

Global Copyright law Dynamics: Legal Interpretations of AI-Generated Content Rights and Ownership

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Abstract- Growth and technological advancements in the twenty-first century have led to the widespread usage of artificial intelligence, which impacts every aspect of our lives. Especially human creativity, as it is an essential component of our existence, and it is mostly protected and governed by copyrights across the globe. However, there are several loopholes within the current legislation regarding AI Ownership and Copyright; hence, through this paper, the researchers have tried to analyze the challenges that arise within the current legal framework regarding the intersection of copyright and artificial intelligence, particularly in terms of origin, authorship, ownership, and copyright protection. Furthermore, the researchers have tried to analyze the existing copyright jurisprudence, legal judgments, and interpretations for AI-generated content in the United States of America, China, and the European Union, comparing them to the Indian laws to get more clarity as to where our legislation need for improvement and fill the gaps and develop adaptable legal frameworks to address the complexities of AI and intellectual property in the digital age, especially in India. This research provides insight into India's copyright laws concerning the ownership of AI-generated content and gives possible solutions and recommendations for an efficient legal system for a devolving nation. Overall, through this research, we have tried to provide insights into the Indian legislation about AI-generated content and ownership while also comparing them to other legislations to get clearer solutions for the same.

Index Terms- Artificial intelligence, law of Copyright, Judicial Interpretation, Challenges, Ownership

Research Objective

This research paper studies the intersection between AI systems and copyright regulations, specifically regarding how these legal systems in the US, China, and the EU adopted laws about content created by artificial intelligence. This analysis examines copyright jurisprudence cases while evaluating crucial decisions to reveal existing problems within basic

copyright legal frameworks. Additionally, it examines how Indian law is evolving concerning AI and law of copyright, analyzing significant issues in light of emerging problems and suggestions for improved safeguarding and fostering human innovation. As AI becomes a critical tool that generates data and text, it is essential to analyse who holds the copyright of the AI-generated work or if they can get the authorship and ownership to avoid unnecessary confusion and legal challenges regarding the issue.

Methodology

This paper uses a combination of multiple research methods based on doctrinal legal research parallel to comparative analysis and case study investigation to examine copyright law and its relationship with artificial intelligence (AI). A systematic evaluation of copyright laws, statutes, and regulations within the United States, China, the European Union, and India will start the doctrinal legal research approach. Court rulings about authorship definitions, originality requirements, and fair use applications as they relate to AI outputs, this research will examine significant court cases.

I. INTRODUCTION

Copyright law traditionally protected artistic human creation by granting writers ownership rights to their innovative artworks including written literature along with artistic and musical works and software products. The rights granted under copyright law allow authors to reproduce their works and distribute them together with permissions to display and produce derivative works that provide financial benefits and credit recognition. On the other hand generative AI neural networks obtain training through huge datasets to generate completely new content such as text and images and music along with coding material.

Machine systems leverage training from existing works to generate distinctive output upon request. The complex nature of this technology leads to many unresolved issues involving copyright creators along with control and the employment of copyrighted content during training procedures.

Artificial Intelligence has become an essential part of the industry as it generates a lot of content. As the AI models also have different kinds of work available, like music, poems, art, etc., they attract and pose challenges regarding copyright issues regarding who will be the owner or author in the current scenario. It also threatens the owners of the copyrighted work whose data is available to the AI. Due to the use of AI has taken a boost in recent years, and as they are used worldwide, the question regarding the copyright protection of AI-generated work has been in discussion again. A product that gets copyright protection requires human authorship through sufficient human input. The researchers in the following research have tried to analyze if AI can get authorship or ownership rights under the current copyright laws; along with it, we also analyzed how the current legislations are dealing with protecting the copyrights of the owners from the AI- Models. Through this research paper, the researchers have compared the legislations of different countries regarding copyright laws and have tried to find loopholes regarding the ownership and authorship of AI and the protection of copyright owners and companies. Through this discussion, the researchers have also come up with potential solutions and recommendations that can be done in the current laws to solve the AI and Copyright issues.

II. INTERSECTION OF COPYRIGHT LAWS AND ARTIFICIAL INTELLIGENCE IN DIFFERENT JURISDICTION

A. CHINA

Chinese laws before 2019 indicated that automated works produced by machines could not obtain copyright protection. A copyrightable work requires natural person creation and proof of originality elements under the law in Chinese Jurisdiction. Copyright law traditionally served to protect human creativity and intellectual efforts according to standard legal principles under the copyright laws. Post 2019, a

significant change can be observed with policy shifts and landmark cases post 2019 as understood further.

