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## AI and the Concept of Creativity: Rethinking Copyright Protection

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# AI and the Concept of Creativity: Rethinking Copyright Protection

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## **Abstract**

*The rapid advancement of artificial intelligence (AI) has fundamentally transformed the landscape of creativity and authorship, raising complex questions within the domain of copyright law. AI-generated works—ranging from art and literature to music and software—challenge traditional legal concepts that are premised on human originality, creativity, and authorship. This research paper critically examines whether and to what extent AI-generated content can be recognized as “creative works” under existing copyright frameworks.*

*The study adopts a doctrinal approach, analyzing statutory provisions, judicial interpretations, and international legal instruments to assess the compatibility of copyright principles with AI-generated outputs. It explores key issues such as the definition of authorship, the requirement of originality, and the ownership of rights in works created with minimal or no human intervention. Comparative insights from jurisdictions such as the United States, the United Kingdom, and the European Union are incorporated to understand emerging legal trends and regulatory responses to AI-driven creativity.*

*The paper argues that current copyright regimes, which are inherently anthropocentric, struggle to accommodate non-human creators, leading to doctrinal ambiguities and enforcement challenges. While some jurisdictions recognize limited protection for computer-generated works, the absence of a uniform legal approach creates uncertainty for creators, developers, and users of AI technologies. The study further evaluates policy considerations, including incentives for innovation, protection of human creativity, and the risks of overextending copyright protection.*

*The research concludes by advocating for a nuanced legal framework that balances technological innovation with the foundational principles of copyright law. It suggests the need for reinterpreting originality standards, clarifying authorship and ownership rules, and potentially introducing sui generis protection for AI-generated works. Ultimately, the paper underscores the importance of adapting copyright law to address the evolving nature of creativity in the age of artificial intelligence.*

**Keywords:** *Artificial Intelligence, Copyright Law, AI-Generated Works, Originality, Authorship, Intellectual Property, Digital Creativity, Legal Reform.*

## **Introduction**

The two concepts Artificial Intelligence and Intellectual Property have a lot in common. They are both emerging concepts, fast growing and have the potential of having a huge impact on the economy in the coming times. However, before proceeding any further, in order to be able to understand the relationship between the two, it is important to understand both the concepts independently.

Artificial Intelligence is slowly but surely becoming an integral part of our life. We see it all around us in different forms. But what does this term really mean?

The term 'Artificial Intelligence' as the name suggests deals with created intelligence and involves the use of technology in creating the same. In simple words, Artificial Intelligence is nothing but work done by a machine without any human intervention. It is a coded software embedded in a machine, which over a period of time, develops its own intelligence and begins to take its own decisions and judgments by studying various patterns of how people think, react to situations and perform tasks, among others. One of the most common examples of this technology is 'Alexa' which not only responds to commands that it receives, but also answers questions that are put forth to it. The primary objective of this technology is to make life easy for mankind. Be it research, statistics or other time consuming jobs, it can all be made simple and speedy with the use of Artificial Intelligence. Another advantage of this technology is that it minimizes errors. In short, Artificial Intelligence can make the journey for people to reach their goals shorter, faster and more efficient.

## **Historical Development of Copyright Law**

Copyright designates the author or producer's work as a kind of intellectual property. A positive law, sometimes known as a manufactured law, is a legislation created by the state with the purpose of safeguarding the rights of its citizens. The authority of the entity is derived from the sovereignty of the state and can be subject to legal challenges.

Positive laws primarily encompass civil conflicts of a relatively less grave nature, in contrast to natural laws which pertain to criminal matters such as homicide. Copyright grants the producer a legally protected, exclusive right to reproduce, distribute, publicly display, create derivative works of, or authorise others to do so with literary, artistic, or musical content.

The origins of a copyright dispute can be traced back to an ancient Irish document known as the Cathach. The Cathach is the most ancient extant manuscript of the Psalter. It includes Latin versions of Psalms XXX(10) to CV (13). The traditional attribution of the copy of a Psalter, hastily made in the dark by a supernatural light, is to Saint Columba, who had borrowed it from St. Finnian. There was a disagreement about who owned it, and at that time, King Diarmait Mac Cerbhaill stated, "Just as every cow has a calf, every book has its own copy."<sup>1</sup>

Johannes Gutenberg, a German inventor, revolutionised the printing industry in Europe. In 1474, Caxton established the inaugural printing press in England. At first, the printers also served as the publishers. The initial publications primarily consisted of Bibles, prayer books, and similar religious texts.

