyright in films extends not only to the visual production itself but also to the script, dialogues, and accompanying music. **Sound recordings** safeguard the fixation of sounds, whether derived from live performances or studio productions, thus providing legal recognition to audio works. Collectively, these diverse categories of protected works highlight the integral role of copyright in stimulating cultural production and innovation across multiple creative sectors.

Copyright Registration in India⁹

Although copyright protection in India arises automatically once an original work is created, **formal registration** offers significant legal benefits. Chief among these is the evidentiary value of a registration certificate, which serves as prima facie proof of ownership in disputes or enforcement proceedings.

The process begins with the filing of an **application form**, available through the Copyright Office or its official website. Applicants must attach relevant supporting documents, including a copy of the work (whether literary, artistic, musical, or audiovisual) and any material demonstrating originality—such as drafts, preliminary sketches, or recordings. A declaration confirming that the work is original and that the applicant is the rightful claimant must also be submitted.

Completed applications are filed with the **Copyright Office in Mumbai**, either personally or via registered post. After submission, officials examine the application to ensure compliance with statutory requirements. If deficiencies are identified, the applicant is notified and given

⁹ <https://www.vakillkar.com/blogs/copyright-registration-in-india>

the opportunity to rectify them. Once approved, the applicant is issued a **registration certificate**, providing official confirmation of copyright ownership.

Duration of Copyright Protection¹⁰

The **Copyright Act of 1957** establishes the duration of copyright based on the nature of the work and the author's identity. For **literary, dramatic, musical, and artistic works**, protection endures for the author's lifetime plus **sixty years after their death**. This extended term ensures that both the creator and their heirs can enjoy the economic and moral benefits of the work for decades beyond the creator's lifetime.

In the case of works with joint authorship, where two or more individuals contribute to the creation of a work, the copyright extends for 60 years after the death of the last surviving author. This ensures that all contributors are fairly recognized and their rights are equally protected. For works created by corporate entities or anonymous authors, where an organization or unknown person is considered the legal author, the copyright duration is 60 years from the date of first publication¹¹.

Limitations and Exceptions to Copyright

Indian copyright law incorporates a set of limitations and exceptions to strike a fair balance between protecting creators and serving the public interest. A central principle within this framework is the doctrine of **fair dealing**, which permits the use of copyrighted material without prior authorization from the rights holder in specific circumstances. Such uses include criticism, review, reporting current events, teaching, and research. These allowances are vital in fostering intellectual exchange, artistic freedom, and educational development while simultaneously respecting the legitimate interests of authors.¹²

Under **Section 52 of the Copyright Act, 1957¹³**, several activities are expressly exempted from infringement claims. For example, quoting or summarizing a portion of a work for review or commentary is permissible, provided the source is properly acknowledged. This safeguard

¹⁰ <https://www.vakilkaro.com/blogs/copyright-registration-in-india>

¹¹ <https://generisonline.com/an-overview-of-copyright-protection-laws-in-india/>

¹² <https://generisonline.com/an-overview-of-copyright-protection-laws-in-india/>

¹³ <https://indiankanoon.org/doc/1013176/>

allows educators, researchers, and critics to engage meaningfully with existing works, enriching academic and cultural dialogue without undermining the rights of creators.

Educational use represents another cornerstone of these exceptions. Institutions are permitted to reproduce and distribute material for classroom purposes, thereby ensuring wider access to learning resources. This provision plays a crucial role in democratizing education by reducing financial barriers for students and teachers alike. Similarly, exceptions for research allow academics to rely on copyrighted content, so long as usage remains reasonable and accompanied by due credit.

Collectively, these limitations and exceptions preserve **public access to knowledge and culture** while protecting creators' rights. Such a balanced approach is indispensable for cultivating an ecosystem that simultaneously promotes creativity, innovation, and social progress.

Remedies for Copyright Infringement

Copyright infringement arises when an individual or entity violates the exclusive rights of a creator, thereby unlawfully exploiting their original work. In India, the legal system offers a comprehensive range of remedies to address such violations, which can be broadly divided into **civil and criminal measures**. These mechanisms ensure that authors have the means to protect their intellectual property, deter misuse, and seek redress for any harm suffered.

