

**AI Chatbots and Copyright Infringement: Liability Gaps in India’s Cyber  
Law Framework**

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**ABSTRACT**

*This study is to identify the emerging legal issues concerning AI chatbots that reproduce copyrighted content and assess the gaps in Indian cyber law in this regard. Chatbots like ChatGPT utilize massive amounts of data for their functioning, including copyrighted works such as literature and creative content. Although copyright infringement in this regard would be limited by the permissible scope for fair dealing provisions, the provisions would be applicable in accordance with Section 52 of the Copyright Act, 1957, which states "In determining what constitutes infringement of copyright fair dealing with a literary or dramatic work for the purpose of private research or study shall not be regarded as infringement of copyright."<sup>1</sup> However, the rapid advancement in AI technology has raised several issues concerning copyright infringement, ethical standards, and data privacy. The lack of clear provisions on this issue creates confusion about copyright infringement in cases where copyrighted content is reproduced by AI chatbots. The issue has assumed practical significance in a lawsuit filed by Asian News International in 2024 against OpenAI at the Delhi High Court for allegedly using its copyrighted news data for training its AI chatbots without permission<sup>2</sup>.*

**KEYWORDS**

*Artificial Intelligence (AI), Copyright Infringement ,AI-Generated Content ,Fair Dealing (Section 52) ,Indian Cyber Law Framework ,Liability of AI Platforms*

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<sup>1</sup> Synthesis Law Review Blog, *Conundrum Surrounding AI Chatbots and Copyright Law in India*, <https://synthesislawreviewblog.wordpress.com/2025/03/24/conundrum-surrounding-ai-chatbots-and-copyright-law-in-india/>

<sup>2</sup> Singhania & Co., *AI and Indian Law: Addressing Privacy, Ethics and Copyright Challenges in the Digital Age*, <https://singhania.in/blog/ai-and-indian-law-addressing-privacy-ethics-and-copyright-challenges-in-the-digital-age>

## INTRODUCTION

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The rapid development of Artificial Intelligence (AI) has significant changes in the creation, reproduction, and sharing of digital content have been witnessed owing to the fast-paced development of Artificial Intelligence (AI). AI Chatbots, such as ChatGPT, are capable of creating creative works of art, images, and texts with minimal human involvement. Although AI Chatbots are advantageous, several complex legal issues are associated with the reproduction of copyrighted materials, which are still unclear under the Indian legal regime regarding intellectual property rights, particularly under the Copyright Act, 1957, which was enacted several decades ago, much before the emergence of AI technology and digital reproduction of copyrighted materials. The Indian legal regime regarding intellectual property rights, particularly under the Copyright Act, 1957, was enacted several decades ago, much before the emergence of AI technology, which reproduces copyrighted materials with minimal human involvement. Several complex legal issues are associated with AI Chatbots, which are still unclear under the Indian legal regime regarding intellectual property rights, particularly under the Copyright Act, 1957<sup>3</sup>.

Under the Copyright Act, authorship has traditionally been ascribed to human creativity and intellectual work. According to the Copyright Act's Section 2(d)(vi), the author of a computer-generated work is the person who causes the work to be created. However, in the context of the recent advent of AI chatbots that are capable of generating content on their own, the concept of authorship has become very complex. It has become very ambiguous as the content generated through the use of such technology is not entirely human-created. It has therefore become very ambiguous as to who the owner of the generated content would be—the developer of the technology, the user who generates the content, or the organization providing the content data.<sup>4</sup>

Another significant section of the Copyright Act pertinent to this discussion is Section 52, which discusses the doctrine of “fair dealing.” This section outlines certain circumstances under which copyright infringement does not apply. These circumstances are as follows: copyright material is used for purposes of research, criticism, review, reporting of current events, and educational

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<sup>3</sup> The Copyright Act, No. 14 of 1957 (India).