However, just fifteen years after its creation. Fust and Schoeffer, German printers, attempted to publish the renowned work "De Officiis" by the Roman statesman Cicero. The original manuscripts necessitated extensive revisions in order to be suitable for publication. Occasionally, the publishers had to rely on their own interpretation or seek assistance from erudite scholars in order to simplify the content for students' comprehension. Upon completing the book after a strenuous and lengthy endeavor, the publishers were infuriated when competing printers sold copies at a far lower price, as they did not incur the expenses of hiring scholars or other personnel to assist with the publication of the initial copy. Consequently, the publishers pursued legal action to seek a remedy for this situation.

The Senate of Venice thereafter passed a decree conferring to John of Spira the sole privilege, valid for a duration of five years, to publish the prints of Cicero and Pliny.

By bestowing this privilege, the ruler had employed their authority in an extraordinary manner to safeguard the outstanding talent demonstrated by a deserving individual. While the permission was granted for a short while, it unquestionably established a precedent. An established precedent that has since evolved and been

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<sup>1</sup> Kolluru S. Historical evolution of copyright law [Internet]. Law Times Journal. 2020. Available from: <https://lawtimesjournal.in/historical-evolution-of-copyright-law/>

altered over time. Currently, each book that is produced in Venice is safeguarded for a minimum duration of fifty years as per international agreements that encompass the entire continent of Europe.

In 1510, Germany granted its initial privilege in Nuremberg. In France, it was permitted to copyright just a single edition at a time. If the works were reprinted, the publisher had to obtain a second patent. In England, Richard Pynson, the principal printer of Henry VIII, was the first to publish his book cum privileges, stating on the title-page that no one in England may print or import any copies for a period of two years. In 1533, Winken de Worde, a rival of his, obtained the King's authorization to print the second edition of Witinton's grammar.

Peter Trevers reprinted the initial edition, which was released 10 years ago, without obtaining permission. Worde, who was the rightful owner, objected to this and subsequently sued for and obtained legal protection. This was another occasion when a man only considered his rights after he believed he had been treated unfairly. The rapid advancement of copyright laws in recent years can be attributed to the persistent objections of artists who have been denied the ability to control or fully reap the rewards of their creative work.

In 1709, Queen Anne of England established a law called "*An Act for the Encouragement of Learning, by Vesting the Copies of Printed Books in the Authors or Purchasers of such Copies, during the Times therein mentioned*,"<sup>2</sup> which is also known as the Statute of Anne. As implied by the title, this statute provided copyright privileges to the author for the first time. This recently implemented formulation resulted from a fresh equilibrium between political and economic forces, and the requirements that arose from philosophical advancements occurring at that time. Despite its relatively short period of ownership (28 years), it established a pattern for other countries, including the United States.

In the well-known case of *Donaldson v Beckett*<sup>3</sup>, the House of Lords established that, according to common law, authors possessed the sole right to publish their book for the initial time. However, this privilege was not permanent, as authors no longer retained perpetual ownership of their work. Consequently, a market emerged for inexpensive reproductions of renowned literary works, including those by Shakespeare and Homer.

The Berne Convention was the inaugural recognition of copyright by countries on a global scale. The agreement was ratified in September 1886 in Berne, Switzerland. Its objective was to safeguard the interests of the authors rather than those of the publishers. It eliminated the necessity for all works to include a copyright notice. In the year 1928. The convention also amended its moral rights policy, granting authors the entitlement to be acknowledged and to protest against any derogatory use of their work. These rights were non-transferable. It also implemented certain alterations to facilitate the reproduction of any literary or artistic work.<sup>4</sup>

As a result of the passage of the Berne Convention, one of the most significant changes that was adopted was the removal of the requirement for registration and the extension of copyright protection to works that had not yet been published. In countries that are members of the Berne Convention, this means that an individual (or the organisation for which they are working) is the owner of the copyright to any work that they make as soon as it is documented in any form, whether it be through writing it down, drawing it, being filmed, or any other method.

### **The development of copyright law in India**

The Copyright Law of India was established during the British colonial period and, like many other laws of that era, it was largely modelled after English legislation. The initial copyright legislation in India was established in 1847, under the governance of the East India Company. According to the legislation, the duration of copyright was determined by either the lifespan of the author plus an additional 7 years, or a fixed period of 42 years. Following the author's death, the government possessed the authority to bestow the publication licence in the event that the copyright holder declined to grant permission. All litigation and infringements that are related to copyright are brought before the highest municipal civil court, which is

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<sup>2</sup> The Statute of Anne: The first Copyright Statute: History of Information [Internet]. Available from: <https://www.historyofinformation.com/detail.php?entryid=3389>.

