
AI VOICE CLONING AND PERSONALITY RIGHTS IN INDIA: CAN A PERSON CLAIM EXCLUSIVE RIGHTS OVER AN IDENTIFIABLE VOICE?

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ABSTRACT

Voice-cloning tools are now capable of producing new speech or songs in the voice of a real person from recordings of that person. Currently, no Indian statute names the voice as something a person owns. Since 2022, however, the Delhi and Bombay High Courts have granted injunctions that list voice among the protected attributes of well-known persons, and in 2024 and 2025 the Bombay High Court applied this to AI platforms (namely Mayk Inc. and Covers AI) that cloned the voices of Arijit Singh and Asha Bhosle. This paper asks what those orders actually protect. It argues that Indian law gives a well-known person a right to stop unconsented commercial or misleading use of an identifiable version of their voice, but not an exclusive right in the sound of the voice itself. Copyright and trade mark law add little. The main gaps are the celebrity threshold, the absence of any final judgment on voice cloning, and the lack of stated exceptions for parody and mimicry.

Keywords: personality rights, voice cloning, performers' rights, right of publicity, Article 21.

I. Introduction

A voice-cloning model is trained on recordings of a person which then converts text, or another person's audio, into output that sounds like that person. In Arijit Singh's case, one platform had uploaded a data set of 456 of his songs so that users could turn any audio file into his "AI voice".¹ Another website let users paste a YouTube link and receive a version sung in his voice.² None of this needed Arijit's involvement once the original recordings existed.

The legal question is simple: does Arijit Singh own his voice? Indian statutes do not answer it. The Copyright Act, 1957 protects performances and sound recordings, not the qualities of a voice.³ The Trade Marks Act, 1999 protects signs used to identify goods and services.⁴ There is no statutory right of publicity. What exists is a line of High Court orders, most of them interim and many passed ex parte, that treat name, image, likeness and voice as "personality rights" of celebrities.

This paper reads those orders closely. Part II sets out where the right comes from. Part III examines the two voice-cloning orders. Part IV explains why copyright and trade mark law do not fill the gap. Part V looks at the limits of the right: who can claim it, what counts as use of a voice, and where free speech comes in. Part VI answers the question in the title and suggests what a statute should cover.

II. Sources of the personality right in India

The Supreme Court has not conclusively decided a personality-rights dispute as such. The High Courts draw on two of its judgments. In *R. Rajagopal v. State of Tamil Nadu*, the Court said that the tort aspect of privacy is violated where a person's name or likeness is used without consent for advertising or non-advertising purposes.⁵ In *K.S. Puttaswamy v. Union of India*, a nine-judge bench held that privacy is a fundamental right under Article 21. Kaul J., concurring, added that every individual should be able to control the commercial use of their identity.⁶ That was the view of one judge, not the holding of the Court, but the High Courts

¹*Arijit Singh v. Codible Ventures LLP*, 2024 SCC OnLine Bom 2445, ¶ 9(A)(ii) (India).

²*Id.* ¶ 9(A)(iii).

³ Copyright Act, 1957, No. 14, Acts of Parliament, 1957, §§ 13, 38–38B (India).

⁴ Trade Marks Act, 1999, No. 47, Acts of Parliament, 1999, § 2(1)(zb) (India).

⁵*R. Rajagopal v. State of Tamil Nadu*, (1994) 6 SCC 632, ¶ 9 (India).

⁶*K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1 (India) (Kaul, J., concurring).

have relied on it repeatedly.

The commercial side of the right was built mainly by the Delhi High Court. In *ICC Development (International) Ltd. v. Arvee Enterprises*, the court said the right of publicity vests in an individual and cannot be claimed by the organiser of an event.⁷ In *D.M. Entertainment Pvt. Ltd. v. Baby Gift House*, the company that held the singer Daler Mehndi's rights obtained an injunction against dolls that imitated him. The court treated the claim as a form of passing off based on false endorsement, and it cautioned that caricature, parody and similar uses may be allowed.⁸ In *Titan Industries Ltd. v. Ramkumar Jewellers*, the court set out two elements of liability: the plaintiff must own an 'enforceable right' in a human identity, and that identity must be identifiable from the defendant's use.⁹

From 2022 the orders became wider. *Amitabh Bachchan v. Rajat Nagi* restrained named and unknown defendants from using the actor's name, image and voice.¹⁰ *Anil Kapoor v. Simply Life India* protected the actor's voice and catchphrase and expressly referred to AI tools that make it possible to imitate a celebrity's persona.¹¹ In the Jackie Shroff case, *Jaikishan Kakubhai Saraf v. The Peppy Store*, the Delhi High Court restrained defendants, including an AI chatbot, from using his name, image and voice for commercial purposes.¹²

Not every order went the plaintiff's way. In *Digital Collectibles Pte. Ltd. v. Galactus Funware Technology Pvt. Ltd.*, a licensee and several cricketers tried to stop a fantasy sports platform from selling digital player cards that used the players' names and images. The court refused an interim injunction. It held that information in the public domain, used to identify players, did not infringe their publicity rights, and that in the absence of a statute the claim had to be tested by the principles of passing off and against the guarantee of free speech.¹³ That reasoning matters for voice, because a cloned voice is usually trained on recordings the singer released to the public.