<sup>4</sup> IPLink Asia, *AI and Copyright in Asia*, <https://www.iplink-asia.com/article-detail.php?id=1286>

purposes.<sup>5</sup> The main purpose of this section is to encourage the dissemination of knowledge and protect the public interest by allowing limited use of copyright material without the permission of the copyright owner. In the case of AI technology, it has been suggested that the use of copyright material for training AI systems could qualify as fair dealing for research purposes; however, it is still unclear whether such activities are permitted under the Copyright Act as it is still unclear whether data extraction for training datasets by AI developers is considered fair dealing under this section of the Copyright Act.

Moreover, the lack of proper regulations on the data used for the training of AI systems, transparency in AI systems, and the potential infringement of copyrights is a major cause of concern from a legal and ethical point of view. AI systems may reproduce copyrights or provide false information if they have been trained on improper data sets. Thus, it is important to determine whether the existing laws in India can deal with the challenges posed by AI systems and the liability gap in the infringement of copyrights by AI chatbots.

## LITERATURE REVIEW

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The rapid evolution of artificial intelligence, there are many legal concerns that have been raised regarding copyright law and the liability of artificial intelligence creators. Many legal experts and scholars have attempted to analyze this issue of artificial intelligence and copyright law, especially in India, which is governed by the Copyright Act of 1957.

The current copyright law in India is human-centric and not prepared to accommodate works generated by machines. Generative AI tools require large amounts of data, which include copyrighted works such as text, images, and other creative works, raising questions of whether this amounts to copyright infringement or fair dealing provisions.

The importance of this is highlighted in the study, which stresses that the lack of specific provisions regarding training data sets and outputs generated by machines creates ambiguity and

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<sup>5</sup> International Journal of Law Research, *AI and Copyright Issues* (PDF), <https://ijlr.iledu.in/wp-content/uploads/2025/04/V51620E.pdf>

exposes the rights of creators to exploitation. The article also stresses the importance of policy interventions to strike a balance between technological innovation and IP protection.

Similarly, another research available in the National Digital Library repository states that the working of AI involves large-scale data extraction and learning through algorithms. The large amount of data is copyrighted, and hence, the question of liability arises as AI-generated outputs are often similar to copyrighted materials. Indian copyright law does not provide enough clarity on whether storage of copyrighted materials amounts to reproduction under copyright law and whether it can be considered under fair dealing.

Judicial precedents in Indian copyright law are also significant, although they were not decided in the context of artificial intelligence. In a leading case of *R. G. Anand v. Deluxe Films*, the Indian Supreme Court attempted to clarify the concept of idea and expression dichotomy, and held that copyright law protects only expressions and not ideas. Such a ruling is significant in the context of artificial intelligence, since it is possible that artificial intelligence may learn ideas from a dataset without copying the expression of a work<sup>6</sup>.

Another significant ruling is that of the Kerala High Court in *Civic Chandran v. Ammini Amma*, in which it held that fair dealing provisions are to be interpreted broadly and that even substantial copying may not amount to infringement if it is in the public interest or is for a critical purpose.<sup>7</sup>

Further guidance on authors' rights can also be derived from the case of *Amar Nath Sehgal v. Union of India*, in which the Delhi High Court recognized the moral rights of creators and highlighted the importance of protecting the author's reputation and integrity in copyright works. Such a ruling is pertinent in the context of AI since it is possible that AI-generated works may reproduce or modify the original works, which in turn may impact the moral rights of creators.<sup>8</sup>

More recent is the case of *Asian News International and Open AI*, which came up before the Delhi High Court. In this case, ANI had claimed that its copyrighted news articles had been used without permission to train AI models such as ChatGPT. Such a case is pertinent to determine

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<sup>6</sup> *R.G. Anand v. Delux Films*, (1978) 4 S.C.C. 118 (S.C. India).

<sup>7</sup> *Civic Chandran v. Ammini Amma*, 1996 PTC (16) 670 (Ker. H.C. India).