<sup>3</sup> Donaldson v Beckett (1774)

<sup>4</sup> "Sarkar S, University of Mumbai at Jamnalal Bajaj Institute of Management Studies. History and evolution of copyright in India. PARIPEX - INDIAN JOURNAL OF RESEARCH [Internet]. 2016 Nov;5(11):274–5. Available from: [https://www.worldwidejournals.com/paripex/recent\\_issues\\_pdf/2016/November/history-and-evolution-of-copyright-in-india\\_November\\_2016\\_8201054601\\_2910081.pdf](https://www.worldwidejournals.com/paripex/recent_issues_pdf/2016/November/history-and-evolution-of-copyright-in-india_November_2016_8201054601_2910081.pdf).

responsible for having jurisdiction over these actions and violations. The copyright statute of 1914 superseded the act.<sup>5</sup> The Copyright Act of 1914 marked the inception of India's first contemporary copyright legislation. The law was the first to encompass all works of art and literature under the scope of copyright. It was an exact copy of the English law from 1911. The British implemented this measure in order to facilitate the distribution of literature across the colonial subcontinent.

The Copyright legislation of 1957 became effective on January 21, 1958, superseding the 1911 legislation. In addition to modifying the copyright legislation, the act also implemented significant modifications, including the establishment of a copyright office under the authority of the Registrar of copyright. The Copyright office is responsible for the registration of books and other works of art. Additionally, it created a copyright board to handle copyright-related disputes.<sup>6</sup>

### **The Copyright Act, 1957**

The Copyright Act of 1957, along with the Copyright Rules, regulates the legislation concerning copyright protection in India. Abstract ideas, information, or concepts do not qualify for copyright protection. Copyright safeguards the unique manifestation of information and concepts. Copyright can be asserted by either the author or the individual who has acquired the rights of ownership from the original author, or by an authorized representative acting on behalf of the author.

The Copyright Act grants the author the economic privilege to reproduce the work, distribute copies, publicly perform or convey it, create cinematographic films or sound recordings, and make adaptations or translations of the work. The Act also grants a paternity right, which allows individuals to assert their authorship of a work. It also includes an integrity right, which enables individuals to safeguard their honor and reputation. Additionally, there is a general right that prohibits the false attribution of a work to oneself. The creator retains these moral rights even after assigning the copyright.<sup>7</sup>

Regarding enforcement, the Copyright Board previously resolved specific copyright matters. However, when the Finance Bill was passed in 2017, the board was dissolved and its responsibilities were moved to the Intellectual Property Appellate Board (IPAB). Later on, in 2021, the IBAP was eliminated, and authority was ultimately handed over to the Commercial Courts, which are a branch of the High Courts.

### **According to Section 14 of the Copyright Act, 1957<sup>8</sup>, copyright refers to the exclusive authorization to perform specific actions related to:**

1. Literary, dramatic, or musical works
2. Computer programmes
3. Artistic creations
4. Cinematograph films
5. Sound recordings

This exclusive right encompasses not just the totality of the work but also substantial portions of it, including translations or adaptations. The duration of copyright protection spans the lifetime of the author and continues for an additional 60 years following their demise.

Copyright law allows for the development of new works that include and improve upon existing ones, while still allowing the usage of valuable elements from the original. This structure guarantees that copyright holders

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<sup>5</sup> Iiprd. Historical development of law of copyright [Internet]. IIPRD Blog - Intellectual Property Discussions. 2020. Available from: [https://iiprd.wordpress.com/2020/08/22/historical-development-of-law-of-copyright/?utm\\_source=mondaq&utm\\_medium=syndication&utm\\_term=intellectual-property&utm\\_content=articleoriginal&utm\\_campaign=article](https://iiprd.wordpress.com/2020/08/22/historical-development-of-law-of-copyright/?utm_source=mondaq&utm_medium=syndication&utm_term=intellectual-property&utm_content=articleoriginal&utm_campaign=article)

<sup>6</sup> Singh, Justice Prathiba M. Evolution of Copyright Law: The Indian Journey," Indian Journal of Law and Technology: Vol. 16: Iss. 2, Article 3, 2020. Available from: <https://repository.nls.ac.in/cgi/viewcontent.cgi?article=1029&context=ijlt>