The Chinese courts have recognized the importance of protecting AI-generated copyright works if humans have significantly contributed to their development. The legal interpretation by courts is evolving because several important cases have demonstrated [1] as following:

Shenzhen Tencent v. The Nanshan District Court of Shenzhen [2] determined that Shenzhen Tencent should function as the author for articles created by its AI system according to the ruling in Shanghai Yinsheng. The court acknowledged the plaintiff's role in data entry and prompt setup and template selection because these tasks resulted in a specific expression of the article. Technological inputs from Shenzhen Tencent resulted in an original work that earned copyright protection under the law.

In another landmark case, *Li Yunkai v. Liu Yuanchun* [3] The Beijing Internet Court reached a decision in Liu Yuanchun where AI-generated content receives copyright protection during cases when humans actively participate in its creation. The court established that machines created by Artificial Intelligence cannot act as authors given they lack human qualities. The plaintiff obtained the copyright for an AI-generated photo because they individually selected prompts and arranged their sequence while setting platform parameters and controlling the output style which established sufficient creative elements. The court settled yet again the need for human involvement in original creative work.

Another case that further clear the this where the court deal with the AI infringement and ownership concept in which A Japanese cartoon image (Ultraman) belonged to the case protagonist but the website operator under investigation used third-party AI models to provide their AI conversation and image generation functions. The court established that the defendant platform did not fulfil its obligations to protect copyright intellectual property by neglecting proper safeguards in their AI outputs. Users who entered prompts about Ultraman received AI-generated outputs which looked very similar to the copyright-protected character. AI-generated content

produced by the platform violated the copyright of Ultraman resulting in legal responsibility for the platform. Through this case the legal obligations of AI platform operators regarding copyright infringement prevention were established alongside definitions regarding their AI-related copyright responsibilities. Through its Ultraman-related ruling the Guangzhou Internet Court confirmed that platform operators maintain legal responsibility to protect their users from copyright infringements caused by AI tools. The court decision expands copyright responsibility by making platform operators share liability with direct content creators thus requiring complete copyright protection assessment across AI systems [4]. Further The Internet Court issued its ruling about AI platform provider secondary liability in the early part of 2024. China's first court ruling about this matter was established during this period. China seems to adopt a future guideline that combines human creativity assessment within AI art with specific laws for intellectual property protection measures. China shows its dedication to establishing a complete regulatory system for AI technologies by releasing and draft guidelines from the Ministry of Industry that focuses on building more than 50 standards both nationally and industrially by 2026. [5]

Current Chinese judicial proceedings examine original intellectual achievements regardless of human involvement during the AI content creation process. The courts use the extent of human control during the output creation process to determine copyright eligibility. During the court deliberations about the authorship of this work the Chinese judges concluded the AI system failed to qualify as an author due to its classification as a "weak AI" without sufficient intellectual creation capacity [6]. The court decision creates confusion about intellectual property rights pertaining to AI-generated work from systems that demonstrate superior intellectual performance [7]. The determination of weak AI criteria in legal settings creates compelling uncertainties through the application of human-defined capability assessments. The issue of whether an advanced AI system which creates original works qualifies to be considered an author remains a point of unsettled debate. Chinese copyright legislation has transitioned to address worldwide issues regarding the relationship between technological progress and Intellectual property

safeguards. AI technology progress continues to generate new copyright questions about originality along with authorship rights despite the significant copyright progress made by China. This present legal framework establishes protections for AI-generated content that encompasses human creative contributions while establishing future standards that might affect international copyright laws for AI technology.

B. UNITED STATES OF AMERICA

United States of America (USA) copyright authorship and ownership development mainly happens through lawmaking activities and judicial evaluations which respond to both technological innovations and artistic market transformations. The United States Constitution states through *Article I Section 8 Clause 8* that Congress obtains power to fund artistic and scientific development by granting authors exclusive rights to their creations [8]. Congress established the main copyright protection framework through the 1976 Copyright Law [9] by giving authors legal rights to their original creations fixed into physical media. The Act states clearly through its law that the creator holds authorship based on Community for Creative. [10]

The US court system consistently prioritizes originality as an authorship requirement, According to *Inc v Rural Telephone Service Co* [11] the Supreme Court established that the Copyright Clause of the Constitution requires authors who are actual humans. The principle from *Feist Publications* has led appeals courts to decline copyright protection for non-human generated works in the case of the *Naruto v. Slater*, also famously known as the monkey-selfie case was named after Slater. That requires human creativity for copyright protection, but this strategy encounters continuing obstacles due to technological advancements [12]. Analyzing human creative processes is essential for determining copyright protection because courts grant protection only to elements authored by humans.

