COPYRIGHT PROTECTION OF AI-GENERATED CONTENT: CHALLENGES AND LEGAL ISSUES IN INDIA

Aastha Sinha, B.B.A. LL.B.(H); Amity Law School, Amity University, Patna

ABSTRACT

Artificial Intelligence has become an influential part of the modern digital world, particularly in activities involving creativity and the production of intellectual works. With the introduction of generative AI technologies, machines are now capable of producing written content, digital artwork, musical compositions, videos and several other forms of creative material. Although these technologies have made content creation easier and more efficient, they have also introduced complex questions concerning the application of copyright law.

The existing copyright system is largely based on the idea that creative works originate from human intellectual effort. However, when an artificial intelligence system generates content, determining the legal author and rightful owner becomes difficult. In India, the Copyright Act, 1957 contains provisions dealing with computer-generated works, but their application to advanced AI technologies remains uncertain. Questions relating to originality, ownership, unauthorised use of copyrighted material for AI training and infringement of existing works require further legal examination.

This research studies the major legal difficulties associated with protecting AI-generated content under Indian copyright law. It examines the relevant statutory provisions, significant judicial decisions and developments in other jurisdictions. The study also evaluates whether the present legal framework is capable of addressing the challenges created by generative AI. It concludes that India requires a more clearly defined legal approach that supports technological progress while safeguarding the legitimate interests and creative contributions of human authors.

Keywords: Artificial Intelligence, Copyright Protection, Generative AI, Authorship, Ownership, Copyright Infringement, Intellectual Property Rights, Indian Law.

1. INTRODUCTION

The development of technology has continuously changed the way knowledge, information and creative material are produced and shared. Among the recent technological developments, Artificial Intelligence has gained considerable importance because of its ability to perform tasks that were traditionally associated with human intelligence. In particular, generative AI has introduced new possibilities in writing, designing, music production, photography and other creative fields.

Applications such as ChatGPT and DALL·E demonstrate how an AI system can produce different types of content in response to instructions provided by a user. Such systems can analyse large collections of information, identify patterns and generate new material within a short period of time. As a result, individuals and organisations increasingly depend on AI tools for creative and commercial purposes.

This technological progress has also created difficulties for intellectual property law. Copyright protection traditionally recognises the rights of authors over original literary, artistic, musical and other protected works. However, AI-generated material creates uncertainty because the creative process may involve both human participation and machine-generated output. In certain situations, the human contribution may be substantial, whereas in others the AI system may perform almost the entire creative task.

Indian copyright law is primarily governed by the Copyright Act, 1957. Section 2(d)(vi) of the Act contains a provision relating to computer-generated works and identifies the person who causes such a work to be created as its author. Nevertheless, the provision does not expressly explain how authorship should be determined when modern AI systems are involved.

Another important concern is the material used to train AI systems. Such systems may be developed using large datasets containing books, photographs, music, articles and other works protected by copyright. This creates questions about whether permission is required from copyright owners and whether existing exceptions under the Act can apply to such activities.

The present research therefore examines the relationship between artificial intelligence and copyright protection in India. It focuses on the legal recognition of AI-generated works, the identification of authors and owners, the possibility of infringement and the need for suitable

legal reforms. The central concern is to develop an approach that encourages technological innovation without disregarding the rights of original creators.

2. STATEMENT OF THE RESEARCH PROBLEM

The increasing use of artificial intelligence in creative activities has exposed certain limitations in the traditional understanding of copyright law. Existing legal principles were mainly developed around human authorship, whereas generative AI systems can now produce creative material with varying degrees of human participation.

Although Section 2(d)(vi) of the Copyright Act, 1957 recognises computer-generated works, it does not provide detailed answers to every issue arising from modern AI technologies. In particular, uncertainty exists regarding the identification of the author, determination of ownership and the level of human involvement required for copyright protection.

A further difficulty concerns the use of existing copyrighted works during the training of AI systems. The possibility of using protected material without obtaining permission has created concerns among writers, artists, musicians and other copyright holders. At the same time, AI developers require access to sufficient data to improve the performance of their systems.