<sup>8</sup> *Amar Nath Sehgal v. Union of India*, 2005 (30) P.T.C. 253 (Del. H.C. India)

whether storing and processing copyrighted works amounts to infringement under Section 51 or amounts to fair dealing under Section 52<sup>9</sup>

Nevertheless, despite these academic contributions and judicial developments, there still exists a research gap in the literature, as the literature has only discussed AI copyright issues from the perspective of general intellectual property law but has not sufficiently analyzed the liability regime under Indian cyber law, especially the concept of intermediary liability under the Information Technology Act, 2000. Further, there has been no definitive judicial pronouncement in India regarding the issue of fair dealing or infringement of copyright in the context of AI systems' use of copyrighted materials. This, therefore, leads to legal ambiguity regarding the liability of AI system developers, service providers, and users for infringement of copyright by AI systems' reproduction of copyrighted materials.

The present research, therefore, aims to fill this research gap by critically analyzing the liability gaps within India's cyber law and copyright regime regarding AI systems' reproduction of copyrighted materials and proposing the necessary reforms to the law to strike a balance between technological advancement and intellectual property protection<sup>10</sup>.

## RESEARCH METHODOLOGY

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This research has adopted a doctrinal and analytical research methodology to explore the issue of AI chatbots infringing copyrights and the loopholes in the Indian cyber law regime. The research methodology adopted in this research is based on the concept of exploring and analyzing the legal rules and regulations, statutes, and scholarly writings. The current research is based on interpreting the provisions of law and assessing the effectiveness of the current laws in regulating AI chatbots and content. Hence, it is considered the most appropriate research methodology.

This research is based on analyzing and interpreting the provisions of the Copyright Act, 1957, which deal with infringement and fair dealing under Section 52. The research is also based on

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<sup>9</sup> Lawful Legal, *The Legal Implications of AI-Generated Content Ownership*, <https://lawfullegal.in/the-legal-implications-of-ai-generated-content-ownership/>

<sup>10</sup> ANI v. OpenAI: Copyright Implications of AI Training, The IP Press (Jan. 30, 2026), <https://www.theippress.com/2026/01/30/ai-copyright-and-the-indian-character-would-disney-v-midjourney-play-out-differently-under-indian-law/>.

exploring and analyzing the applicability of intermediary liability and digital regulation under the Information Technology Act, 2000, in the context of AI chatbots. The research is based on interpreting and exploring the loopholes in the current legal regime in regulating AI chatbots.

An important aspect of such research is the role of judicial decisions. Landmark copyright cases and more recent court disputes over artificial intelligence are used to understand how copyright principles like originality, authorship, and fair dealing are interpreted. These interpretations help in determining whether existing legal principles have the potential to address issues of This method is adopted as the research is primarily focused on analyzing various legal principles, laws, and judicial interpretations rather than relying on data collection. Copyright issues related to AI in India are still at an emerging stage. There is not much data available on AI-related copyright issues. Hence, this method would enable an exhaustive study of the existing laws on the subject matter and would also help identify any loopholes and uncertainties related to AI chatbots' infringement of copyrighted materials. With this study, it would be possible to provide suggestions to strengthen India's cyber law and copyright laws.AI-generated works and reproduction of copyrighted works by AI chatbots<sup>11</sup>.

Another set of sources used for the research is secondary sources like academic journals, legal commentaries, policy documents, government reports, and scholarly articles related to the regulation of AI and intellectual property rights. Reports and scholarly works related to AI copyright issues help in gaining insight into the larger debates related to AI training data, AI-generated works, and ethics in AI-generated works<sup>12</sup>.

