

Emerging Dimensions of Copyright Laws: Legal Implications and Futuristic Approach

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Abstract

Intellectual property pertains to the composition of the human intellect. And, the intellectual property right is basically an entitlement of *jus in re propria* over intangible things. In other words, it is a right over the skills, ideas and intellect of a person. It is fictional in nature and quite different from formal properties. It encompasses copyright, trademarks, service marks, geographical indications, patents, utility models, plant varieties, industrial designs, trade secrets and layout designs, among others. IPR have garnered significance in contemporary times. It has gained importance throughout the whole Nations in recent times. Now, it is no more a subject of law but also a subject of general or public interest. The purpose of enacting laws related to foster the advancement of science, technology, arts, literature and another creative works, while encouraging and rewarding creativity. India is widely recognized for its intellectual progress in fields such as software engineering, missile technology, and space missions, including lunar and interplanetary explorations. Despite these achievements, India lags significantly in engendering intellectual property rights (IPR) fortunes including registered patents, industrial designs, and trademarks. According to a recent report by the US Chamber of Commerce, India positioned 29th out of 30 countries in the global IP survey. This paper is an attempt to highlight the emerging dimensions of copyright laws with special reference to the legal implications and futuristic approach. This concerning scenario highlights the urgent need for the policymakers to strengthen India's IP infrastructure and policies because lack of IPR awareness and protection can lead to the demise of inventions, increased risk of infringement, and economic losses.

Introduction

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industrial designs, and trademarks.¹ According to a recent report by the US Chamber of Commerce, India positioned 29th out of 30 countries in the global IP survey. This paper is an attempt to highlight the emerging dimensions of copyright laws with special reference to the legal implications and futuristic approach. This concerning scenario highlights the urgent need for the policymakers to strengthen India's IP infrastructure and policies because lack of IPR awareness and protection can lead to the demise of inventions, increased risk of infringement, and economic losses.

Meaning of the term “Property”

The term, “Property” can be determined as an object over which the proprietary rights stretch.² It is an exclusive right of control and disposal and can be classified into two main types: corporeal and incorporeal property;

1. Corporeal Property: This refers to material or physical property, such as land, buildings, and chattels (movable items).
2. Incorporeal Property: This refers to immaterial or non-physical property and can be further divided into two categories: (a) Property in Encumbrances: This includes rights such as leases and mortgages. (b) Property Over Immaterial Things: it includes patents, trademarks, copyrights, and designs. This category of incorporeal property is commonly referred to as intellectual property.

Another way to classify property is into Real and Abstract property:

1. Real Property: This includes property that can be seen and touched, such as land, buildings, and chattels.
2. Abstract property: This includes property that cannot be seen or touched, such as leases, mortgages, patents, copyrights, and trademarks.

Corporeal property is tangible and has a physical structure that can be seen. In contrast, incorporeal property is intangible and lacks a physical structure, making it invisible to the eye. In *Jilubhai Nanbhai Khachar v. State of Gujarat*,³ the Supreme Court defined property as a legally recognized asset which includes a collection of rights that are ensured and safeguarded by law. This includes each type of valuable right and interest, especially proprietorship and the unshared right to a possession. Property encompasses the power to sell or transfer of the thing in any lawful manner, to acquire it, to utilize it, and to preclude others from meddling with it. It refers to the authority or unrestricted lawful right to use or manage over specific things or subjects. The courts included the property consists of, “everything which is subject to ownership, corporeal or incorporeal, tangible or intangible, visible or invisible, real or personal; everything that has an exchangeable value on which goes to make up wealth or estate or statue.”

Meaning of the term- Intellectual Property Right (IPR)

Intellectual property refers to original work and invention of a person's mind. In other words, Intellectual property originates from the intellectual pursuits invested in the practical application of innovative ideas generated through human intellect and creativity. Creative thoughts or skilful ideas with industrial applications fall under the scope of intellectual property. Traditionally, intellectual property

¹ Lalit Japura, Bhupinder Singh and Rajkishore Nayak, “An Introduction to Intellectual Property Rights and their importance in Indian Context” 22 *Journal of Intellectual Property Rights* 32 (2017).

² V.K. Abuja, *Law Relating to Intellectual Property Rights* 4 (LexisNexis, 3rd edn., 2019).

