AI TRAINING DATA AND COPYRIGHT INFRINGEMENT IN INDIA: A CRITICAL ANALYSIS OF ANI V. OPENAI AND THE FAIR DEALING DOCTRINE

Shaurya Raj, LL.M., National Law University, Jodhpur

Vanshika Arora, LL.M., National Law University, Delhi

1. ABSTRACT

This project critically examines the question whether the "fair dealing" exception under Section 52(1)(a) of the Copyright Act, 1957 can be invoked to justify the use of copyrighted news content to train large language models, as the Delhi High Court provisionally held in *ANI Media Pvt. Ltd. v. Open AI OpCo LLC*. Drawing on the Court's interim order, the pending intra-court appeal, and pre-AI fair dealing precedents (Civic Chandran, the DU Photocopy case, India TV v. Yashraj Films, Eastern Book Co. v. Modak), the project situates India's position against the fair-use jurisprudence of the United States (Thomson Reuters v. ROSS Intelligence, Bartz v. Anthropic, Kadrey v. Meta), the United Kingdom's legislative restraint on text-and-data-mining reform, and the European Union's opt-out mechanism, contrasted with Germany's contrary result in GEMA v. OpenAI. It finds that the Court's reliance on "private or personal use, including research" to excuse commercial, at-scale training strains a closed, enumerated, 1957-era provision, and concludes with recommendations for reform.

2. RESEARCH PROBLEM

A single judge of the Delhi High Court refused ANI's interim injunction against OpenAI on 24 July 2026,[1] holding, prima facie, that OpenAI's storage of ANI's news content to train ChatGPT fell within Section 52(1)(a)(i)'s exception for "private or personal use, including research." This is India's first judicial pronouncement on AI training and copyright, reached by applying a 1957 provision, last substantively amended in 2012, to a use its drafters could not have contemplated: the automated, commercial, at-scale ingestion of copyrighted text by a for-profit multinational. ANI has appealed to a Division Bench, arguing Indian law recognises "fair dealing," not the openended American "fair use," and that a research exception for individual scholarly conduct cannot cover a company's commercial product. [2] This project interrogates whether Section 52's enumerated architecture can absorb AI training, or whether the order is an unsustainable extension requiring correction.

3. RESEARCH OBJECTIVES

1. To examine Section 52(1)(a)'s text and interpretive history, particularly "private or personal use, including research."

2. To analyse the facts and reasoning of ANI Media v. OpenAI, including the pending appeal.

3. To assess whether pre-AI Indian precedents support extending Section 52(1)(a)(i) to AI training.

4. To compare India's position with the approaches taken in the United States, the United Kingdom, the European Union and Germany.

5. To evaluate the adequacy of India's fair dealing doctrine for AI training and recommend calibrated reforms.

4. HYPOTHESIS

H_1 (Research Hypothesis): The enumerated, purpose-bound structure of "fair dealing" under Section 52(1)(a) calibrated for discrete, human-scale uses such as private study,

[1] ANI Media Pvt. Ltd. v. Open AI OpCo LLC, 2026 SCC OnLine Del 5478 (Del. H.C. July 24, 2026).
[2] Nupur Thapliyal, Delhi High Court Issues Notice on ANI's Appeal Against Denial of Interim Relief in Copyright Case Against ChatGPT, LiveLaw (Sept. 15, 2026)

criticism and news reporting cannot, without straining the statutory text, accommodate the commercial, at-scale ingestion of copyrighted works to train a large language model. The Delhi High Court's classification of such training as "private or personal use, including research" is accordingly an interpretive extension unlikely to survive sustained appellate scrutiny without a purpose-built statutory exception or a definitive appellate ruling.

H_0 (Null Hypothesis): Section 52(1)(a)(i), on its ordinary meaning, already extends to AI training without need for reform.

Both hypotheses are tested against the doctrinal and comparative evidence in Parts 8–12.

5. RESEARCH METHODOLOGY

This project adopts a doctrinal and comparative methodology, built on primary texts: the Copyright Act, 1957; the interim order and appeal in *ANI Media v. OpenAI*; leading Indian fair dealing precedents; 17 U.S.C. ss 107 and the 2025 U.S. fair-use rulings; the UK Copyright, Designs and Patents Act, 1988 and Data (Use and Access) Act, 2025; the EU's Digital Single Market Directive and Artificial Intelligence Act; and the Munich Regional Court's ruling in GEMA v. OpenAI.