## CONCEPT AND FUNCTIONING OF AI CHATBOTS

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Generally, Artificial Intelligence (AI) is defined as computer systems with the ability to perform tasks that normally require human intelligence, such as learning, reasoning, and content generation. AI chatbots are advanced computer systems that can interact with users through natural language processing and machine learning. The current generation of chatbots, such as

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<sup>11</sup> Legal Implications of AI-Generated Content Ownership in India, Law Journals (2025), <https://www.lawjournals.org/assets/archives/2025/vol11issue12/11317.pdf>

<sup>12</sup> ChatGPT and Copyright Ownership Complexities in India, India Today (Sept. 22, 2023), <https://www.indiatoday.in/law/story/chatgpt-ai-generated-content-copyright-ownership-complexities-india-2439165-2023-09-22>

ChatGPT, utilize large language models trained on massive datasets of content, including books, articles, news articles, and other textual materials.

These chatbots utilize large amounts of data and analyze patterns to determine the most relevant response to a query from users. The training data utilized includes large amounts of available information from the internet, which is copyrighted. The AI system processes this data during training and does not copy it. However, there are instances where the output of an AI system can be similar to copyrighted materials, which can be considered copyright infringement.

This has been highlighted by scholars, and the main argument has been that the growing use of data sets in the development of AI poses a complex legal problem because the data sets contain copyright works owned by authors and publishers. Since AI uses such data to operate effectively, the question of whether the use of such works constitutes reproduction or fair use is one of the main legal issues in copyright law.

### **COPYRIGHT PROTECTION UNDER THE INDIAN LEGAL FRAMEWORK**

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The copyright laws in India are regulated by the Copyright Act, 1957, which grants the authors of original literary, artistic, musical, and dramatic works exclusive rights over their works. These rights include reproduction, distribution, communication to the public, and adaptation of the works. The unauthorized use of these rights may be considered copyright infringement.<sup>13</sup>

The Copyright Act, 1957, came into existence many years before the advent of digital technology and AI. Therefore, the Act has not mentioned the legal implications of AI-generated content. The Act assumes that creative work will be created by human beings. This creates problems when AI creates content or reproduces parts of the copyrighted work on its own.

Another important aspect of copyright laws in India is the requirement of originality. The Copyright Act, 1957, grants copyright protection to original works under Section 13. The courts interpret the requirement of originality as the need for human creativity in the work.

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<sup>13</sup>Department for Promotion of Industry and Internal Trade, *Report on Copyright and AI Policy Considerations* (PDF), <https://www.dpiit.gov.in/static/uploads/2025/12/ff266bbeed10c48e3479c941484f3525.pdf>

AI-generated content uses patterns learned from existing data, which makes it difficult to decide if the work created will be considered original or not.<sup>14</sup>

Therefore, the current copyright framework is not fully equipped to address the legal complexities introduced by AI-generated works.

### **FAIR DEALING AND EXCEPTIONS UNDER SECTION 52**

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Section 52 of the Copyright Act of 1957 incorporates the concept of “fair dealing,” which offers exceptions to copyright infringement. This section permits limited usage of copyrighted works in research, private study, criticism, review, reporting of current events, and educational purposes without any permission from the copyright owner.<sup>15</sup>

However, it is not clear how this section of the Copyright Act of 1957 would apply to AI technologies. AI technologies usually require large-scale scraping of data and text-data mining to train models. Indian law does not specifically permit text-data mining as a fair usage exception to copyright infringement.<sup>16</sup>

As a result, the use of copyrighted materials in AI training may potentially constitute infringement unless it falls within the scope of fair dealing or is authorized by the copyright owner. Since the scale and commercial nature of AI training differ significantly from traditional research activities, courts may face difficulties in determining whether such use qualifies as fair dealing.

This ambiguity creates uncertainty for both AI developers and copyright holders, highlighting the need for clearer legal guidance on the applicability of Section 52 to AI technologies.