³ AIR 1995 SC 142.

and industrial property were closely linked, with no distinction between them. Various IPRs, such as patents, trademarks, and industrial designs, were collectively known as industrial property. The Paris Convention on Industrial Property aims to safeguard patents, trademarks, and industrial designs under the category of industrial property. The term "intellectual property rights" emerged when copyrights and geographical indications were included alongside patents, trademarks, and designs. This change occurred because copyrights and geographical indications could not be strictly classified as industrial property.⁴ Now, the area of interest of the term "Intellectual Property" includes various intellectual properties such as, copyright, trademark, geographical indication, industrial design, patent, semiconductor chip and integrated circuit etc. The legal rights to intellectual property is an intangible prerogative that pertains to creations of human mind, such as newly invented products.⁵ This type of asset is often characterized as "knowledge goods".⁶ This right empowers the creators to control and gain benefit from their intellectual efforts, providing them with the usage rights, produce and trade their creations for a specified duration. In this manner, they are regarded as negative rights because they allow the entitled party to preclude or prevent others from utilizing or leveraging the listed intellectual property. However, if an innovator wants to prevent others from working on their invention to establish exclusivity, they must seek protection through registration.⁷ The primary goal of IPR is to promote innovation and creativity by ensuring that the inventors can reap benefits financially from their own work, thus promoting economic growth and cultural development.

David Bainbridge defines intellectual property right as "a group of legal rights that provide protection over the creations and inventions of individuals or organisations. These rights allow the holder to exclude others from unauthorised use of their intellectual creations and enable them to exploit their works for economic gain."

Another influential jurist, *William Fisher*, a professor at Harvard Law School, describes IPR as follows: "Intellectual property rights are rights granted to individuals or companies over the creation of their minds. Their rights usually give the creator an exclusive right over the use of his/her creation for a certain period of time." Thus, these definitions highlights several key aspects:

1. Creation of the Mind: IPR pertains to the products of intellectual effort and creativity.
2. Exclusive Rights: These rights grant the innovator exclusive control over the use of their invention,
3. Limited Duration: the exclusivity is provided for a defined period, after that the creation may enter to the public domain.

Categories of Intellectual property rights:

The subject matter of IPR is categorized into two types:

1. Industrial Property- includes Patents, Trademarks etc.
 2. Literary Property- includes copyrights, broadcasting rights etc.
- A. Copyright: An absolute right to reproduce, distribute, print, and market a literary or artistic work, or technical creations such as maps, blueprints, sound recordings, and musical compositions. In the Indian context, copyright applies to (i) original literary, dramatic, musical, and artistic works; (ii)

⁴ Sreenivasulu N.S., *Intellectual Property Rights 5* (Regal Publications, New Delhi, 2007).

⁵ Supra note 2 at 3.

⁶ Bayer Corporation v. Union of India, Writ Petition No. 1323 of 2013.

⁷ Supra note 4 at 7.

cinematograph films; and (iii) sound recordings. Literary works also encompass computer programs and databases.⁸

- B. Patents: An exclusive right granted to inventors or discoverer to produce, sell, or utilize their inventions or discoveries. This right includes the ability to prevent others from using the patent if the patent holder chooses not to use it themselves. Some important features of Patents are:
- (i) It is a licence granted by the State.
 - (ii) It is granted as to some inventions to the applicant who claims for it.
 - (iii) It is an exclusive right conferred upon a person for a limited or specified time.
 - (iv) The License is a protection to use the invention as a monopoly for the person.⁹
- C. Trademarks: A trademark is any mark, symbol, pattern, or other device, with or without words, attached to goods to distinguish them from similar products made by other manufacturers. A trade name, on the other hand, refers to the name under which a person or firm conducts their business, whether or not it is a distinctive or descriptive name for their products or services.¹⁰
- D. Designs: Basically means a right which connotes the features or outward appearance of the article and implies shape, configuration and pattern and must relate to an article and must be novel and original.
- E. Plant varieties: Protects new and distinct plant varieties. It grants breeders exclusive control over the propagation of a new variety for a certain period.
- F. Geographical Indications: It safeguard commodities that originates from a particular place and have peculiarities or a prestige associated to that foundation. For example: Darjeeling tea.
- G. Layout designs of integrated circuit: Protects the 3D configuration of electronic circuits in integrated circuit products.
- H. Trade secrets: It safeguards classified enterprise's report that offers a combative benefits, including blueprints, practices, designs, processes, or other confidential details. They are protected as long as they remain undisclosed.
- I. Performer's Rights: Protects the rights of performers in their performance. This includes the right to authorise the recording, disseminating, and transmission of their performances to the general public. These types of intellectual property rights aim to promote invention and ingenuity by ensuring that pioneers can reap the benefits of their work while also balancing the public interest.

An Introspective of Copyright Law as Intellectual Property Right:

“The law has not found it possible to give full protection to the intangible. But it can protect the intangible in certain states, and of them is when it is expressed in words or print.”