⁷*ICC Dev. (Int'l) Ltd. v. Arvee Enters.*, 2003 (26) PTC 245 (Del) (India).

⁸*D.M. Ent. Pvt. Ltd. v. Baby Gift House*, 2010 SCC OnLine Del 4790 (India).

⁹*Titan Indus. Ltd. v. Ramkumar Jewellers*, 2012 SCC OnLine Del 2382, ¶ 14 (India).

¹⁰*Amitabh Bachchan v. Rajat Nagi*, (2022) 6 HCC (Del) 641 (India).

¹¹*Anil Kapoor v. Simply Life India*, 2023 SCC OnLine Del 6914, ¶¶ 42–46 (India).

¹²*Jaikishan Kakubhai Saraf v. The Peppy Store*, CS(COMM) 389/2024, 2024:DHC:4046 (Del. HC May 15, 2024) (India).

¹³*Digital Collectibles Pte. Ltd. v. Galactus Funware Tech. Pvt. Ltd.*, 2023 SCC OnLine Del 2306 (India).

III. The voice-cloning orders

Arijit Singh v. Codible Ventures LLP, decided by Justice R.I. Chagla of the Bombay High Court on 26 July 2024, was the first Indian order aimed at AI voice cloning.¹⁴ Singh's plaint listed as protected attributes his name, his "voice / vocal style and technique / vocal arrangements and interpretations", his manner of singing, his image and his signature.¹⁵ The defendants included AI platforms, a company that ran music courses using AI voice models, merchandise sellers, domain name registrants and unknown persons.

The court restated the test from earlier cases. Celebrity status is the "primary ingredient". The plaintiff must also be identifiable from the defendant's use, and the use must be for commercial gain.¹⁶ The court then held, *prima facie*, that making available AI tools that convert any voice into a celebrity's voice without permission violates the celebrity's personality rights, because such tools allow the voice to be appropriated and manipulated.¹⁷ It was concerned that new songs released in Singh's cloned voice could damage his career, and it noted his pleading that he had chosen for several years not to endorse brands.¹⁸ The injunction, which the court allowed to operate as a dynamic injunction, covers AI voice models, voice conversion tools and synthesized voices that imitate him.¹⁹ On free speech, the court accepted that critique and commentary are protected but said this does not license commercial exploitation of a persona.²⁰

One part of the order is easy to miss. For the YouTube tutorials that showed viewers how to clone Singh's voice, the court refused to order that the whole videos be taken down. It directed the uploaders to remove references to his name, voice and image instead.²¹ Even at the *ex parte* stage, then, the court limited the relief to the part of the content that used his identity.

In September 2025, Justice Arif S. Doctor of the same court granted similar relief to Asha Bhosle against Mayk Inc., a platform alleged to offer clones of her voice, and against online

¹⁴*Arijit Singh*, 2024 SCC OnLine Bom 2445 (order dated July 26, 2024, in Interim Application (L) No. 23560 of 2024 in Com. IPR Suit (L) No. 23443 of 2024).

¹⁵*Id.* ¶ 7.

¹⁶*Id.* ¶ 18.

¹⁷*Id.*

¹⁸*Id.* ¶¶ 19–20.

¹⁹*Id.* ¶¶ 22, 24.

²⁰*Id.* ¶ 21.

²¹*Id.* ¶ 27.

marketplaces and YouTube.²² On AI tools, the order repeats the reasoning of the Arijit Singh order almost word for word, and it directs platforms to remove listings and disclose details of the persons behind them.²³

Three features of these orders limit what they decide. First, both are ad-interim orders passed without hearing the defendants. No defendant argued that a voice cannot be owned, that training on lawfully purchased recordings is permitted, or that users and not platforms produced the offending output. Second, both plaintiffs are among the best-known singers in India, so the celebrity test was never under strain. Third, the orders protect a bundle of attributes. Many of the uses complained of, such as a voice model labelled with Singh's name, would have been actionable because of the name alone. The orders do not tell us what happens when a voice is cloned and used with no name attached.

IV. Why copyright and trade mark law do not settle the question

Singh also pleaded his moral rights as a performer under section 38B of the Copyright Act.²⁴ The statute makes this route narrow. A "performer" includes a singer, and a "performance" is a visual or acoustic presentation made live by one or more performers.²⁵ Section 38A gives the performer exclusive rights to make a sound or visual recording of the performance, to reproduce it and to communicate it to the public.²⁶ Section 38B lets the performer restrain distortion, mutilation or other modification of the performance that would harm their reputation.²⁷ Each of these rights attaches to a performance that actually took place.