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<sup>14</sup> India Today, *ChatGPT AI-Generated Content: Copyright Ownership Complexities in India*, <https://www.indiatoday.in/law/story/chatgpt-ai-generated-content-copyright-ownership-complexities-india-2439165-2023-09-22>

<sup>15</sup>International Journal of Law Research, *AI Generated Content and Copyright Issues* (PDF), <https://ijlr.iledu.in/wp-content/uploads/2025/04/V5I438.pdf>

<sup>16</sup>Department for Promotion of Industry and Internal Trade, *Report on Copyright and AI Policy Considerations* (PDF), <https://www.dpiit.gov.in/static/uploads/2025/12/ff266bbeed10c48e3479c941484f3525.pdf>

## AI-GENERATED CONTENT AND THE QUESTION OF OWNERSHIP

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Another issue that is often discussed in AI copyright law is the issue of ownership of AI-generated works. In India, traditionally, only human beings have been granted authorship rights. According to Section 2(d) of the Copyright Act, “author of computer-generated works means a person by whom the arrangements necessary for the creation of that work are undertaken.” This section was framed at a time when computer-generated works were not created with minimal human input.

Considering modern AI technology, it is difficult to pinpoint who would be the author of the work: would it be the developer of the AI program or the user of the program? Indian law is of no help in answering this question since it does not recognize AI as having authorship rights. This leads to ambiguity in determining the ownership of AI-generated works.<sup>17</sup>

It is believed that AI-generated works may not be granted copyright protection if no human creativity is involved in the creation of the work. Therefore, it is believed that AI works must be treated as AI-assisted works and not AI-generated works.

## LIABILITY ISSUES IN AI CHATBOT-GENERATED COPYRIGHT INFRINGEMENT

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Another major issue is with regard to determining liability when AI chatbots reproduce copyrighted materials. If an AI system reproduces content that is very similar to an existing copyrighted work of art, there is a possibility of multiple entities being liable.

The entities that may be liable include:

- Developer of the AI system
- Company operating the AI system
- User of the AI system

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<sup>17</sup> Business Today, *ChatGPT AI Content: Legal Challenges Pertaining to Copyright under Indian Law*, <https://www.businesstoday.in/technology/news/story/chatgpt-ai-content-all-about-legal-challenges-pertaining-to-copyright-under-indian-law-399393-2023-09-22>

Under the existing framework, copyright infringement occurs when a copyrighted work is reproduced or communicated to any member of the public without authorization. It is difficult to apply this framework to AI systems as it is not an intentional act of reproducing a copyrighted work by any member of the public.

Some experts argue that liability should be imposed on developers if they design an AI system that reproduces copyrighted works. Another view is that liability should be imposed on users who use AI systems to reproduce any work of art. The lack of rules on this issue indicates a major liability gap in the existing framework.

### **JUDICIAL DEVELOPMENTS AND EMERGING DISPUTES**

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While there has been no final ruling by the Indian courts on the matter of copyright infringement through AI, there are instances that are leading the way for the resolution of such matters. One such prominent case is the matter between Asian News International and OpenAI, which is pending before the Delhi High Court.

In the matter between ANI and OpenAI, there are several interesting legal questions that arise. These include whether the storage of copyrighted material for the purpose of using it for AI is infringement and whether such acts are justifiable on the grounds of ‘fair dealing’ provided for under Section 52<sup>18</sup>.

Another interesting question that has been raised is whether the act of generating content based on the storage of copyrighted material constitutes infringement. The ruling on this matter is likely to greatly impact the future of AI and copyright law.<sup>19</sup>

### **COMPARATIVE LEGAL APPROACHES IN OTHER JURISDICTIONS**

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<sup>18</sup>Law Journals, *Artificial Intelligence and Copyright Issues* (PDF), <https://www.lawjournals.org/assets/archives/2025/vol11issue12/11317.pdf>

<sup>19</sup> The IP Press, *AI, Copyright and the Indian Character: Would Disney v. Midjourney Play Out Differently under Indian Law?*, <https://www.theippress.com/2026/01/30/ai-copyright-and-the-indian-character-would-disney-v-midjourney-play-out-differently-under-indian-law/>

Many jurisdictions have started to deal with issues relating to AI-generated content through new frameworks. For example, in the United States, there is usually the application of “fair use,” which permits copyrighted materials to be used for technological innovation.

On the other hand, in Europe, there are new exceptions relating to text and data mining activities, which permit AI developers to mine large amounts of data.