Civil Remedies

Civil remedies in copyright infringement cases typically include **injunctions**, which act as preventive orders issued by courts to restrain infringers from continuing the unauthorized use of a protected work. Injunctions are among the most immediate and effective tools available to rights holders, as they halt ongoing violations.

Another important civil remedy is **damages**, intended to compensate the copyright owner for losses suffered due to the infringement. Courts may calculate damages either on the basis of the actual harm caused to the creator or by assessing the unlawful profits earned by the infringer. In some instances, courts may also order an **account of profits**, compelling the infringer to disclose earnings derived from the infringement, which must then be surrendered to the rightful copyright holder.

Criminal Remedies

In addition to civil remedies, the **Indian Copyright Act** also prescribes **criminal penalties** for willful or repeated infringements. Such violations can result in **fines, imprisonment, or both**, reflecting the gravity of copyright breaches and serving as a deterrent to potential infringers. Specialized copyright courts, established under the Act, often oversee the adjudication of these cases, ensuring a more streamlined and efficient enforcement process. These mechanisms collectively highlight India's strong legal stance on safeguarding intellectual property.

Case Studies and Judicial Precedents

The interpretation and enforcement of copyright law in India have been shaped by several landmark judgments.

R.G. Anand v. Delux Films (1968)¹⁴: In this case concerning the alleged copying of a film's storyline, the Supreme Court ruled that infringement requires a finding of **substantial similarity** between the original and the disputed work. The decision reinforced the principle that copyright protects originality of expression, not mere ideas.

Indian Performing Right Society Ltd. v. Eastern Indian Motion Pictures Association (1977)¹⁵: This case focused on the rights of music composers and their entitlement to royalties for public performances. The Supreme Court upheld the role of performing rights organizations in licensing musical works, affirming the need to protect the **economic rights of creators** in India's growing entertainment sector.

Delhi High Court's ruling in the case of Kapil Sharma v. Jitender Luthra (2019) dealt with the unauthorized use of a comedian's performance in another context without consent. This decision emphasized the moral rights of creators and their right to attribution, further demonstrating the judiciary's role in interpreting copyright norms to safeguard creative expressions.

Naruto v. Slater¹⁶ case, also known as the "Monkey Selfie" case, is a landmark U.S. copyright lawsuit that raised questions about whether non-human animals can hold copyright. The dispute

¹⁴ 1968 DLT 4 321

¹⁵ 1977 AIR SC 1443

¹⁶ 16-15469 (9th Cir. 2018).

began in 2011 when British wildlife photographer **David Slater** set up a camera in an Indonesian forest, which was then used by a crested macaque named **Naruto** to take several photographs of himself—so-called “selfies.” These images became viral online and sparked widespread media attention.

In 2015, the animal rights group **PETA (People for the Ethical Treatment of Animals)** filed a lawsuit on behalf of Naruto, arguing that the monkey should be recognized as the legal author of the selfies and therefore entitled to copyright protection and financial benefits from their use.

The case was heard in U.S. federal court, which ultimately ruled against PETA, stating that under current U.S. copyright law, **animals do not have legal standing to hold copyright**

Challenges of Copyright in the Digital Era¹⁷

The present era is called the age of digitization. Some examples of digital media include websites, social media, and digital databases, among others. Every evolution of technology requires some or the other amendments to the law to settle any issues that might arise. The digital medium has its very own advantages¹⁸. With just a click, the creator of a work can reach a wide range of audience in less or no time and in a very cost-effective manner

- **Easily copying or distributing the work**

One of the most important challenges in the digital age is easily copying the work of the real author and distributing in the market without their permission. which causes economic loss to the copyright holder, or it is difficult to control their work. with technological advancements day by day, you share the original work or high-quality work of music books or software with just a click to their peer as a duplicate or copy of the original.

- **Plasticity of Digital media**

User can easily make alter, adopt, modify, or manipulate the original work this flexibility of the digital media creates the concern for the original owner of the work is how he dealt with it

¹⁷ <https://law.dypvp.edu.in/plr/Publication/Research-Papers/Neerja-Choudhuri/Digital-Copyright-Law.pdf>

¹⁸ <https://articles.manupatra.com/article-details/A-Reflection-upon-the-Digital-Copyright-Laws-in-India>

any unwanted or unauthorized alteration or adaption in the work has the potential to change the real meaning of the work which the authors desire to share.