—Ladbroke v. Hill¹¹

In essence, while the law cannot fully protect intangible assets in all forms, it can offer certain protections when these assets are manifested through specific means like written text or printed materials. Thus, copyright is a non-physical property (non-material) in essence. The concept of copyright has turned into exponentially crucial in existing scientific, economic, social, political and legal contexts, both in India and globally. Copyright basically means the privilege of multiplying, printing,

⁸ Supra note 4 at 9.

⁹ *Id* at 13.

¹⁰ *Id* at 10

¹¹ 1 W.P.R., 273.

publishing and selling of an artistic work like a map, blue print, motion picture, sound recording, musical work, etc. It is also called an exclusive right and is given to its owner for a specific period of time to recreate the work for public merits. It is the first intellectual property to be used in 1586 for compiling historical events and its related work. Copyright law in India began with the 1847 enactment under the British EIC, which set a duration of copyright the author's lifetime plus seven years, not exceeding forty-two years, and required mandatory registration. Infringement was addressed through local courts, with rights granted to publishers under certain conditions. The 1914 Act, extending the UK Copyright Act of 1911, introduced criminal sanctions and defined a ten-year term for authors' rights. This was followed by the 1957 Copyright Act, which has been amended several times, including significant changes in 2012 to align with international treaties (WCT and WPPT), extending digital copyright protections, introducing new rights for authors and performers, and addressing access issues for the disabled. In case of *Time Warner Entertainment Company v. RPG Netcom*,¹² It is held that, “ it is a negative right which means that the right owner can prevent all others from copying his work or doing any other act, which according to copyright law can only be done by him.” Hence, it is known as a market dominance on account of which it is acknowledged that the product of an individual’s skill and labor is considered their property. In India, the copyright is governed by *The Copyright Act, 1957*. Section 14 of The Copyright Act 1957 defines “Copyright”, in the manner of- "The exclusive right subject to the provisions of this Act, to do or authorise the doing of any of the following acts in respect of a work or any substantial part thereof, namely-

(a) In case of literary, dramatic or musical work, not being a computer program-

- a. To reproduce the work in any material form including the storing of it in any medium electronic means;
- b. To issue copies of the work to the public not being copies already in circulation;
- c. To perform the work in public, or communicate it to the public;
- d. To make any cinematograph film or sound recording in respect of the work;
- e. To make any translation of the work;
- f. To make any adaptation of the Work;
- g. To do, in relation to a translation or an adaptation of the work, any of the acts specified in relation to the work in sub-clause (i) to (vi);

(b) In the case of a computer program-

- a. To do any of the act specified in clause(a);
- b. To sell or give on commercial rental or offer for sale or for commercial rental does not apply in respect of computer programs: where the program itself is not the essential object of the rental.

©) In the case of an artistic Work-

- a. To reproduce the work in any material form including depiction in three dimensions or a two dimensional work or in two dimensions of a three dimensional work;
- b. To communicate the work to the public;
- c. To issue copies of the work to the public not being copies already in circulation;
- d. To include the work in any cinematograph film;
- e. To make any adaptation of the work;
- f. To do in relation to an adaptation of the work any of the acts specified in relation to the work in sub-clause (i) to (iv);

¹² 2007 (34) PTC 668.

(d) In the case of a cinematograph film-

- a. To make a copy of the film including a photograph of any image forming part hereof;
- b. To sell or give on hire or offer for sale or hire, any copy of the film, regardless of whether such copy has been sold or given on hire on earlier occasions;
- c. To communicate the film to the public,

(e) In the case of a sound recording-

- a. To make any other sound recording embodying it;
- b. To sell or give on hire, or offer for sale, or hire any copy of the sound recording, regardless of whether such copy has been sold or given on hire on earlier occasions;
- c. To communicate the sound recording to the public.”¹³

Essential Characteristics of Copyright are:

1. It is considered as a negative right because it avert others from replicating or using the original creation , by not having owner's permission.
2. It is created under the provisions of the statute.
3. It must be of original nature, i.e. intellectual skill must be involved. In case of Jagdish Prasad Gupta v. Parmeshwar Prasad Singh, It was held that it is sine qua Non for copyright that the work should b3 original and the skill and labour involved should be covered under original work under Section 13(a) and 13(3).
4. It is a bundle of right as along with exclusive rights, the owner has the power to transfer the rights by way of assignment and licence for a purposeful use.
5. It consists of multiple rights like reproductions, adaptations, translations, cinematography, performance oriented and computer related work.¹⁴

Subject Matter of Copy Right encompasses the following:

Section 13 of The Copyright Act, 1957:

Thus, according to Section 13 of The Copyright Act 1957, it may be subjected for the following works: Original Literary Work, Original Dramatic work, Original Musical work, Original Artistic Work, Cinematography films, and Sound recordings.