This shows that there are already new approaches being made in various jurisdictions to deal with issues relating to copyright.

India has not yet adopted this new approach, and this puts AI developers and content creators in a state of legal uncertainty.

### **LIABILITY GAPS IN THE INDIAN CYBER LAW FRAMEWORK**

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This has led to significant liability issues. For example, there is ambiguity as to whether copyright infringement occurs if copyrighted content is stored for training AI systems. Another example is the determination of responsibility in cases where AI systems commit infringement.

Moreover, current cyber laws and provisions related to intermediary liability under digital laws were primarily intended to deal with internet service providers and not AI systems. This means that current laws might not be able to deal with the issues arising from AI systems.

To this end, the Indian government has initiated moves to examine the effectiveness of the Copyright Act in dealing with issues arising from AI systems. A panel of experts has been appointed to examine whether new regulations are necessary to deal with issues arising from the use of copyrighted data in training AI systems.<sup>20</sup>

### **LEGAL REFORMS AND POLICY RECOMMENDATIONS**

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<sup>20</sup> Reuters, *India Panel to Review Copyright Law amid Legal Challenges to OpenAI*, <https://www.reuters.com/sustainability/boards-policy-regulation/india-panel-review-copyright-law-amid-legal-challenges-openai-2025-05-06/>

In view of the rapid development of AI technology, there exists a strong need to introduce legal reforms in the copyright and cyber laws of India. Some of the legal reforms include the introduction of rules on AI training data sets, the rights of AI creators, and the liability of AI developers and providers of AI technology platforms.

The policy proposals also include the introduction of royalty systems, which will ensure the payment of compensation to content creators whose works are used in the training data sets of AI technology companies. This will ensure the balance between technological development and the protection of intellectual property rights.<sup>21</sup>

Furthermore, the need for transparency in AI training data sets will also help address the ethical issues of bias, misinformation, and the use of copyrighted content. This will ensure the development of a balanced regulatory framework, which will encourage the development of AI technology while ensuring the rights of content creators are protected<sup>22</sup>.

## DISCUSSION

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The analysis of AI chatbots reproducing copyrighted material reveals significant legal and policy challenges within the Indian cyber law framework. The rapid development of generative AI systems such as ChatGPT has exposed limitations in the existing intellectual property regime governed by the Copyright Act, 1957. While the Act provides exclusive rights to authors and includes certain exceptions such as fair dealing under Section 52, it was drafted in a pre-digital era and does not specifically address the complexities of AI-generated content or large-scale data training. Consequently, courts and policymakers face the challenge of interpreting traditional copyright doctrines in the context of rapidly evolving technologies.

One of the greatest advantages of the existing legal framework is the fact that the basic principles are already in place, which can be applied to deal with certain AI-related issues. For example, the principles of originality, authorship, and fair dealing can be applied to determine whether AI has

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<sup>21</sup> Reuters, *Indian AI Royalty Proposal Targets Data Practices of OpenAI and Google*, <https://www.reuters.com/sustainability/boards-policy-regulation/indian-ai-royalty-proposal-targets-data-practices-op-enai-google-2025-12-09/>

<sup>22</sup> Digital Millennium Copyright Act, 17 U.S.C. § 512 (1998)

any copyright infringement. For example, the Indian courts traditionally protect the “expression of ideas” and not the ideas themselves, which could be applicable in the context of AI learning patterns. However, the existing principles would not be applicable if AI models are trained on large datasets, which contain copyrighted works. For example, generative AI models are trained on massive data sets of books, articles, and news reports, which raises the question of unauthorized reproduction and commercial exploitation of such works<sup>23</sup>.