Secondary sources corroborate but never substitute for primary texts.

6. REVIEW OF LITERATURE

Indian doctrinal literature on fair dealing concentrates on the 2016 DU Photocopy case and India TV v. Yashraj Films, and does not engage AI training, since the ANI litigation postdates most published commentary. International literature on generative AI and copyright is more developed following the 2025 U.S. rulings and the UK's text-and-data mining consultation, but is calibrated to open-ended fair use or the EU's opt-out exception, not India's closed, enumerated list. Early commentary on the Delhi High Court's order is largely descriptive, published before the appeal was filed, and has not subjected the "research" characterisation to sustained scrutiny against preAI case law. This project fills that gap.

7. INTRODUCTION

Generative AI systems are built by training statistical models on vast quantities of text,

including copyrighted work used without consent or compensation. This has produced global litigation since late 2023: *The New York Times v. Microsoft* in the United States, *Getty Images v. Stability AI* in the United Kingdom, and *GEMA v. OpenAI* in Germany. India entered this wave on 19 November 2024, when ANI a leading news agency sued OpenAI, becoming the first Indian media organisation to litigate AI copyright.[3] ANI's suit advanced two claims: that OpenAI trained

ChatGPT on its content without license (the "Training Claim"), and that ChatGPT's outputs reproduced its work or falsely attributed fabricated statements to it (the "Output Claim").

The dispute matters beyond its facts. India has no umbrella AI statute and no text-and-data-mining exception; MeitY's India AI Governance Guidelines favour "lightweight" regulation over horizontal legislation, leaving courts to decide, using a 1957 statute, whether AI training is lawful. *ANI Media v. OpenAI* is thus the vehicle through which Indian courts must decide, without legislative guidance, whether a sixty-nine-year-old exception can bear an unanticipated technology's weight. This project sets out the statutory framework, the ANI litigation, Indian precedents, and comparative perspectives, before testing its hypothesis and recommending reform.

8. STATUTORY FRAMEWORK

News reports are "literary work[s]" under Section 2(o), attracting copyright under Section 13 if they show a "modicum of creativity" the Supreme Court's threshold in *Eastern Book Co. v. D.B. Modak*,[4] rejecting both mere "sweat of the brow" and patent-style novelty. Section 14 vests exclusive reproduction and communication rights; Section 51 makes unauthorised exercise an infringement.

Section 52(1) enumerates a closed list of excused acts. Central to ANI is Section 52(1)(a): fair dealing "for the purposes of (i) private or personal use, including research; (ii) criticism or review …; (iii) the reporting of current events," with an Explanation (added in 2012) that electronic storage for these purposes is not itself infringement.[5][6] A separate, differently worded

[3] Vaishali Mittal, ANI v OpenAI: A Copyright, AI Training and False Attribution Dispute, Asia Bus. L.J. (Dec. 5, 2024)
[4] Eastern Book Co. v. D.B. Modak, (2008) 1 SCC 1 (India)
[5] Copyright Act, 1957, No. 14 of 1957, ss. 52(1)(a) (India) (as amended by the Copyright (Amendment) Act, 2012, No. 27 of 2012)
[6] U.S.C. ss. 107 (2018); Campbell v. Acuff-Rose Music, Inc., 510 U.S. 569, 579 (1994)

clause,

Section 52(1)(i), excuses reproduction "by a teacher or a pupil in the course of instruction" the provision at issue in the DU Photocopy case.