A cloned voice singing a song the singer never recorded is not a copy of any of the singer's performances. It is new output that shares the qualities of the voice. The training stage is different. Copying 456 recordings into a data set reproduces sound recordings and the performances fixed in them. But copyright in a sound recording belongs in the first place to its producer, usually a music label, not to the singer.²⁸ The performer's own rights also depend on the contract under which the recording was made. A singer who wants to stop the training may

²²*Asha Bhosle v. Mayk Inc.*, Interim Application (L) No. 30382 of 2025 (Bom. HC Sept. 29, 2025) (India).

²³*Compare id.*, with *Arijit Singh*, 2024 SCC OnLine Bom 2445, ¶ 18.

²⁴*Arijit Singh*, 2024 SCC OnLine Bom 2445, ¶¶ 3, 8.

²⁵The Copyright Act, 1957, §§ 2(q), 2(qq).

²⁶*Id.* § 38A(1).

²⁷*Id.* § 38B.

²⁸*Id.* §§ 2(d)(v), 17.

find that the label holds the more useful claim.

A United States court reached a similar result on similar facts. In *Lehrman v. Lovo, Inc.*, two voice actors alleged that a company had recorded their voices for what it said was research and then sold AI clones of them. The Southern District of New York dismissed their Lanham Act claims and most of their copyright claims, holding that copyright does not protect a voice as such. It allowed their claims under New York's statutory right of publicity to go forward.²⁹ This is consistent with *Midler v. Ford Motor Co.*, where the Ninth Circuit protected Bette Midler against a sound-alike advertisement through the California tort of appropriation of identity and not through copyright.³⁰

Trade mark law fits no better. The Trade Marks Rules, 2017 allow a sound mark to be registered if it is filed as an MP3 file of not more than thirty seconds, with a graphical representation of its notations.³¹ A sound mark is a specific sound that tells buyers where goods or services come from. A person's voice, across everything they might say or sing, is not a fixed sign, and it does not usually indicate trade origin. Passing off can help a celebrity where a cloned voice suggests endorsement, which is how *D.M. Entertainment* approached the claim, but passing off needs goodwill and a misrepresentation.³² A clone clearly labelled as artificial may avoid passing off while still copying the voice.

V. The limits of the right

A. Who can claim

Every Indian order so far concerns a celebrity, and the Arijit Singh order treats celebrity status as the first element of the claim.³³ That test suits a publicity right, which protects commercial value. It does nothing for an ordinary person whose voice is cloned to make a fraudulent call to a relative, or to put words in their mouth in a video. That person's voice is just as identifiable to the people who know them. It simply has no market value.

For such a person, privacy is the better source of protection. *Rajagopal* placed unauthorised use of a person's name or likeness within privacy, and *Puttaswamy* treats control

²⁹*Lehrman v. Lovo, Inc.*, 790 F. Supp. 3d 348 (S.D.N.Y. 2025).

³⁰*Midler v. Ford Motor Co.*, 849 F.2d 460, 463 (9th Cir. 1988).

³¹The Trade Marks Rules, 2017, r. 26(5) (India).

³²*D.M. Ent.*, 2010 SCC OnLine Del 4790.

³³*Arijit Singh*, 2024 SCC OnLine Bom 2445, ¶ 18.

over personal information as part of Article 21.³⁴ A voice recording is also "personal data" under the Digital Personal Data Protection Act, 2023, since it is data about an identifiable individual, and processing it would in principle need a lawful basis such as consent.³⁵ The Act, however, does not apply to personal data that the individual has made publicly available.³⁶ A singer's released songs and an influencer's public videos fall within that exclusion, which removes the data-protection route in exactly the cases where cloning is easiest.

Criminal law and platform regulation deal with the fraud cases without creating any right in the voice. Cheating by personation is an offence under section 319 of the Bharatiya Nyaya Sanhita, 2023, and section 66D of the Information Technology Act, 2000 punishes cheating by personation using a computer resource.³⁷ The 2026 amendments to the intermediary rules, in force from 20 February 2026, require intermediaries to label synthetically generated audio and visual content and to attach provenance information to it.³⁸ A label tells listeners that a voice is synthetic. It does not ask whether the person whose voice was used agreed.

B. What counts as use of the voice

Identifiability is the working test. It was the second element in *Titan Industries*, and in *Arijit Singh* the court asked whether the plaintiff could be identified from the defendant's use.³⁹ For a voice, this is a question of fact about listeners. A clone good enough to be mistaken for the singer plainly qualifies. But a professional mimic who imitates a singer on stage is also identifiable, often on purpose, and nothing in the orders suggests the courts meant to stop mimicry. The difference between the two has to come from something other than identifiability. In the orders it comes from commercial gain and from the risk that listeners will take the output to be the real person.