The research problem, therefore, lies in determining whether the existing Indian copyright framework can adequately protect the interests of creators while dealing with the technological and commercial requirements of AI development. There is a need to examine the legal gaps and identify a balanced approach for resolving these competing concerns.

3. RESEARCH OBJECTIVES

The study has been undertaken with the following objectives:

1. To understand the development of artificial intelligence and its growing role in the creation of intellectual and artistic material.

2. To examine the existing provisions of Indian copyright legislation that may apply to AI-generated works.

3. To analyse the legal difficulties involved in identifying the author and determining ownership of content produced with AI assistance.

4. To study the relationship between AI training practices and the copyright rights of original creators.

5. To examine important judicial decisions and international approaches concerning computer-generated and AI-assisted works.

6. To assess the effectiveness of the present Indian legal framework in addressing AI-related copyright disputes.

7. To recommend suitable legal and policy measures for protecting creative rights while encouraging responsible technological development.

4. RESEARCH QUESTIONS

The research is guided by the following questions:

1) To what extent can content produced through artificial intelligence qualify for copyright protection under Indian law?

2) How should authorship and ownership be determined when a creative work is generated with the assistance of an AI system?

3) Do the existing provisions of the Copyright Act, 1957 adequately address the legal difficulties arising from generative AI?

5. RESEARCH HYPOTHESIS

The present study proceeds on the assumption that Indian copyright legislation, although containing certain provisions relevant to computer-generated works, does not sufficiently address the complex questions created by modern generative AI. In particular, the existing framework requires greater clarity regarding authorship, ownership and the use of copyrighted material for AI training.

It is further hypothesised that a balanced legal framework recognising genuine human creative contribution, protecting the rights of copyright owners and providing reasonable certainty to AI developers would be more suitable for addressing the challenges of this developing field.

6. RESEARCH METHODOLOGY

This research adopts a doctrinal method of legal investigation supported by analytical examination of existing legal principles. The study is primarily based on secondary sources rather than field surveys or interviews.

The materials considered include the Copyright Act, 1957, relevant judicial pronouncements, legal textbooks, academic articles, research publications, government documents and reports issued by international organisations. Selected foreign legal provisions and decisions have also been examined to understand how other jurisdictions approach questions relating to AI and copyright.

An analytical approach has been used to evaluate the strengths and limitations of the current Indian legal position. The research also considers possible reforms that may help establish greater certainty in the protection of AI-assisted and AI-generated creative material.

7. MEANING AND CONCEPT OF AI-GENERATED CONTENT

Artificial Intelligence refers to the ability of computer-based systems to perform activities that generally involve human intelligence. These activities may include learning from information, recognising patterns, processing language, solving problems and producing responses.[1]

AI-generated content refers to material created through the operation of an artificial intelligence system. Such content may be produced independently by a machine or through instructions and creative inputs supplied by a human user. Generative AI systems are particularly important because they can create new material by using patterns learned from previously available data.[2]

AI-generated content can take several forms:

1. Written and Literary Material: This includes articles, stories, poems, summaries, reports and other forms of written expression created with AI assistance.

[1] OECD, Recommendation of the Council on Artificial Intelligence, OECD/LEGAL/0449 (May 22, 2019, amended Nov. 8, 2023).
[2] U.S. COPYRIGHT OFFICE, COPYRIGHT AND ARTIFICIAL INTELLIGENCE, PART 2: COPYRIGHTABILITY 1, 5 (2025).

2. Digital Artwork: AI tools can produce illustrations, paintings, photographs, graphics, logos and other visual designs.

3. Musical Creations: Certain AI applications can generate melodies, instrumental compositions, sound effects and other musical material.

4. Video and Audiovisual Material: AI technology can be used to create animations, edited videos, synthetic images and other audiovisual content.

5. Software and Technical Material: AI systems can also generate computer code and assist in the preparation of technical content.

The extent of human participation differs across these categories. A user may simply provide a basic instruction, or may exercise substantial creative control through repeated prompts, editing, selection and modification. This distinction becomes important when examining whether a particular output contains sufficient human authorship to qualify for copyright protection.[3]

8. LEGAL FRAMEWORK GOVERNING COPYRIGHT IN INDIA

Copyright protection in India is mainly regulated by the Copyright Act, 1957. The legislation provides legal rights to creators over specified categories of original works and establishes rules concerning ownership, use, assignment and infringement.[4]

Several provisions of the Act are relevant to the protection of AI-generated and AI-assisted material.