<sup>7</sup> "Copyright protection in India- overview and recent developments [Internet]. IP Helpdesk. 2022. Available from: [https://intellectual-property-helpdesk.ec.europa.eu/news-events/news/copyright-protection-india-overview-and-recent-developments-2022-03-02\\_en](https://intellectual-property-helpdesk.ec.europa.eu/news-events/news/copyright-protection-india-overview-and-recent-developments-2022-03-02_en)

<sup>8</sup> The Copyright Act 1957, Section 14.

are unable to utilize their rights to impede innovative research, scholarship, or the advancement of knowledge. In order to secure copyright protection, it is crucial for the artist to devote a substantial amount of judgment, skill, effort, or capital into their work, regardless of its perceived literary worth. The eligibility for copyright is not dependent on the quality, merit, or worth of the work.<sup>9</sup>

### **Inception of Artificial Intelligence**

Sometimes, when we talk about "intelligence" in the context of technology, we are referring to the capacity of a system to make use of the information that is available to it, to learn from that knowledge, to make judgements, and to adapt to new circumstances. It involves the capacity to solve problems in an effective manner, taking into account the restrictions and situations that are already in place. "Artificial" intelligence is intelligence that is not innate to living beings but rather is generated through the programming and design of computer systems. This intelligence is referred to as "artificial intelligence."

As a consequence of this, the term "artificial intelligence" (AI) refers to the emulation of human intelligence processes by means of machines and software. These systems are designed to carry out activities that, if carried out by people, would necessitate the application of intelligence. Included in this category are activities such as learning, decision-making, pattern recognition, and problem solving. For instance, the management of enormous volumes of statistical data, the identification of trends and the formulation of suggestions based on those trends, or even the actions themselves. Currently, artificial intelligence is not about the creation of new knowledge; rather, it is about the collection and processing of data in order to make the most of it for decision making.

### **It is supported by three fundamental pillars<sup>10</sup>:**

- **The data-** The tasks that we wish to automate are going to be based on this information that has been gathered and arranged. It may take the form of graphics, texts, or numbers.
- **The hardware-** These are the computer resources that enable us to process data in a more timely and precise manner, which in turn makes software development possible.
- **The software-** It is made up of a collection of instructions and computations that make it possible for training systems to receive input, recognize patterns, and produce new information.

## **Recent Developments in Artificial Intelligence Technology and Content Creation**

### **Introduction**

As a result of the fast advancements that have been made in artificial intelligence (AI) technology over the past few years, we are witnessing its expanding applications across a variety of domains. These applications are bringing about substantial transformations in a variety of industries, including education, advertising, media, and several other fields. Within the realm of advertising, artificial intelligence is increasingly being utilized for targeting, personalization, content creation, and optimization of advertisements.<sup>11</sup> By analyzing customer behavior, artificial intelligence technology provides advertisers with useful insights that assist them in designing more effective tactics. This improves the efficiency of advertisement information processing and decision-making, which represents breakthroughs in the industry. When it comes to artificial intelligence advertising that is based on computational advertising, the four major pillars that can be considered to be the most important are targeting, personalization, content creation, and application optimization. They individually cover fundamental aspects of computational advertising and work together to function inside the complete advertising ecosystem. Their goal is to maximize the effectiveness of advertising and the return on investment (ROI) that it generates.

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<sup>9</sup> "Choudhary S. Copyright law in India: An analysis of the Copyright Act, 1957. SSRN Electronic Journal [Internet]. 2024 Jan 1; Available from: <https://doi.org/10.2139/ssrn.4694983>

<sup>10</sup> Corporative I. History of artificial intelligence [Internet]. Iberdrola. Available from: <https://www.iberdrola.com/innovation/history-artificial-intelligence>

<sup>11</sup> Gao B, Wang Y, Xie H, Hu Y, Hu Y. Artificial intelligence in advertising: advancements, challenges, and ethical considerations in targeting, personalization, content creation, and ad optimization. SAGE Open [Internet]. 2023 Oct 1;13(4). Available from: <https://doi.org/10.1177/21582440231210759>