As per Section 2(o) of the Act *Literary Works* includes books, journals, articles, dissertations, question papers, encyclopaedias, dictionaries, head notes of law reports and digests, and the abridgement of literary works in the name of keys, solutions or guides. Section 2(h) of the Act explains *Dramatic Work* which includes plays, recitation, dumb charades etc.

Whereas Section 2(q) of the Act, explains music work as that graphical notations and other works of music. Section 2(xx) of the Act further defines ***Sound Recordings*** as all forms of recording of sounds.

The expression *Artistic Works has been defined* u/s 2 (c) of the Act, which includes maps, paintings, sculptors, diagrams, charts and engravings on the architecture, photograph, craftsmanship etc. **The expression *Cinematography*** under section 2(f) of the Act is consist of lyrics, script writing, music remix and all other versions of cinematography etc. which have some unique features. In additional to this, ***Computer Work*** embraces software development, website creation, animation, machine language,

¹³ The Copyright Act, 1957 (Act 14 of 1957), s. 14.

¹⁴ What is a Copyright? What are its characteristics?, available at: <http://www.scribd.com> (last visited on July 23, 2024).

program designing and layout and other related works. These subject matters will get the copyright protection provided that it has the element of 'originality'.¹⁵

It is pertinent to mention here that Copyright protection is not indefinite; it is time-limited. For most works, it lasts for the lifetime of the author combine with an auxiliary 60 years after the author's demise. This time span is specified under Section 22 of the Copyright Act, 1957. After this period, the work falls into the open access (free use) letting any individual to utilize it without seeking authorization.¹⁶

Significant Aspects of the Copyright Act, 1957:

Section 17 of the Act outlines the rules for determining the first holder of copyright. Generally, the creator of a work is the primary titleholder. However, if a work is created under employment by a newspaper or similar publication, the publisher is the first holder of the copyright related to the publication. For commissioned works like photographs, paintings, or films, the person commissioning the work is the first owner unless otherwise agreed. For works created under other employment circumstances, the employer is the first owner. The government is the first owner of government works, and public undertakings own works created under their control. International organisations own copyrights for works to which specific international provisions apply. Authors retain certain rights, especially concerning works used in cinematograph films.¹⁷ *Section 18* outlines that a copyright owner can transfer (assign) their copyright to another person, either fully or partially, and with or without conditions. This assignment applies to existing works or future works (taking effect only once the work exists). However, the assignment cannot include new mediums or uses that weren't available at the time unless specifically mentioned. Creators of literary or musical works used in films and sound recordings retain the right to obtain royalties payments, which cannot be waived or transferred except to their heirs or a copyright society. The assignee gains the rights to the assigned portion of the copyright, while the original owner keeps the rest. If the assignee dies before a future work is created, their legal representatives take their place.¹⁸

Section 19 deals with the requirements and conditions for assigning copyright in a work. To be effective, an assignment must be in written form and executed by the assignor or their agent. It must specify the work being assigned, detail the right transferred, outline the duration, define the territorial scope, and state the term of royalties or consideration. The assignment may be revised, extended, or terminated according to the agreement between the parties. If the recipient doesn't use the rights within one year, those rights lapse unless stated otherwise. If the period or territorial extent is not specified, it defaults to five years and within India. Assignments that conflict with rights already assigned to a copyright society are void. Authors retain the right to equal royalties for uses beyond cinema screenings for works in films or sound recordings not part of films.¹⁹

Further Section 30A states that the rules outlined in section 19, which pertain to the assignment of copyright, also apply to licences granted under section 30. This application is subject to any necessary

¹⁵ The Copyright Act, 1957 (Act 14 of 1957), s. 13.

¹⁶ *Id.*, s. 22.

¹⁷ *Id.*, s. 17.

¹⁸ *Id.*, s. 18.