- **Linking and Framing¹⁹**

Linking and framing are common methods used to connect digital documents on the internet. Linking involves using a hyperlink that contains the electronic address of another website.

When users click on the link, they are redirected to the target site, where they can view its content.

Framing, a more specific form of linking, allows the content from another site to be displayed directly within a section—or “frame”—of the host website. While both techniques are useful for navigation and content sharing online, they raise legal concerns when the linked or framed material is copyrighted and used without the permission of the rights holder. This can potentially infringe on the copyright owner's exclusive rights over the content.

- **Jurisdictional issues**

Cyberspace does **not have a fixed, physical location**—it exists everywhere and nowhere at the same time. While the hardware used to access the internet, such as computers, routers, and modems, may be located within one country, the user could be in a different jurisdiction, and the impact of their actions might be felt in yet another.

This cross-border nature of digital media often clashes with traditional copyright laws, which are typically territorial and apply only within specific national boundaries. As a result, courts frequently face challenges when dealing with cases where the alleged infringer resides outside the geographic scope of the copyright law in question, making enforcement and legal proceedings more complicated.

- **Work created by the machines: artificial intelligence²⁰**

The growing use of artificial intelligence (AI) presents new copyright challenges. AI systems are often trained on vast datasets that include copyrighted text, images, or music, sometimes

¹⁹ <https://fairuse.stanford.edu/overview/website-permissions/linking/>

²⁰ <https://blog.spinbot.org/copyright-laws-for-ai-generated-content/>

without the consent of the original creators. This raises legal and ethical questions: Does training AI on copyrighted material constitute infringement? Who owns the rights to content generated by AI? These issues are still being debated, and current copyright laws are not yet fully equipped to address them, leading to uncertainty for both developers and artists.

- **Problem in fixing liability**

In the traditional copyright infringement is to fix the liability, but in the digital era, where content is shared throughout the world from country to country, **making it difficult to fix the liability** further the digital copyright involves the key role played by the internet service provider ISP for the transmission of the copyright work. ISP is considered to be the best to utilize or check the copyright infringement by disallowing the exploitation of copyrights in their platforms or bearing the liability as compensation to the real owner.

Protection of authors' rights in the digital era

- **Digital RIGHTS MANAGEMENT²¹**

Digital Rights Management (DRM) refers to the technological and management tools employed by the rights holders to protect copyrighted works in the digital medium.

It is important to note that DRM technology does not enforce copyright laws; rather, it is simply a tool for checking unauthorized access and use of protected content online. In terms that are more Formal DRM has been described as 'a way of addressing the description, identification, trading, protection, monitoring, and tracking of all forms of rights usages over tangible and intangible assets, including management of rights holders' relationships.

The DRM, in the Copyright regime, has following two functional aspects:²²

- a) The protection and maintenance of "**Rights Management Information**" (RMI); and
- b) The management and protection of "**Technological Protection Measures**" (TPM).

²¹ <https://law.dypvp.edu.in/plr/Publication/Research-Papers/Neerja-Choudhuri/Digital-Copyright-Law.pdf>

²² Chaudhuri S K, Digital Rights Management – A Technological Measure for Copyright Protection and its Possible Impacts on Libraries, publication/28810234_Digital_rights_management_a_technological_measure_for_copyright_protection_and_its_possible_impacts_onlibraries (accessed on 18 June 2019)

Rights Management Information (RMI)²³ refers to metadata or digital tags that are embedded in or associated with a copyrighted work. These tags carry important details about the ownership and usage rights of the content.

The main functions of RMI include

1. Identification of the Rights Holder.
2. Usage Terms and Conditions:
3. Facilitating Licensing and Permissions
4. Tracking and Monitoring Usage

Technical Protection Measures (TPM) are technologies implemented to control access to and usage of digital content. These are often integrated into digital platforms and media to prevent unauthorized copying or sharing.

1. Restricting Access to Authorized Users.
 2. Preventing Unauthorized Copying or Distribution
 3. Protecting Content Integrity:
 4. Supporting Subscription
- **Fair use guidelines**

Fair use is a legal doctrine under copyright law that allows limited use of copyrighted material without requiring permission from the rights holder. It is primarily intended to balance the interests of creators with the public's right to access and use creative works for certain socially beneficial purpose.