- **Section 2(d)(vi): Identification of the Author**

Section 2(d)(vi) deals with literary, dramatic, musical and artistic works that are computer-generated. It identifies the person who causes the work to be created as the author.[5]

This provision is particularly relevant because it recognises the possibility of creative material being produced with the assistance of computer technology. However, its application to

[3] U.S. COPYRIGHT OFFICE, supra note 2, at 18–27.
[4] The Copyright Act, No. 14 of 1957, §§ 13–14, 17–19 (India).
[5] The Copyright Act, No. 14 of 1957, § 2(d)(vi) (India).

generative AI is not straightforward. In a situation involving an AI developer, platform operator and user, it may be difficult to identify the person who legally caused the final work to come into existence.

- **Section 13: Eligibility for Copyright Protection**

Section 13 specifies the categories of works in which copyright may subsist, subject to the conditions laid down in the Act. These include original literary, dramatic, musical and artistic works, cinematograph films and sound recordings.

For AI-generated material, the main issue is whether the resulting work satisfies the statutory requirements, particularly originality. The use of AI technology does not automatically establish that a work qualifies for copyright protection.

- **Section 14: Rights Granted to Copyright Owners**

Section 14 describes the exclusive rights available to the owner of copyright. Depending on the category of work, these may include reproduction, distribution, communication to the public and other specified acts.

Where an AI-assisted work contains protectable human-created expression, the scope of these rights will depend on the applicable legal requirements and the nature of the protected contribution.

- **Section 17: Determination of First Ownership**

Section 17 generally recognises the author as the first owner of copyright, subject to the exceptions provided in the Act.

In the context of AI, the identification of the author may directly affect the determination of ownership. This becomes complicated when the person using an AI tool, the developer of the system and the person commercially exploiting the output are different parties.

- **Sections 18 and 19: Transfer and Assignment of Rights**

Sections 18 and 19 regulate the assignment of copyright and prescribe certain requirements for such transfers.

These provisions may be relevant where copyright in an AI-assisted work is assigned to an organisation, employer or commercial entity. Agreements involving AI-generated content should clearly identify the rights being transferred and the permitted uses of the material.

- **Section 51: Acts Constituting Copyright Infringement**

Section 51 identifies circumstances in which copyright may be infringed. Unauthorised acts involving protected works may attract liability where they fall within the restrictions imposed by copyright law.

This provision becomes important when AI systems reproduce protected material or generate outputs that unlawfully incorporate copyrighted expression.

- **Section 52: Statutory Exceptions to Infringement**

Section 52 identifies certain activities that do not constitute copyright infringement, subject to the conditions specified in the provision. These include particular forms of fair dealing and other statutory exceptions.

The application of these exceptions to AI training remains a significant legal question. Whether a particular training activity is covered cannot be determined merely by describing it as technological research or data analysis. The facts, purpose and nature of the use must be examined under the applicable law.[6]

9. MAJOR COPYRIGHT CHALLENGES ARISING FROM AI-GENERATED CONTENT

- **Uncertainty Regarding Legal Authorship**

A major difficulty in AI-related copyright matters is deciding who should receive recognition as the author of a work. In conventional creative activities, authorship is generally associated with the individual responsible for producing the original expression.

However, generative AI can create material after receiving only a limited instruction from a user. This raises the question of whether the user has contributed enough creative effort to

[6] The Copyright Act, No. 14 of 1957, §§ 51–52 (India).

qualify as the author or whether another person should be recognised under the law.

The interpretation of Section 2(d)(vi) becomes important in this context, but further legal clarity is required to deal with situations involving different levels of human and machine participation.[7]

- **Disputes Concerning Ownership**

Determining the owner of an AI-generated work is another important concern. The user of an AI platform may believe that the resulting content belongs to them, whereas the developer may impose contractual conditions governing its use.

In some situations, an employer or commercial organisation may also claim rights in the output. Such competing claims may create disputes, particularly where the parties have not entered into a clear agreement.