Over the course of a considerable amount of time, robotic artists have been engaged in a wide range of artistic endeavours. The production of rudimentary works of art by computers has been going on since the 1970s, and these efforts are still now being made. The majority of these works of art that were made by a computer relied largely on the creative input of the programmer; the machine was at most an instrument or a tool, quite similar to a brush or canvas. On the other hand, considering that we are currently in the midst of a technological revolution<sup>12</sup>, it is possible that we will need to reevaluate the relationship that exists between computers and the creative process. Machine learning software is a subset of artificial intelligence that develops autonomous systems that are capable of learning without being specifically taught by a human. This revolution is supported by the rapid growth of machine learning software within the field of artificial intelligence. A typical approach can be seen in the decision that the High Court of Delhi made in the case of *Rupendra Kashyap v. Jivan Publishing House Pvt. Ltd.*<sup>13</sup>, in which the subject at hand was whether or not the Central Board of Secondary Education (CBSE) has the right to assert copyright in a collection of question papers. Considering that the CBSE is an artificial person, the court ruled that it is not able to assert its right to copyright unless it can demonstrate that it has employed individuals for the purpose of preparing the examination papers. Therefore, in the sphere of Indian copyright law, the authorization to claim authorship can only be granted to a natural person. This viewpoint was strengthened in the case of *Tech Plus Media Private Ltd. v. Jyoti Janda*<sup>14</sup>, in which the Supreme Court ruled that authorship cannot be attributed to a juristic person, even though the copyright owner could be considered the source of the work.

In the case of *Navigators Logistics Ltd. v. Kashif Qureshi and Others*<sup>15</sup>, which was heard in 2019, the High Court of Delhi supported this interpretation. In this particular case, a claim for copyright was made about a list that was created by the computer. However, the court failed to grant the claim for a variety of reasons, including the absence of any human interaction. This means that the position in India is comparable to the position in the United States, and it is not possible for AI to claim authorship on its own.

### **India's Perspective on AI-generated Content**

According to Bharadwaj Jaishankar, a partner at Induslaw, *artificial intelligence systems are not regarded as being capable of retaining intellectual property rights as of the present time. This is despite the fact that AI systems can be the topic of anything like patent applications or even protected as trade secrets or private information.*<sup>16</sup> The laws of India pertaining to intellectual property, such as the Copyright Act of 1957, the Trade Marks Act of 1999, the Designs Act of 2000, and the Patents Act of 1970, are enacted with the intention of safeguarding the creations and inventions that are the result of human ingenuity. Their policy does not expressly recognize the product generated by artificial intelligence as a distinct category for protection.

While the Copyright Act of 1957 was enacted with the intention of protecting works that were written by human writers, there is no explicit advice regarding how copyright applies to works that are produced by artificial intelligence. According to Vikrant Kumar, a partner at Saraf and Partners, Indian courts have also declined to recognize juristic individuals as authors of intellectual property content that is protected by copyright<sup>17</sup>. The Indian copyright office has followed a pattern that is virtually identical. According to the Manual of Trade Marks Practice and Procedure, a registered proprietor, who is the person who is given ownership of a trademark, must either be a human applicant or a legal entity.

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<sup>12</sup> Archive [Internet]. Wipo-magazine. Available from: [https://www.wipo.int/wipo\\_magazine/en/2017/05/article\\_0003.html](https://www.wipo.int/wipo_magazine/en/2017/05/article_0003.html)

<sup>13</sup> 1994 (28) DRJ 286.

<sup>14</sup> (2014) 60 PTC 121.

<sup>15</sup> 254 (2018) DLT 307.

<sup>16</sup> Singh C. Can AI own copyrights? What does Indian law say about it? NDTV Profit [Internet]. 2024 Jan 4; Available from: <https://www.ndtvprofit.com/law-and-policy/can-ai-own-copyrights-what-does-indian-law-say-about-it>

<sup>17</sup> Singh C. Can AI own copyrights? What does Indian law say about it? NDTV Profit [Internet]. 2024 Jan 4; Available from: <https://www.ndtvprofit.com/law-and-policy/can-ai-own-copyrights-what-does-indian-law-say-about-it>.

## Recent Initiatives

The Indian government has recently taken a number of initiatives in the fields of artificial intelligence and content creation. The artificial intelligence (AI) landscape in India has been gradually being advanced through the implementation of a number of programs that aim to strengthen the development and integration of AI across a variety of industries, including the content creation sector. In addition to guaranteeing inclusive growth and ethical practices, the purpose of these activities is to establish India as a global leader in artificial intelligence innovation.

**The INDIAai Portal** Established in May of 2020, the INDIAai portal is the official artificial intelligence gateway for the country of India. The publication of materials such as articles, news, interviews, and investment funding news is one of its tasks. It serves as a one-stop platform for all advancements in the country that are relevant to artificial intelligence. On top of that, the portal offers educational and job prospects that are associated with artificial intelligence. It does this by providing courses and keeping a database of AI businesses and government programs.