Two features distinguish this from American doctrine. First, Indian fair dealing is a closed list: a use outside Section 52's named categories is unexcused, however reasonable, and Section 52(1)(a)(iii)'s clause for "reporting of current events" potentially closer to ANI's own business as a news agency was not the provision the Court relied upon. U.S. fair use, by contrast, applies four illustrative, non-exhaustive factors to any use[6]. This is ANI's central appellate argument: a court cannot import "transformative use" reasoning the way American courts do; it must find a textual home within the enumerated categories, and if none fits, no exception applies at all. Second, India has no TDM exception of the kind found in the EU or UK, nor any mechanism for rights-holders to reserve TDM rights in a machine-readable way. Any AI-training exception must therefore be found within Section 52(1)(a)'s 1957-era purposes, subject to Article 9(2) of the Berne Convention and Article 13 of TRIPS the international "three-step test" permitting exceptions only for certain special cases that do not conflict with normal exploitation of the work and do not unreasonably prejudice the rights-holder's legitimate interests, against which any judicial or legislative expansion of Section 52 must ultimately be measured.[7]

9. ANI MEDIA v. OPENAI: FACTS AND HOLDING

9.1 Facts and Procedure.

ANI filed suit on 19 November 2024, alleging unlicensed training use and output-side reproduction and false attribution. OpenAI disclosed that it had voluntarily "blocklisted" ANI's website in

October 2024, addressing prospective but not past use. Given the absence of Indian precedent, Bansal J. appointed two *amici curiae* advocate Adarsh Ramanujan and Professor Arul George Scaria (NLSIU) and permitted interventions: the Digital News Publishers Association argued OpenAI "scrapes, stores, and reproduces" news without licence, while the Broadband India

[7] Berne Convention for the Protection of Literary and Artistic Works art. 9(2), Sept. 9, 1886, as revised at Paris July 24, 1971; Agreement on Trade-Related Aspects of Intellectual Property Rights art. 13, Apr. 15, 1994.

Forum argued, in OpenAI's support, that training does not violate the Copyright Act.[8] Four issues were framed: whether training infringes; whether generating responses infringes; whether Section 52 excuses either; and whether Indian courts have jurisdiction given OpenAI's foreign servers.

9.2 The Interim Order.

On jurisdiction, ANI succeeded: the Court characterised U.S. servers as a "terminal link" in a chain beginning with ANI's Indian content and ending in outputs for Indian users, rejecting OpenAI's objection that training occurred wholly outside India distinguishing *Getty Images v. Stability AI*, where the claimant's training claim failed for want of any UK nexus.[9] On the Training Claim, the Court held, prima facie, that storage for training fell within Section 52(1)(a)(i), reasoning that India is "a frontrunner in AI," that data is "the fuel" LLMs need, and that an injunction would harm both OpenAI and millions of Indian users at the balance-of-convenience stage a public-interest calculus that did not, on the order's own text, separately weigh ANI's countervailing commercial interest as a licensor of news content. On the Output Claim, the Court found no proven memorisation or regurgitation in ChatGPT's responses, including those generated through retrieval-augmented generation, an architecture in which a model fetches external material at query time rather than reproducing content stored in its weights a finding the Court treated as much an evidentiary failure as a legal one. The application was dismissed in its entirety, with the Court expressly noting the dismissal "would have no bearing on the final outcome of the suit"; the false-attribution grievance, which the Court treated as sounding more in reputational harm than classical copyright infringement, remains live for trial.

9.3 The Pending Appeal.

ANI appealed to a Division Bench. First listed 8 September 2026 before Rao and Arora JJ.; on 15 September 2026, before Jhingan and Arora JJ., the Court issued notice to OpenAI and listed the matter for further hearing in December 2026.[10] ANI's central submission is that Indian law recognises enumerated "fair dealing," not open-ended "fair use," and that a research exception

[8] ANI Media Sought to Stop OpenAI from Training ChatGPT on Its Copyrighted News Content; Delhi High Court Finds No Prima Facie Infringement, RawLaw (2026)
[9] Getty Images (US) Inc. v. Stability AI Ltd., [2025] EWHC 2863 (Ch) (Eng.)
[10] Nupur Thapliyal, supra note 2; Delhi HC Seeks OpenAI Response in ANI Copyright Appeal, Exchange4media (Sept. 15, 2026)

for individual conduct cannot cover a company's commercial product. As of this project's date, the appeal remains undecided.

10. INDIAN FAIR DEALING PRECEDENTS

No reported decision before ANI had applied Section 52(1)(a)(i)'s "research" limb to a commercial, corporate, at-scale use.