It is therefore important to distinguish between ownership under copyright legislation and contractual permissions granted by an AI platform.

- **Difficulty in Establishing Originality**

Originality is a basic requirement for copyright protection. AI systems generate content by analysing patterns and information contained in their training material. Consequently, it may be difficult to determine whether a particular output represents original expression or substantially reflects previously existing material.

The question is not simply whether the output is new or different. It is also necessary to consider the applicable legal standard of originality and the extent of human creative involvement, wherever required.[8]

- **Copyright Issues During AI Training**

The training of generative AI systems may involve the collection and processing of enormous quantities of information. Some of this material may consist of copyrighted books,

[7] The Copyright Act, No. 14 of 1957, § 2(d)(vi) (India); U.S. Copyright Office, Copyright and Artificial Intelligence, Part 2: Copyrightability 18–24 (2025).
[8] *Eastern Book Co. v. D.B. Modak*, (2008) 1 SCC 1 (India).

photographs, songs, articles and other protected works.

Copyright owners may object to the use of their material without consent, particularly where AI companies commercially benefit from systems trained on those works. On the other hand, developers may argue that training involves analysing data to identify patterns and does not necessarily result in the public distribution of the original material.

This creates a difficult question regarding the relationship between reproduction rights, licensing and statutory exceptions. A clear legal approach is necessary to determine when permission is required and when a particular use may be legally justified.

- **Similarity Between AI Outputs and Existing Works**

An AI system may sometimes generate content that resembles an already existing copyrighted work. If the output reproduces protected expression without authorisation, it may create an infringement issue.

For example, an AI-generated illustration that reproduces substantial protected elements of an existing artwork may give rise to a copyright dispute.

However, similarity alone does not automatically establish infringement. The court must consider the nature of the protected expression, the extent of reproduction and the applicable legal principles.

- **Responsibility for Unauthorised Use**

When an AI-generated output infringes copyright, identifying the legally responsible party may be difficult. The developer may have designed the system, the user may have provided the prompt, and another person may have published or commercially distributed the result.

The responsibility of each party should be examined in light of their actual involvement, knowledge, control and the applicable provisions of law. A single rule may not be appropriate for every situation.

- **Impact on Human Creators**

The growing availability of AI-generated material may affect individuals whose professional

activities depend on original creative work. Writers, artists, photographers, musicians and designers may face competition from content generated at a lower cost and in less time.

There is also concern that their existing works may be used to develop commercial AI systems without appropriate recognition or compensation. Copyright law must therefore continue to protect the legitimate interests of human creators while adapting to technological change.[9]

10. IMPORTANT CASE LAWS AND LEGAL DEVELOPMENTS

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

Citation: (2008) 1 SCC 1.

In this decision, the Supreme Court of India examined the meaning of originality in copyright law. The Court held that mere labour or effort is not enough to establish copyright protection. A work must involve a sufficient degree of skill, judgment and creativity.

Relevance: The decision provides an important standard for evaluating originality. It may assist in examining whether AI-assisted material contains sufficient creative contribution to qualify for protection under Indian copyright law.[10]

2. *University of London Press Ltd. v. University Tutorial Press Ltd.* (1916)

Citation: [1916] 2 Ch 601.

This decision is an important authority on the concept of originality. The court explained that originality does not necessarily mean that a work must be novel or entirely unprecedented. The important consideration is whether the work originates from the author rather than being copied from another source.

Relevance: The principle helps in understanding the distinction between originality and novelty. However, it does not independently settle the question of authorship in works

[9] The Copyright Act, No. 14 of 1957, §§ 14, 51–52 (India); R.G. Anand v. Delux Films, (1978) 4 SCC 118 (India); U.S. Copyright Office, Copyright and Artificial Intelligence, Part 3: Generative AI Training 1, 26–31, 61–70 (Pre-Publication Version May 2025); Department for Promotion of Industry and Internal Trade, Working Paper on Generative AI and Copyright (Part I) (Dec. 9, 2025).
[10] Eastern Book Co. v. D.B. Modak, (2008) 1 SCC 1 (India).

generated by AI.[11]

3. *Thaler v. Perlmutter* (2023)

Citation: 687 F. Supp. 3d 140 (D.D.C. 2023).