This is where the claim to exclusivity fails. An exclusive right in a voice would let its holder stop any identifiable reproduction of it, including imitation that misleads no one. None of the Indian orders goes that far. They restrain unauthorised commercial exploitation and uses

³⁴*Rajagopal*, (1994) 6 SCC 632, ¶ 9; *Puttaswamy*, (2017) 10 SCC 1.

³⁵The Digital Personal Data Protection Act, 2023, No. 22, Acts of Parliament, 2023, §§ 2(t), 4, 6 (India).

³⁶*Id.* § 3(c)(ii)(A).

³⁷The Bharatiya Nyaya Sanhita, 2023, No. 45, Acts of Parliament, 2023, § 319 (India); The Information Technology Act, 2000, No. 21, Acts of Parliament, 2000, § 66D (India).

³⁸Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2026, G.S.R. 120(E) (Feb. 10, 2026) (India).

³⁹*Titan Indus.*, 2012 SCC OnLine Del 2382, ¶ 14; *Arijit Singh*, 2024 SCC OnLine Bom 2445, ¶ 18.

that harm reputation. Some of the language is broad: the Arijit Singh injunction extends to use "for any commercial and/or personal gain and/or otherwise". That wording, though, came from an unopposed prayer clause, not from any finding on the scope of the right.⁴⁰

C. Free speech

Article 19(1)(a) protects parody, satire, criticism and news reporting, and any restriction must fall within Article 19(2).⁴¹ *D.M. Entertainment* left room for caricature and lampooning, and *Digital Collectibles* held that the publicity right has to give way to free speech where the use is expressive.⁴² In the Jackie Shroff case, the court declined to grant ex parte relief against a YouTube creator whose video used the actor's persona in a "Thug Life" compilation, preferring to hear the creator first.⁴³ A political satire that uses the cloned voice of a public figure is a harder case than a paid AI song. The orders so far have not had to draw that line, because the plaintiffs were performers and the uses were commercial.

VI. Can a person claim exclusive rights over an identifiable voice?

On the present law, no, if "exclusive right" means a property right in the sound of a voice that can be asserted against all copying. What a person can claim is narrower. A well-known person can stop others from using an identifiable version of their voice for commercial gain without consent, and can stop uses that harm their reputation or lead the public to believe they said or sang something they did not. The Bombay High Court has applied this to platforms that supply cloning tools, not only to the users who make the clips. An ordinary person has weaker and scattered protection through privacy, data protection and criminal law. All of this rests on interim orders. No Division Bench and no Supreme Court judgment has yet examined a voice-cloning claim after hearing both sides.

Courts are unlikely to settle the open questions soon, because most of these suits stop at the interim stage or involve defendants who never appear. Legislation would do better. The Tennessee ELVIS Act of 2024 is one model. It adds voice, including a simulation of a voice, to the attributes protected by the state's publicity right, and it creates liability for distributing a

⁴⁰*Arijit Singh*, 2024 SCC OnLine Bom 2445, ¶ 24.

⁴¹India Const. art. 19, cls. 1(a), 2.

⁴²*D.M. Ent.*, 2010 SCC OnLine Del 4790; *Digital Collectibles*, 2023 SCC OnLine Del 2306.

⁴³*Jaikishan Kakubhai Saraf*, 2024:DHC:4046.

tool whose primary purpose is to produce an individual's voice without authorisation.⁴⁴ In 2024 the U.S. Copyright Office recommended a federal law on digital replicas that would protect all individuals, not only celebrities.⁴⁵

An Indian law on this point should, in my view, protect any identifiable individual, with a celebrity's commercial value relevant to damages rather than to whether the right exists at all. It should require specific consent for creating a digital replica of a voice, separate from consent to record a performance, so that a session singer's contract for one film does not license a clone of that singer. It should state exceptions for parody, criticism, news reporting and mimicry that does not pass itself off as the real person. It should also say whether the right survives death and for how long. The courts have not reached that question, though it will matter for the recorded voices of singers such as Lata Mangeshkar and Kishore Kumar.

Until then, the answer to the title question depends on who is asking. Arijit Singh and Asha Bhosle can obtain an injunction against a platform that sells their cloned voice. A private person whose voice is cloned from a public video must, for the most part, rely on criminal law after the harm has been done.

⁴⁴Ensuring Likeness, Voice, and Image Security (ELVIS) Act of 2024, ch. 588, 2024 Tenn. Pub. Acts (codified at Tenn. Code Ann. §§ 47-25-1101 *et seq.*).

⁴⁵U.S. Copyright Off., Copyright and Artificial Intelligence, Part 1: Digital Replicas (2024).

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