In *Civic Chandran v. C. Ammini Amma*, the Kerala High Court set out a three-factor test: the quantum taken, whether the purpose falls within an enumerated category, and whether the rightsholder suffers monetary loss through market competition. [11]Even substantial copying can be fair dealing if it serves an enumerated purpose and does not compete commercially, but the enumerated-purpose requirement remains in a threshold condition a court cannot waive.

In the DU Photocopy case, a Division Bench held that photocopying textbook portions for course packs fell within Section 52(1)(i)'s educational-instruction exception, reading "course of instruction" broadly and rejecting a quantitative test.[12] This is often cited as India's most generous fair dealing precedent, but the analogy to ANI is imperfect: it turned on a differently worded, non-commercial educational clause, not the private-use/research clause, and was anchored in university instruction's non-commercial character a feature absent from a company's commercial chatbot.

In *India TV v. Yashraj Films*, a Division Bench considered whether a television channel's use of brief song and film clips in entertainment programming could be excused as fair dealing and notably imported an American-style four-factor framework purpose and character of the use, nature of the work, amount used, and market effect while also endorsing the *de minimis non curat lex* doctrine for genuinely trivial uses. The Court ultimately confined fair dealing narrowly, excusing only the most trivial background uses and rejecting commercial entertainment programming dressed as review or reporting. *Super Cassettes v. Hamar Television* similarly emphasised that fair dealings "focus of attention" must be the new work created, not exploitation of the original. Both decisions confirm that Indian courts, even where they borrowed the American multi-factor vocabulary informally, applied it to narrow, not

[11] Civic Chandran & Ors. v. C. Ammini Amma & Ors., 1996 SCC OnLine Ker 63, (1996) 16 PTC 670 (Ker.) (Feb. 27, 1996)
[12] The Chancellor, Masters & Scholars of the Univ. of Oxford v. Rameshwari Photocopy Servs., 235 (2016) DLT 409 (Del. H.C.) (D.B.)

expand, fair dealing wherever the underlying use was commercial exploitation rather than genuine criticism, review or reporting.[13]

Eastern Book Co. v. D.B. Modak, though not a fair dealing case, is directly relevant to the threshold question of whether ANI's wire-service reports attract copyright at all: its "modicum of creativity" test mirrors the threshold question in *Thomson Reuters v. ROSS Intelligence* abroad, discussed in Part 11, and will likely recur as the ANI suit proceeds to trial on the merits of ANI's underlying copyright claim in its news reports. Read together, these precedents show that Indian courts, prior to ANI, had never applied the "private or personal use, including research" limb of Section 52(1)(a)(i) to a use that was simultaneously commercial, corporate, and directed at a mass market of hundreds of millions of users; every reported invocation of "research" concerns an individual's non-commercial, scholarly engagement with a work. ANI is, in this sense, the first case to ask that clause to do work of a fundamentally different character.

11. COMPARATIVE PERSPECTIVES

United States: 17 U.S.C. ss 107's open, four-factor test has not produced consensus even under a flexible standard. In *Thomson Reuters v. ROSS Intelligence*14, training a competing legal-research tool on Westlaw headnotes was held not fair use non-transformative and directly market-substituting[14]. In *Bartz v. Anthropic*, training on lawfully acquired books was "exceedingly transformative" and fair use, though retaining pirated books was not, resolved by a roughly $1.5 billion settlement.[15] In *Kadrey v. Meta*, training was fair to use on the record, but the court warned that stronger market-dilution evidence could change the outcome. [16] *The New York Times v. Microsoft/OpenAI* litigation remains pending, with summary judgment briefing ongoing as of September 2026.[17]

United Kingdom: Section 29A of the CDPA offers only a narrow, non-commercial text-and-datamining exception. In *Getty Images v. Stability AI*, Getty abandoned its UK training claim for want of UK nexus, and the Court held model weights were not an "infringing copy" under sections 22– 23. More significantly, after extensive consultation under the Data (Use and