The dispute concerned an application for copyright registration of an artwork generated autonomously by an artificial intelligence system known as DABUS. Stephen Thaler sought recognition of the AI system as the creator of the artwork.

The United States District Court upheld the refusal of registration, explaining that human authorship is a fundamental requirement under US copyright law.

Relevance: The decision illustrates the difficulties involved in granting copyright authorship to an AI system. It also demonstrates the importance of identifying human creative contribution. The decision is persuasive for comparative study but is not binding on Indian courts.

4. *Naruto v. Slater* (2018)

Citation: 888 F.3d 418 (9th Cir. 2018).

This case involved a photograph taken by a monkey using a camera. The United States Court of Appeals held that the animal could not bring a copyright infringement action under the US Copyright Act.

Relevance: Although the dispute did not concern artificial intelligence, it demonstrates that copyright law does not automatically extend legal authorship and enforcement rights to non-human entities. Its connection with AI authorship is therefore indirect.[12]

5. *ANI Media Pvt. Ltd. v. OpenAI OpCo LLC* (2026)

Case: CS(COMM) 1028/2024, Delhi High Court, order dated 24 July 2026.

ANI Media brought proceedings alleging that its copyrighted news content had been used by OpenAI without authorisation for the development and training of AI systems. The dispute

[11] Univ. of London Press Ltd. v. Univ. Tutorial Press Ltd., [1916] 2 Ch. 601 (Eng.).
[12] *Naruto v. Slater*, 888 F.3d 418 (9th Cir. 2018).

raised important questions concerning the use of protected material for AI training and the possible application of Section 52 of the Copyright Act, 1957.

In its order dated 24 July 2026, the Delhi High Court declined to grant the requested interim injunction. At that stage, the Court expressed a prima facie view concerning the applicability of Section 52(1)(a) to the relevant training activity and the material placed before it.

Relevance: The proceedings are significant because they bring the relationship between generative AI and copyright infringement directly before an Indian court. However, the order was concerned with interim relief and should not be treated as the final determination of the entire dispute.

6. *Indian Copyright Office and the DABUS Application* (2026)

The Indian Copyright Office reportedly considered an application submitted by Stephen Thaler concerning an artwork titled *A Recent Entrance to Paradise*, which had been generated through his AI system, DABUS.

The decision raised an important distinction between the originality of a work and the legal recognition of its author. The application was not accepted on the basis that the AI system could not be recognised as a legal author, and the applicant did not agree to amend the authorship details as requested.

Relevance: This administrative development is important for understanding the practical difficulties involved in registering AI-generated works in India. It should be identified as a Copyright Office decision rather than a judgment delivered by a court.[13]

11. INTERNATIONAL LEGAL POSITION

The legal treatment of AI-generated content is not identical across different countries. Various jurisdictions have approached the question by examining the role of human creativity, statutory provisions and the purpose for which copyrighted material is used.

[13] In re A Recent Entrance to Paradise, Diary No. 9356/2022-CO/A (Registrar of Copyrights, India Aug. 31, 2026).

- **Position in the United States**

The United States follows a human-authorship approach to copyright protection. The US Copyright Office has clarified that material produced entirely by AI is not protected merely because a person entered a prompt or operated the system.

However, where a work contains sufficient human-authored expression, copyright may extend to the human contribution. The Office's 2025 report on copyrightability further examined how the use of AI affects the assessment of human authorship.[14]

This approach focuses on the actual creative contribution made by a person rather than simply the use of an AI tool.

- **Position in the United Kingdom**

The United Kingdom has a specific statutory provision dealing with computer-generated works. Section 9(3) of the Copyright, Designs and Patents Act, 1988 provides that the author of a computer-generated literary, dramatic, musical or artistic work is the person who undertakes the arrangements necessary for its creation.[15]

This provision offers a distinct approach to identifying authorship in computer-generated works. Nevertheless, applying it to advanced generative AI systems may involve questions about the nature of the arrangements and the degree of human involvement.

- **Position in the European Union**

The European Union generally bases copyright protection on the author's own intellectual creation. This principle places importance on the expression of human intellectual and creative choices.