By implementing these efforts, the government of India demonstrates its unwavering dedication to promoting the development of artificial intelligence and incorporating it into a variety of industries, including the production of content. With these initiatives, the potential of artificial intelligence to contribute to economic growth, social development, and worldwide leadership in technology is being harnessed.

## AI in Entertainment and Creative Writing

AI is now a powerful tool in creative industries, including scriptwriting, music composition, and video production. These AI-driven creative tools help filmmakers, musicians, and writers produce content more efficiently and with innovative elements.

- **OpenAI's Sora** generates high-quality videos from text prompts, potentially transforming filmmaking and digital content creation<sup>18</sup>.
- **DeepStory AI** assists screenwriters in developing scripts by generating dialogue and plot suggestions<sup>19</sup>.
- **Amper Music and AIVA** create AI-generated soundtracks for movies, video games, and advertisements<sup>20</sup>.
- **Runway ML** provides AI-powered video editing tools that allow content creators to enhance visuals using AI-generated effects<sup>21</sup>.

## AI in Gaming and Interactive Media

The gaming industry has embraced AI to generate dynamic content, NPC (non-playable character) interactions, and personalized gaming experiences. AI-driven game development tools improve realism, interactivity, and personalization in modern gaming experiences.

- **AI Dungeon** by Latitude uses GPT-based AI to create interactive, text-based role-playing adventures<sup>22</sup>.
- **Nvidia's GAN-based AI** generates photorealistic game environments, reducing the need for manual asset creation<sup>23</sup>.
- **Ubisoft's Ghostwriter AI** assists game developers in writing realistic NPC dialogue<sup>24</sup>.
- **Google's DeepMind AI** is being used to develop adaptive and intelligent gaming AI that enhances player engagement<sup>25</sup>.

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<sup>18</sup> OpenAI. Sora: The future of AI-generated video. *OpenAI Blog*. 2024

<sup>19</sup> DeepStory AI. AI in scriptwriting: Revolutionizing Hollywood. *Creative AI Review*. 2024

<sup>20</sup> AIVA & Amper. AI-generated music: The next frontier. *Music & AI Journal*. 2024

<sup>21</sup> Runway ML. AI-enhanced video editing. *Media & AI Magazine*. 2024

<sup>22</sup> AI Dungeon. AI-generated storytelling in games. *Gaming AI Journal*. 2024

<sup>23</sup> Nvidia Research. AI in game design and procedural generation. *Nvidia AI Reports*. 2024

<sup>24</sup> Ubisoft AI. Ghostwriter: AI-assisted narrative development. *Ubisoft Game Development Blog*. 2024

<sup>25</sup> DeepMind Research. AI and adaptive gaming intelligence. *DeepMind AI Journal*. 2024

## **Conclusion**

The rapid advancement of artificial intelligence has fundamentally challenged traditional notions of creativity and authorship within copyright law. AI-generated works, which are often produced with minimal or indirect human intervention, raise complex questions regarding originality, ownership, and the very purpose of copyright protection. This research has examined whether existing copyright frameworks are adequately equipped to address these emerging issues or whether a paradigm shift is required.

The analysis reveals that current copyright regimes, both in India and internationally, remain largely rooted in the concept of human authorship. Legal standards of originality—such as the requirement of skill, labor, and judgment—presume a human creator, thereby creating uncertainty in recognizing AI-generated works. Judicial interpretations and statutory provisions have yet to fully reconcile the role of autonomous systems in the creative process. Consequently, AI-generated outputs often fall into a legal grey area, where neither clear ownership nor protection is guaranteed.

At the same time, extending copyright protection to AI-generated works without careful consideration may undermine the foundational objectives of copyright law, including incentivizing human creativity and ensuring access to knowledge. The research highlights the need to strike a balance between fostering technological innovation and preserving the human-centric philosophy of intellectual property rights. Possible approaches include attributing authorship to the human user or developer, creating *sui generis* protection for AI-generated content, or maintaining such works in the public domain.

Ultimately, this study concludes that the concept of creativity under copyright law must be reinterpreted in light of technological advancements. A flexible and forward-looking legal framework is essential to address the challenges posed by AI while safeguarding core principles of originality, fairness, and public interest. Policymakers must adopt a nuanced approach that recognizes the evolving nature of creativity in the digital age, ensuring that the law remains both relevant and equitable in an era increasingly shaped by artificial intelligence.

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