[13] India TV Indep. News Serv. Pvt. Ltd. v. Yashraj Films Pvt. Ltd., 192 DLT 502 (Del. H.C. Aug. 21, 2012) (D.B.); Super Cassettes Indus. Ltd. v. Hamar Television Network Pvt. Ltd., 2011 (45) PTC 70 (Del. H.C.).
[14] Thomson Reuters Enter. Ctr. GmbH v. ROSS Intelligence Inc., 765 F. Supp. 3d 382 (D. Del. 2025)
[15] Bartz v. Anthropic PBC, 787 F. Supp. 3d 1007 (N.D. Cal. 2025)
[16] Kadrey v. Meta Platforms, Inc., 788 F. Supp. 3d 1026 (N.D. Cal. 2025)
[17] In re OpenAI, Inc., Copyright Infringement Litig., No. 1:25-md-03143 (S.D.N.Y.); The N.Y. Times Co. v. Microsoft Corp., No. 1:23-cv-11195 (S.D.N.Y. filed Dec. 27, 2023)

Access) Act, 2025 in which 88% of respondents opposed a broad opt-out exception the UK Government's March 2026 report declined to legislate any new exception, preserving the status quo and favouring voluntary transparency standards. [18] On facts close to ANI's, the UK chose legislative restraint over improvisation.

European Union: Article 4 of the DSM Directive permits commercial text-and-data-mining unless rights-holders reserve their rights through machine-readable means; Article 53(1)(c) of the AI Act obliges general-purpose AI providers to maintain a copyright-compliance policy identifying and complying with such reservations, with Recital 105 expressly acknowledging that reproducing copyrighted material during training requires either authorisation or an applicable exception.[19] India has neither mechanism, leaving ANI's only recourse the blunt, after-the-fact instrument of litigation. Yet even the EU's more elaborated framework yields to proof of memorisation: in *GEMA v. OpenAI*, the Munich Regional Court held that OpenAI infringed copyright in song lyrics memorised and reproducible from ChatGPT, holding the TDM exception did not extend to persistent memorisation within a trained model or to its reproduction in outputs the mirror image of the Delhi High Court's finding, where the absence of proven memorisation was decisive for OpenAI. Read together, *ANI* and *GEMA* suggest that the presence or absence of demonstrable output-side memorisation, rather than any grand doctrinal pronouncement about AI and copyright, is emerging as the single most consequential fact across jurisdictions in this class of litigation.[20]

12. CRITICAL ANALYSIS

Testing the hypothesis against this evidence yields five findings.

First, textual strain: "private or personal use" ordinarily denotes an individual's non-shared engagement with a work; OpenAI's use was corporate, commercial and mass-market. The order does not explain how a use simultaneously corporate and commercial can also be "private."

[18] Dep't for Sci., Innovation & Tech., Dep't for Culture, Media & Sport & Intellectual Property Office, Report on Copyright and Artificial Intelligence (Mar. 18, 2026)
[19] Directive (EU) 2019/790 of the European Parliament and of the Council of Apr. 17, 2019, on Copyright and Related Rights in the Digital Single Market, art. 4, 2019 O.J. (L 130) 92; Regulation (EU) 2024/1689 of the European Parliament and of the Council of June 13, 2024, Laying Down Harmonised Rules on Artificial Intelligence, art. 53(1)(c), recitals 105–106, 2024 O.J. (L 1689) 1.
[20] GEMA v. OpenAI LLC & OpenAI Ireland Ltd., No. 42 O 14139/24 (LG München I Nov. 11, 2025) (Ger.)

Second, the enumerated-list problem: because Section 52(1)(a) is closed, the Court had only two options to fit the use within a named purpose or find no exception applicable. A court applying ss 107 can say a use, while not literally fitting a category, is nonetheless excused as transformative the reasoning in *Bartz* and *Kadrey*. Section 52 offers no such intermediate option, so the single judge's route into "research" did more interpretive work than an equivalent American move would precisely ANI's appellate argument.

Third, market substitution was left substantially unaddressed. *Civic Chandran*'s third factor treats absence of market competition or monetary loss as central to whether a dealing is fair; the order treated ANI's inability to show lost subscribers or revenue as effectively fatal, without addressing whether the relevant market is instead an emergent AI-training-licensing market that could not, by definition, have generated contemporaneous evidence before it existed a problem *Kadrey* expressly flagged as unresolved even under the more developed American case law.

Fourth, India lacks any statutory opt-out or transparency mechanism comparable to the EU's, leaving rights-holders only the blunt instrument of litigation.