As a result, material generated entirely by an AI system may face difficulty in satisfying the traditional requirements for copyright protection. Where a person makes meaningful creative decisions, however, the human contribution may be examined separately.[16]

[14] U.S. Copyright Office, *Copyright and Artificial Intelligence, Part 2: Copyrightability* (2025).
[15] Copyright, Designs & Patents Act 1988, c. 48, § 9(3) (UK)
[16] Case C-145/10, *Painer v. Standard VerlagsGmbH*, ECLI:EU:C:2011:798, ¶¶ 87–89 (Dec. 1, 2011); Berne

- **Role of International Intellectual Property Frameworks**

International instruments such as the Berne Convention, the TRIPS Agreement and the WIPO Copyright Treaty establish important principles for the protection of copyright.

However, these instruments were not designed to answer every modern question concerning AI-generated authorship, training datasets and machine-generated expression. The World Intellectual Property Organization has also examined the challenges created by generative AI and the need for further international discussion.

The different approaches adopted by countries demonstrate that AI-related copyright protection remains an evolving area of intellectual property law.

12. RECENT POLICY DEVELOPMENTS IN INDIA

India has increasingly recognised the need to examine the effect of generative AI on the existing copyright system. An important policy development was the publication of Part I of the Department for Promotion of Industry and Internal Trade's Working Paper on Generative AI and Copyright on 9 December 2025.[17]

The paper examined possible ways of regulating the use of copyrighted material for AI training. It considered issues such as licensing, compensation to copyright owners and the need to maintain an appropriate balance between creators and AI developers.

One of the approaches discussed was a hybrid licensing framework. Under this proposed model, AI developers could obtain a blanket licence for using lawfully accessed copyrighted material for training, with royalty payments linked to the commercial use of AI systems. A centralised mechanism for collecting and distributing royalties was also contemplated.[18]

The proposal is important because it attempts to address the concerns of both copyright holders

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Convention for the Protection of Literary and Artistic Works art. 2(1), Sept. 9, 1886, as revised July 24, 1971, 1161 U.N.T.S. 3; Agreement on Trade-Related Aspects of Intellectual Property Rights arts. 9–10, Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1C, 1869 U.N.T.S. 299; WIPO Copyright Treaty arts. 4–5, Dec. 20, 1996, 2186 U.N.T.S. 121

[17] Department for Promotion of Industry & Internal Trade, Ministry of Commerce & Industry, Government of India, *Working Paper on Generative AI and Copyright pt. I* (Dec. 9, 2025).

[18] Department for Promotion of Industry & Internal Trade, Ministry of Commerce & Industry, Government of India, *Working Paper on Generative AI and Copyright: One Nation One License One Payment—Balancing AI Innovation and Copyright* pt. 1, §§ 5.1–5.5, at 60–72 (Dec. 2025).

and technology companies. Creators may receive a mechanism for compensation, while developers may obtain greater legal certainty regarding access to training material.

Nevertheless, a working paper represents policy discussion and does not automatically become enforceable law. Any proposal must undergo the appropriate legal process before it can be treated as part of the statutory copyright framework.

13. CRITICAL ANALYSIS

The growth of generative AI has created a situation in which technological development is moving faster than the existing understanding of copyright law. Indian legislation contains provisions that may be relevant to computer-generated works, but their application to modern AI systems is not free from difficulty.

Section 2(d)(vi) of the Copyright Act, 1957 is an important starting point because it recognises a person who causes a computer-generated work to be created as its author. However, the provision does not clearly explain how this person should be identified when several individuals and technological systems participate in the creative process.

A further difficulty is the distinction between content created with AI assistance and content generated almost entirely by a machine. Where a person exercises meaningful creative judgment through selection, editing, modification or arrangement, there may be a stronger basis for protecting the person's original contribution. In contrast, purely machine-generated material raises more complicated questions about the existence of a legally recognised author.

The issue of AI training also requires careful consideration. Copyright owners have legitimate concerns about the use of their works without permission, particularly when those works contribute to commercial AI systems. At the same time, excessively restrictive rules may create difficulties for technological research and innovation.