The U.S. examines human involvement to determine both the creative nature and scope of assistance when AI technology helps with work production. The Copyright Office report states that when AI tools assist human creativity instead of acting as a replacement for

human creativity, copyright protection for the output is not affected. AI can secure copyright protection for tools it uses in generating creative works in ways that mirror copyright application when different technologies assist human creativity. The main criterion determining copyright protection of expressive elements pertains to human oversight of creative attributes during production.[13]

Analysis of authorship entitlement requires individual evaluation for each AI-generated work based on the degree of human input, according to the report. This method considers diverse human interaction scenarios with AI systems while creating artistic works. The U.S.A. established that the act of putting prompts into artificial intelligence systems does not establish copyright ownership by itself. According to the research findings, the current operation of commercially available technology demonstrates that prompts alone fail to establish adequate user control. The U.S. takes the stance that copyright benefits significant contributions of human creativity instead of basic computer input.[14]

The U.S. Copyright Office's 2025 report builds upon a foundation of recent cases that have grappled with the intersection of AI and copyright law. In 2023, the case of *Thaler v Perlmutter* [15] represented a significant development when the DC District Court upheld the Copyright Office's decision to deny registration for an AI-generated artwork titled "A Recent Entrance to Paradise." The court maintained that copyright protection requires human authorship, rejecting Dr. Stephen Thaler's argument that his AI system ("Creativity Machine") should be recognized as the author.

The Federal Circuit court supported the original decision in *Thaler v Vidal* [16] by asserting that the Copyright Act limits authorship qualifications to human beings only. The court observed that Congress has continuously upheld human authorship as a legal prerequisite in copyright law throughout its periodic changes regarding technology despite its knowledge of AI's evolving creative potential. Further in the another case *Baltimore Orioles vs. Major League Baseball Players Association* [17] showed that the courts demand conditions for copyright protection, which combines independent creation with minimal

creative input from the author, which AI-generated content lacks in the particular case. The U.S. approach maintains a measured approach to promoting technological development without jeopardizing the intended incentive system of copyright. The Supreme Court explained through *Weinstein v University of Illinois* [18] that copyright exists to motivate human creativity toward scientific progress along with useful art principles. The judicial system argues that granting copyright protection to AI-developed works without substantial human involvement would conflict with the constitutional basis of copyright protection.

The 2025 Copyright Office report describes the difficulty of setting boundaries for human involvement requirements during copyright protection for sophisticated AI programs. According to *Garcia v Google Inc* [19] the right to copyright protection applies only to creative work produced by humans. The report outlines a copyright protection scale that levels up copyright strength as human creativity influence in AI operations deepens.

This system applies current copyright laws by making operational changes instead of creating distinguished changes to copyright principles. U.S. courts and the Copyright Office created a practical solution by upholding human authorship criteria through acceptance of AI-based creative assistance that extends individual author capabilities.

Consistent application of this framework will be increasingly challenging because AI systems become more self-directed and human creative boundaries with AI systems become harder to discern. The emphasis on human authorship protects copyright's core function which encourages human creativity while controlling monopoly rights for strictly machine-generated works according to proponents.

C. EUROPEAN UNION

In the case of *Infopaq International A/S v Danske Dagbaldes Forening* [20], the Court of Justice of the European Union declared that the copyright only applies to the original work that reflects the "author's intellectual creation. As per the EU Copyright laws, four requirements need to be met to qualify the AI-generated as protected work these are (i) the work needs to be done in the literary, artistic, or scientific

areas; (ii) the product should be of human intellectual effort, (iii) creative choices result should be expressed in the product [21]. While AI-generated work can be protected, human authors remain the essential part as humans make their creative choices, and the result of the output will be qualified as copyright-protected work.