Fifth, the result appears evidentially contingent: the "no memorisation" finding parallels *Kadrey* but sits opposite *GEMA*, where equivalent proof was decisive against OpenAI, suggesting a claimant with better evidence could obtain a different result under identical statutory text a reading the order's own caveat, that it "would have no bearing on the final outcome," supports.

Weighing these findings against the null hypothesis, the evidence does not support it: the textual fit is strained, no prior precedent supports this extension, the enumerated structure offers no transformative-use safety valve, market substitution was untested, India lacks comparable institutional infrastructure, and the result appears evidentially contingent. The research hypothesis that the Court's characterisation is an unsustainable extension pending statutory reform or a definitive appellate ruling is accordingly borne out, subject always to the appeal's outcome remaining undecided.

13. RECOMMENDATIONS

Three reforms would close the gaps identified.

First, Parliament should insert a purpose-built text-and-data-mining exception into Section 52(1), rather than relying on strained readings of the research clause, calibrated to the Berne/TRIPS threestep test.

Second, a statutory transparency obligation on AI developers, analogous to Article 53(1)(c) of the EU AI Act, should require disclosure of training-data provenance and compliance with any registered opt-out.

Third, courts and the Copyright Office should develop clearer evidentiary and disclosure standards, since memorisation proof has repeatedly proven decisive across jurisdictions.

14. CONCLUSION

This project asked whether Section 52(1)(a)'s "private or personal use, including research" exception can legitimate training a commercial LLM on copyrighted news content. The interim order was a defensible response to ANI's evidentiary gaps, but its characterisation of a multinational's ingestion of content for a mass-market chatbot as "private or personal use" asks a narrow, human-scale, 1957-era exception to carry weight it was never built to bear an extension now challenged on appeal.

Comparative experience offers no ready answer: the United States has produced a genuine split even under its flexible standard; the United Kingdom chose deliberate legislative restraint on similar facts; the European Union offers a statutory opt-out India lacks entirely; and Germany's Munich court found infringement on proof of memorisation that mirrors, in reverse, the very finding that saved OpenAI in Delhi. This confirms the hypothesis tested here: Section 52's enumerated architecture is not naturally suited to AI training, and doctrinal stability requires either a purpose-built statutory exception or a considered appellate ruling that confronts, rather than extends past, the closed list Section 52 enacts. Until then, India's answer to whether training an LLM on copyrighted news content is lawful remains unresolved.

BIBLIOGRAPHY

A. STATUTES AND INTERNATIONAL INSTRUMENTS

1. The Copyright Act, No. 14 of 1957, ss 2(o), 13, 14, 51, 52(1)(a), 52(1)(i) (India).

2. The Copyright (Amendment) Act, No. 27 of 2012 (India).

3. Berne Convention for the Protection of Literary and Artistic Works, art. 9(2), Sept. 9, 1886, as revised at Paris, July 24, 1971.

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

5. Copyright Act of 1976, 17 U.S.C. ss107 (2018) (United States).

6. Copyright, Designs and Patents Act 1988, c. 48, ss22–23, 29A (United Kingdom).

7. Data (Use and Access) Act 2025, c. 18, ss 135–136 (United Kingdom).

8. Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on Copyright and Related Rights in the Digital Single Market, art. 4, 2019 O.J. (L 130) 92.

9. Regulation (EU) 2024/1689 of the European Parliament and of the Council Laying Down Harmonised Rules on Artificial Intelligence (Artificial Intelligence Act), art. 53(1)(c), recitals 105–106.

B. INDIAN CASES

10. ANI Media Pvt. Ltd. v. Open AI OpCo LLC, I.A. 45300/2024 in CS(COMM) 1028/2024, 2026 SCC OnLine Del 5478 (Del. H.C.) (Bansal, J.)

11. ANI Media Pvt. Ltd. v. Open AI Inc. & Anr. (Del. H.C.) (appeal; notice issued Sept. 15, 2026)

12. The Chancellor, Masters & Scholars of the Univ. of Oxford v. Rameshwari Photocopy Servs., 235 (2016) DLT 409 (Del. H.C.) (DB).