A suitable legal framework should therefore avoid two extremes: providing unrestricted permission to use protected material and imposing unnecessary restrictions on every form of AI development. The law should distinguish between different kinds of use, consider the rights of creators and provide appropriate safeguards.

In the Indian context, further legislative guidance, judicial interpretation and transparent

licensing practices may help reduce uncertainty. The ultimate objective should be to ensure that technological advancement takes place without weakening the fundamental purpose of copyright protection.

14. SUGGESTIONS AND RECOMMENDATIONS

In view of the legal issues discussed above, the following measures may be considered for improving the Indian copyright framework:

1. Greater clarity on authorship: The application of Section 2(d)(vi) should be clarified in relation to generative AI, particularly where the developer, user and person exercising creative control are different.

2. Protection of genuine human contribution: The law should recognise protectable human expression in AI-assisted works where the required level of originality and other legal conditions are satisfied.[19]

3. Transparency in training practices: AI developers should follow appropriate transparency standards concerning the sources and categories of material used in training their systems, subject to legitimate privacy and confidentiality requirements.

4. Fair compensation arrangements: Suitable licensing and royalty mechanisms should be explored where copyrighted works are used for commercial AI training.

5. Clearer rules on infringement: Legal guidance should address the circumstances in which AI-generated outputs reproduce protected expression and the possible responsibility of developers, platforms and users.

6. Awareness of copyright obligations: Educational institutions, creative professionals and technology companies should be encouraged to understand the legal consequences of using AI-generated material and copyrighted training data.

7. Continuous review of legislation: Copyright law and related policy should be examined periodically so that legal rules remain capable of responding to technological changes.

[19] The Copyright Act, No. 14 of 1957, §§ 2(d)(vi), 13 (India*); Eastern Book Co. v. D.B. Modak*, (2008) 1 SCC 1 (India)

These measures may help create a system in which the interests of original creators and the requirements of technological development are both given appropriate consideration.

15. FINDINGS OF THE STUDY

The examination of statutory provisions, judicial decisions and international approaches leads to several important findings:

1. Generative AI has created new challenges for copyright law because creative material can now be produced with different degrees of human involvement.

2. Section 2(d)(vi) of the Copyright Act, 1957 provides a basis for examining authorship in computer-generated works, but its application to modern AI systems requires further clarification.

3. Originality and authorship are separate legal questions. A work may raise an originality issue even where its creator or the person responsible for its production can be identified.

4. The extent of human creative involvement is an important consideration when determining whether AI-assisted material may qualify for copyright protection.

5. The use of copyrighted material in AI training raises unresolved questions relating to reproduction rights, statutory exceptions, licensing and compensation.

6. Foreign jurisdictions have adopted different approaches, and no single international model has completely resolved the legal difficulties associated with generative AI.

7. Recent Indian policy discussions and administrative developments indicate that AI-related copyright questions are receiving greater attention and may require further legal and regulatory action.

Overall, the findings suggest that the present legal framework provides a foundation for addressing AI-generated content but requires greater certainty and more detailed guidance.

16. CONCLUSION

Artificial Intelligence has introduced significant changes in the way creative and intellectual

material is produced. Generative AI systems can now prepare written works, create digital artwork, produce music and assist in several other activities that were traditionally performed by human creators. Although these developments offer considerable opportunities, they also challenge the established principles of copyright protection.

The Indian Copyright Act, 1957 provides certain provisions relevant to computer-generated works, particularly through Section 2(d)(vi). However, questions relating to the identity of the author, ownership of the resulting content, originality, training datasets and copyright infringement continue to require careful legal examination.

Judicial decisions, administrative developments and policy discussions demonstrate that the relationship between AI and copyright is becoming an increasingly important area of legal research. The challenge for India is to develop an approach that responds to technological progress without overlooking the rights and economic interests of original creators.

Copyright law should not be used as an obstacle to innovation, but technological development should also not become a reason for disregarding existing legal rights. A balanced framework should provide recognition to genuine human creative contributions, establish fair rules for the use of protected works in AI training and clarify the responsibilities of the parties involved.

In conclusion, India needs a forward-looking and adaptable copyright system that can respond to the changing nature of creative work. Such a framework would help promote responsible AI development while maintaining the importance of originality, authorship and protection of intellectual property in the digital age.