The pending dispute between Asian News International and OpenAI, which is pending before the Delhi High Court, is reflective of these tensions. The dispute is critical because it involves important copyright infringement and fair dealing issues relating to the use of copyrighted news content for the training of AI models.<sup>24</sup> The decision on this matter is likely to have significant implications for the future of AI technology in India.<sup>25</sup>

Notwithstanding these developments, there are several shortcomings with the current legal regime. To begin with, there is no direct statutory provision on AI-generated content and the ownership of such content. Moreover, there is also no clear law on the use of copyrighted content for AI model training. In addition, there is also the problem of determining liability because several actors are involved in the process of creating potentially infringing content.

From a policy perspective, these issues point towards the need to introduce legal changes and more effective regulatory mechanisms. For instance, certain provisions could be included in the laws with regard to the training data used in AI, the need for transparency in the working of the algorithms, and the need for accountability on the part of AI developers. For example, the recent deliberations and proposals put forth by the government of India with regard to making changes to the copyright laws and introducing royalty on AI companies indicate the growing realization of the need for these changes.<sup>26</sup>

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<sup>23</sup>The IP Press, *Copyright Infringement by Generative AI Systems*,

<https://www.theippress.com/2026/01/30/copyright-infringement-by-generative-ai-systems/>

<sup>24</sup>The IP Press, *Delhi High Court Considers Copyright Implications of ChatGPT's AI Training in ANI v. OpenAI*,

<https://www.theippress.com/2025/04/30/delhi-high-court-considers-copyright-implications-of-chatgpts-ai-training-in-ani-v-openai/>

<sup>25</sup>Scroll.in, *ANI v. ChatGPT: How a Lawsuit Could Shape Artificial Intelligence in India*,

<https://scroll.in/article/1076050/ani-v-chatgpt-how-a-lawsuit-could-shape-artificial-intelligence-in-india>

<sup>26</sup>Reuters, *Indian AI Royalty Proposal Targets Data Practices of OpenAI and Google*,

<https://www.reuters.com/sustainability/boards-policy-regulation/indian-ai-royalty-proposal-targets-data-practices-openai-google-2025-12-09/>

The existing copyright laws, though providing some basic guidance, are still not sufficient to deal with the complexities of AI-generated content and the reproduction of copyrighted content with the help of technology. A balance has to be maintained between the rights of the creators and the need for technological advancements and the development of artificial intelligence.

## CONCLUSION

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The rapid progress of artificial intelligence has profoundly affected the production, reproduction, and dissemination of digital content. For instance, AI chatbots like ChatGPT have proven to be very instrumental in various sectors such as education and communication. Nonetheless, this has raised major legal issues regarding copyright protection and reproduction of copyrighted content through AI technology. From the analysis of this research, it is evident that the existing Indian legal framework, especially with regard to copyright protection under the Copyright Act of 1957, is not sufficient to protect digital content, as it was established prior to the digital era.

One of the key areas of concern that this research has highlighted is that there is a lack of clear legal provisions in this regard. Although Section 2(d) of the Copyright Act tries to provide a definition of authorship in computer-generated works, it does not go far enough in dealing with works that are generated autonomously by AI systems. There is also ambiguity regarding fair dealing provisions under Section 52 of the Copyright Act in the context of training AI systems that involve large-scale usage of copyrighted works<sup>27</sup>.

Moreover, the study also reveals that the cyber law and intermediary liability regime is not sufficient to regulate AI systems. This is because, as seen in the Asian News International and OpenAI matter before the Delhi High Court, there is an increasing tendency for courts to construe traditional copyright law principles on AI technologies. In such matters, there is an imperative need for greater clarity on the regulatory regime regarding AI training data sets and data transparency, and the accountability of AI developers.

Therefore, it is evident that although the copyright law regime has provided some basic principles such as originality, authorship, and fair dealing, it is still insufficient to deal with the

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<sup>27</sup> The Copyright Act, 1957, No. 14 of 1957, § 52 (India)

challenges posed by generative AI technologies. Therefore, there is an imperative need for legislative intervention to regulate AI-generated content and liability for copyright infringement by AI systems. In doing so, India will be able to overcome the liability gap in its cyber law regime and develop artificial intelligence law for the digital age.