13. India TV Indep. News Serv. Pvt. Ltd. v. Yashraj Films Pvt. Ltd., FAO(OS) 584/2011 (Del. H.C. Aug. 21, 2012) (DB).

14. Super Cassettes Indus. Ltd. v. Hamar Television Network Pvt. Ltd., 2011 (45) PTC 70 (Del. H.C.).

15. Civic Chandran & Ors. v. C. Ammini Amma & Ors., 1996 SCC OnLine Ker 63, (1996) 16 PTC 670 (Ker.) (Feb. 27, 1996)

16. Eastern Book Co. v. D.B. Modak, (2008) 1 SCC 1.

C. FOREIGN AND COMPARATIVE CASES

17. Thomson Reuters Enter. Ctr. GmbH v. ROSS Intel. Inc., No. 1:20-cv-613-SB (D. Del. Feb. 11, 2025).

18. Bartz v. Anthropic PBC, No. 24-cv-05417, 2025 WL 1741691 (N.D. Cal. June 23, 2025).

19. Kadrey v. Meta Platforms, Inc., No. 23-cv-03417, 2025 WL 1752484 (N.D. Cal. June 25, 2025).

20. The N.Y. Times Co. v. Microsoft Corp., No. 1:23-cv-11195 (S.D.N.Y.) (pending), consolidated as In re OpenAI, Inc., Copyright Infringement Litig., No. 1:25-md-03143 (S.D.N.Y.).

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

22. Getty Images (US) Inc. v. Stability AI Ltd., [2025] EWHC 2863 (Ch).

23. GEMA v. OpenAI LLC & OpenAI Ireland Ltd., Case No. 42 O 14139/24 (Landgericht München I, Nov. 11, 2025) (appeal pending, Oberlandesgericht München).

D. GOVERNMENT AND INSTITUTIONAL MATERIALS

24. Ministry of Electronics and Information Technology, India AI Governance Guidelines (Nov. 5, 2025).

25. UK Dep't for Sci., Innovation & Tech., Intellectual Prop. Office & Dep't for Culture, Media & Sport, Report on Copyright and Artificial Intelligence (Mar. 18, 2026).

E. SECONDARY SOURCES

26. Vaishali Mittal, ANI v OpenAI: A Copyright, AI Training and False Attribution Dispute, Law.Asia (2024), https://law.asia/ani-vs-openai-legal-case/.

27. Reuters, ANI Sues OpenAI for Unsanctioned Content Use in AI Training, Deccan Herald (Nov. 2024), https://www.deccanherald.com/business/companies/ani-sues-openai-forunsanctioned-content-use-in-ai-training-3283839.

28. OpenAI Did Not Violate Copyright Laws by Using ANI News to Train ChatGPT: Delhi High Court Declines Interim Relief, Bar & Bench (2026), https://www.barandbench.com/news/litigation/openai-did-not-violate-copyright-laws-by-usingani-news-to-train-chatgpt-delhi-high-court-declines-interim-relief.

29. ANI Media Sought to Stop OpenAI from Training ChatGPT on Its Copyrighted News Content; Delhi High Court Finds No Prima Facie Infringement, RawLaw (2026), https://rawlaw.in/animedia-sought-to-stop-openai-from-training-chatgpt-on-its-copyrighted-news-content-delhi-highcourt-finds-no-prima-facie-infringement-and-allows-artificial-intelligence-training-to-continue/.

30. Nupur Thapliyal, Delhi High Court Issues Notice on ANI's Appeal Against Denial of Interim Relief in Copyright Case Against ChatGPT, LiveLaw (Sept. 15, 2026), https://www.livelaw.in/high-court/delhi-high-court/notice-ani-appeal-interim-relief-copyrightcase-against-chatgpt-550053.

31. Bhavini Srivastava, Delhi HC Seeks OpenAI Reply on ANI Plea to Temporarily Restrain ChatGPT from Using Its Content, Bar & Bench (Sept. 15, 2026), https://www.barandbench.com/news/litigation/delhi-hc-seeks-openai-reply-on-ani-plea-totemporarily-restrain-chatgpt-from-using-its-content.

32. Delhi HC Seeks OpenAI Response in ANI Copyright Appeal, Exchange4media (Sept. 15, 2026), https://www.exchange4media.com/digital-news/delhi-hc-seeks-openai-response-in-anicopyright-appeal-158255.html.