The European Union officially passed the European Union's Artificial Intelligence Act, i.e., the EU AI Act, which came into force in 2024. One of the many aims of the said act is the preservation of copyright, mainly against the unauthorized usage by the General-Purpose AI, i.e., GPAI [22]. These models include a wide range of data and texts and can be found in different applications; these would also include copyrighted data, which pose a threat to their rightful owners; hence, the act introduces the proper guidelines to safeguard the rights of intellectual property owners. The new law clarifies whether the owners can stop the AI companies from using their copyrighted work as the act provides that AI models have to observe the reservation of the rights to the texts and data.

The AI Models are also required to maintain the policies concerning the EU Copyright laws. The models do not just need to have mere knowledge about copyright laws, but they also need to have policies that comply with the copyright laws of the EU. Furthermore, the GPAI Models also have to publicly share the summary of the data that is used to train their AI models; the primary purpose of providing this summary is to see if the copyright holders' work is effectively exercised.

The laws in the EU regarding the protection of data and AI-generated work are very flexible and give us clarity in dealing with current issues. In most cases, the authorship will be given to the people who have contributed to the output, i.e., the user and the authorless AI production can also be protected in some cases. Concerning data protection from AI models, the new act gives out strict policies and guidelines that AI models must follow, securing copyrighted content and providing transparency. Therefore, the EU laws concerning copyright and AI-generated content are far better adapting the current change around the Globe.

D. INDIA

Recently, the Parliamentary Standing Committee, in its report titled "Review of the Intellectual Property Rights Regime in India." Recommended amending the Copyright Act of 1957 to expand the scope of the authorship to the AI-generated work [23] Meanwhile, in his reply, the Union Minister for Commerce and Industry stated that there is no need to create a separate right regarding AI-generated work as it is well protected under the current regime. [24]

The Copyright Act of 1957 provides for the rights granted to the owners and the remedies for the infringement. *Section 2(d)* of the act defines the term "author" as the person who causes the work to be created, which means a human or a legal person [25]. *Section 13* of the act specifies the type of act which can get copyright protection, such as literary work, musical work, cinematographic films, and sound recordings [26]. *Section 17* of the act states that the copyright initially vests in the author of the work. From the above sections, it can be reiterated that AI-generated work is not subject to copyright, as section 17 allows only natural persons to have ownership rights. [27] The doctrine of "Sweat of the Brow" was used to find the originality of the content; however, in the case of *Eastern Book Company Vs. D.B. Modak* [28], the Supreme Court rejected the said doctrine along with the "modicum of creativity." Instead, the court adopted the Canadian test instead which requires the sufficient human creativity to be called as original. From the above case, it can be said that human involvement is necessary to call it original and to get a copyright of the work.

The above judgment gave an understanding regarding the originality and authorship of the AI-generated work, but it failed to provide the proper guidelines to go with these issues. *Section 57* of the act offers moral rights to the author, such as the right to integrity and the right to attribution, which is separated from the author's economic rights.[29] These moral rights could be challenging to enforce regarding AI-generated work. The author also has a right to claim royalty, which would be challenging for the AI-generated content as there is no provision in the copyright law for the AI to claim the royalty. As it is the mandatory requirement for the author to claim royalty under the act, it becomes difficult for the AI to claim authorship under the act.

Section 51 of the act gives an exception to copyright protection if it is for fair use [30], as it was also held in the case *Syndicate of The Press for the University of Cambridge v. B.D. Bhandari and Anr* [31]. This doctrine of fair use, adopted by the United States, allows for the limited use of AI-generated work without permission.

The Kerala High Court, in the case *Civic Chandran versus C. Ammini Amma* [32], laid down the four-factor test to determine fair use. These four factors are (i) whether the use is for commercial or non-profit education purposes, (ii) what is the nature of the copyrighted work, (iii) the amount and substantiality of the portion used, (iv) the impact of the use in the market and the value of the copyrighted work. Even though the above case can be used to determine fair use, India still needs a different law or at least different provisions regarding the same. Other than the above case law, in cases like *Ashdown v Telegraph Groups Ltd* [33], and *Super Cassettes Industries Ltd v. Hamar Television Network Pvt. Ltd. & Anr.*, [34] the courts laid down the determination of fair use.

