

Empirical Study on the Appropriation of Art (Copyright) in AI-Generated Works with Special Reference to Indian Copyright Law

Mrs. S. Harinishree and Dr. G. Jayagowry

Assistant Professor, Faculty of Law

MGR Education and Research Institute, Maduravoyal, Chennai

Principal, Dr Ambedkar Government Law College, Chennai

Abstract: *The swift growth of generative artificial intelligence (AI) has changed the production of literature, art, music, and digital content, prompting new legal issues regarding authorship and ownership. This research thoroughly analyzes if works created by AI are eligible for copyright protection according to the Indian Copyright Act of 1957. Given that the Act was created at a time when autonomous machine creativity was unforeseen, it lacks clear directions on addressing works generated with little or no human participation.*

The study investigates crucial topics like the necessity of human authorship, the criterion of originality according to Indian law, and the difficulties presented by AI systems that function without conventional human creativity. It also examines comparative methods, specifically the United Kingdom's legal concept of "computer-generated works" and the United States' focus on meaningful human input. These viewpoints emphasize the shortcomings and ambiguities in India's existing legal structure.

The research finds that Indian copyright legislation requires more defined guidelines to tackle AI-generated works, especially in relation to authorship, ownership, moral rights, and the degree of human involvement necessary for safeguarding. It recommends implementing a "substantial human input" criterion, backed by administrative guidelines, to reconcile innovation with the fundamental goals of copyright. This study ultimately seeks to enhance the ongoing dialogue regarding how Indian legislation can evolve with technological progress while maintaining the essence of creativity and equity.

Keywords: Artificial intelligence, Copyright protection, Computer-generated works, Substantial human input