Key factors of fair use guidelines²⁴

i. Purpose and Character of the Use:²⁵

²³ <https://law.dypvp.edu.in/plr/Publication/Research-Papers/Neerja-Choudhuri/Digital-Copyright-Law.pdf>

²⁴ <https://www.copyright.gov/fair-use/>

²⁵ <https://lib.purdue.edu/uco/fair-use/>

Courts consider whether the use is for commercial or non-commercial purposes. Uses that are educational, non-profit, or intended for commentary, criticism, research, or news reporting are more likely to be considered fair. Additionally, "transformative" uses—where the new work adds new expression, meaning, or message to the original—are more likely to be protected under fair use.

ii. Nature of the Copyrighted Work:

The more factual or publicly oriented the original work is, the more likely fair use will apply. For example, using excerpts from a factual report or biography may be more acceptable than using material from a highly creative work, such as a novel, film, or painting.

iii. Amount and Substantiality of the Portion Used:

This factor looks at both the quantity and the quality of the portion used. Using a small excerpt may weigh in favor of fair use, but if the portion used includes the "heart" or most important part of the work, it may weigh against fair use—even if the excerpt is brief.

iv. Effect of the Use on the Potential Market or Value:

If the new use harms the market for the original work—by acting as a substitute or reducing the original's commercial value—it is less likely to be considered fair use. Courts evaluate whether the use could negatively affect the ability of the copyright holder to profit from their work.

- **Copyright education**

Copyright education refers to efforts aimed at informing individuals about copyright principles, legal protections, ownership rights, and user obligations, particularly important in the digital environment where content is easily created, shared, and accessed across platforms. It helps people navigate the complex legal and ethical landscape of intellectual property while emphasizing respect for creators' rights and empowering responsible engagement with content.

In today's interconnected world, where digital content is created, shared, and accessed across platforms at unprecedented speeds, copyright education helps individuals navigate the complex legal and ethical landscape of intellectual property. It emphasizes the importance of respecting

the creative rights of others while empowering users to engage with content legally and responsibly.

- **Moral rights of the author²⁶**

The moral rights or the special rights of authors are the non-economic and personal rights associated with the copyrighted work. The copyright regime recognizes these rights because it is believed that the copyrighted work embodies the personality and character of its author, which must be accorded appropriate protection.

Moral rights in the context at hand include the following:

- a) Paternity right (i.e., right of author to claim authorship of the work);
- b) Integrity of the 'work' against distortion, and modification of the same.
- c) Right to withdraw.
- d) Right against imputations.
- e) Right of publication.
- f) Right to reply to criticism, etc.

- **Protection of digital copyright**

The emergence of digital technology and the internet has fundamentally tested the limits of traditional copyright law. Just as the invention of the printing press once sparked the need to protect authors' rights, every technological advancement since then—from television and radio to computers, software, satellite broadcasts, and the World Wide Web—has led to ongoing revisions in copyright legislation.

The rapid technological growth of the 21st century has ushered in the so-called "digital age," making tasks easier and improving daily life, but also introducing new legal and ethical dilemmas. As a result, copyright law has had to continuously evolve to keep pace with the

²⁶ <https://gowlingwlg.com/en/insights-resources/articles/2023/moral-rights-in-copyright-law>

challenges posed by these innovations, ensuring that creators retain control and recognition over their works.

CONCLUSION

In a world where a single click can create, copy, or share content across the globe, the value of original work has never been more vulnerable—or more important. Copyright law stands as a vital shield for creators, yet it is constantly tested by the speed and scale of digital innovation. From AI-generated content and online piracy to jurisdictional loopholes and the misuse of creative works, the challenges are vast—but not insurmountable.

What this evolving landscape demands is not just stricter laws, but smarter, more adaptive frameworks that protect creativity without stifling access. It calls for a collective effort—by lawmakers, tech platforms, educators, and the public—to uphold the rights of creators while promoting a culture of ethical sharing and innovation.

Ultimately, the future of copyright in the digital age is not just a legal issue—it's a cultural commitment. A commitment to respect, to recognition, and to the idea that behind every song, story, design, or software, there is a human mind that deserves to be protected, credited, and celebrated.