The latest case of *ANI vs. OpenAI* [35] highlights the need to change the present Copyright Act. In the present case, the news agency ANI has filed a case against OpenAI, alleging that ChatGPT has been using its content and infringing the copyright by storing and using its material without their permission. The OpenAI argues that it doesn't constitute any infringement as the data is publicly available. This present case brings out a lot of complexities and challenges regarding the Copyright law in India as the question before the court is whether the AI companies should seek permission from the creators of India to reuse their work or not, and as far as section 51 [36] of the act is concerned, it doesn't explicitly state if it permits the large-scale reproduction of copyrighted material to train the AI Models if they are for commercial or profit purposes, and as the present law is not upgraded to resolve this issue, the courts will have some difficulty in determining the current case in hand. Hence, there is a need to have specific provisions or guidelines in India to solve copyright issues concerning AI-generated work.

III. IMPORTANT FINDING

The present AI and copyright protection system encounters multiple difficulties in various national jurisdictions. *The Copyright Act of 1957* in India faces difficulties in authorship definitions because it specifies authors as humans which makes it incompatible with AI-generated works. The underlying principle of authorship faces serious troubles due to advanced AI outputs which question who holds ownership rights between programmers and prompt providers and whether AI-produced content belongs to public domain assets. Another challenge can be understood as the which level of Human creativity is required as where various have decided on case to case basis which were far more subjective in nature and hard have uniformity over the same.

Rules about fair use remain insufficient in the framework particularly when dealing with AI training requirements and building processes. The original fair use principles which were established for human utilization face difficulties when applied to AI systems that extract and produce data at scale. The existing legal framework fails to provide sufficient protection regarding moral rights together with adequate recognition of technical contributions in AI-produced artistic works. Under Indian copyright law Section 57 struggles with AI-generated content produced by machines because it was designed for creators who are humans thus questions regarding work attribution and authenticity remain unanswered. Flaws in the framework exist because it does not appropriately acknowledge the essential technical competence required for AI creative development which leads to a value discrepancy between contributions. The absence of royalty distribution systems for AI-generated works alongside unclarified economic rights definitions creates substantial challenges in the evolving digital landscape for users and creators alongside their inability to manage future technological advancements.

The recommendations that may resolve the existing issues in the AI copyright framework to the certain extent. The development of a copyright framework by legislators should begin with specific AI-generated work recognition protocols that keep human creativity intact. Developed guidelines should create a distinct category of legal rights to account for both AI

technological participation as well as human creative involvement.

International standardization of AI copyright regulations needs to be established as an essential step. The proactive European Union policy should encourage worldwide jurisdictions to develop distinct guidelines concerning AI training data practices as well as transparency obligations and fair use principles dedicated for AI programming. Proper regulations about AI usage at an international level would solve both enforcement issues between bordering countries and establish one standard for worldwide AI advancement. One of such example can be understood from as the (i) the amount and content of the instructions and input prompts by the AI user; (ii) the number of generation attempts; (iii) the selection by the AI user from multiple output materials; and (iv) any subsequent human additions and corrections to the AI-generated work.

The protection system should adopt tiers based on human involvement levels to solve authorship and ownership conflicts. The system needs to specify precisely which factors establish eligibility criteria and duration timeframe for copyright protection according to human creator involvement. Construction of particular infrastructure through which royalty payments and economic right administration can be conducted for works generated by AI systems must become essential policy. The implementation of a required registration system for AI-generated works will advance the transparency standards and help enforce rights protections. An established documentation process linking human input with AI participation needs to exist to enable courts and stakeholders to better understand creation.

IV. CONCLUSION

Therefore, from the above research, the researchers have concluded that Indian legislation still lacks the proper guidelines, and there are still loopholes in the current copyright act to solve the modern problems related to copyright and AI-generated work. The act still holds various complexities regarding the royalties and provisions where moral rights come into the picture, where there are no provisions concerning AI-generated work, nor are there any proper guidelines

regarding the fair use defence. Furthermore, India still lacks the proper guidelines regarding the protection of copyrighted work from AI- Models. While comparing the Indian legislation with other legislation like the USA, China, and the European Union, we found out these legislations have very straightforward laws regarding copyright and AI-generated work. These countries have proper provisions to deal with the issue, the USA has clear provisions for the fair use defence, and China is clear about the fact that a sufficient amount of human input should be there to make the work “protected, as well as the new EU AI Act protects the owners of the copyrighted work from the AI Models by drawing out proper guidelines for the same. Hence, compared to these countries, India’s copyright act is still lacking and is very outdated in resolving AI-generated work and copyright issues and requires proper guidelines and provisions for the same.

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