¹⁹ *Id.*, s. 19.

adaptations or modifications to suit the context of licensing. Essentially, the same principles governing copyright assignments are extended to the licensing of copyrights.²⁰

For compulsory licensing *Section 31* of the act deals with the copyrighted works that are being withheld from the public. In case a claim is made to the Appellate Board alleging that the copyright holder has declined to republish, allow public performance, or broadcast the work on reasonable terms, and this refusal withholds the work from the public, the Board can intervene. After giving the copyright owner a chance to be heard and conducting an inquiry, if the Board finds the refusal unreasonable, it might instructs the Registrar of Copyrights to permit a licence to the complainant. This licence allows the complainant to reprint, perform publicly, or broadcast the work, with the copyright owner receiving compensation and other terms set by the Board. The Registrar of Copyrights will issue the licence to a suitable individual as determined by the Board.²¹

Section 33 mandates that only registered copyright societies can issue or grant licences for works with existing copyrights. Copyright owners can still licence their own works individually. Societies must be registered with the Central Government, which assesses their suitability based on public interest, author rights, and applicant competence. Registration is validated for five years and can be refreshed. If a society is mismanaged or fails to comply with regulations, the government can cancel or suspend its registration and appoint an administrator. Copyright societies registered before 2012 must re-register under the new rules.²²

Section 45 allows authors, publishers, or other copyright holders to apply to the Registrar of Copyrights to record their work in the Register of Copyrights. The application must be submitted in the prescribed form with the required fee. For artistic works employed with goods or services, the application must also include a statement and a certificate from the Registrar of Trade Marks confirming that no identical or similar trademark has been registered or applied for by anyone other than the applicant.²³

Section 51 of the act deals with the infringement provision and mentioned that copyright is considered infringed if someone acts without permission or in violation of licence conditions, by performing any action exclusive to the copyright owner, or by allowing the public discourse of the work for profit when aware it infringes copyright. Infringement also occurs when someone sells, displays, distributes, or imports infringing copies of the work, affecting the copyright owner. Reproducing a work in a cinematograph film is also deemed an infringement. However, importing a single copy for personal use is not considered an infringement.²⁴

Section 52 outlines activities that are not considered copyright infringement, often referred to as fair use. For instance, using copyrighted content for educational purposes, like in a classroom setting, is typically allowed under fair use. This means that certain uses of copyrighted material for education, criticism, or commentary may be permitted without needing permission from the copyright holder.²⁵

Section 57 of the act states that, even after transferring copyright, an author retains special rights to claim authorship and to seek damages if their work is distorted, mutilated, or modified in a way that harms their honour or reputation. However, this is inapplicable to adaptations of software programs as specified. These rights can also be administered by the creator's legal representatives. Neglecting to

²⁰ *Id.*, s. 30A.

²¹ *Id.*, s. 31.

²² *Id.*, s. 33.

²³ *Id.*, s.45.

²⁴ *Id.*, s. 51.

²⁵ *Id.*, s. 52

exhibit a work or not meeting the author's satisfaction does not constitute an infringement of these rights.²⁶

Moreover, Section 63 states that Knowingly infringing or assisting in the encroachment of copyright or other rights under this Act (except as specified in Section 53A) is punishable by imprisonment for six months to three years, and a fine ranging from fifty thousand to two lakh rupees. However, if the encroachment is not for commercial benefits, the court may impose a lesser sentence or fine for special reasons. Building construction that infringes on copyright is not considered an offence under this section.²⁷

Emerging Trends and Challenges vis a vis The Copyright (Amendment) Rules, 2021:

The Government of India announced the Copyright Amendment Rules, 2021, which were last amended in the year 2016. The main focus of the amended provisions is to encourage accountability and transparency. These amendments aim to align the Copyright Rules with technological advancements and other relevant legislations, facilitating smoother compliance in the digital era by embracing electronic mediums of communication as the main method of interaction with the Copyright Office. Under Rule 2 clause (da), a key change includes the introduction of a copyrights journal, which will be available on the Copyright Office's website, replacing the requirement for publication in the Official Gazette. To enhance accountability and transparency, new provisions address undistributed royalty amounts and mandate the use of electronic, traceable payment methods for royalty collection and distribution. In Rule 49 sub-rule 1, The words "sixty days", have been substituted with the words "one hundred and eighty days". Now, the Central Government has up to 180 days to respond to applications for registration as a copyright society, allowing for more thorough examination. According to Rule 55, Sub-rule 3, Copyright societies are now required to prepare and publicly share an Annual Transparency Report (Rule 65A) for each financial year. The amendments also align the Copyright Rules with the Finance Act, 2017, merging the Copyright Board with the Appellate Board. Additionally in Rule 58 sub-rule 12, the compliance requirements for registering software works have been simplified; applicants can now submit either the first and last 10 pages of the source code or the entire source code if it is fewer than 20 pages, without any redacted portions.²⁸ The Copyright Act of 1957 in India, facing numerous challenges such as; Firstly, digital technology, the phrase 'technology' in the present context, refers to computer/information technology or technology relating to the use of the internet. With the rise of the internet and its widespread use, the potential for intellectual property piracy has become overwhelming. The ease of access to the internet and the ability to download content freely have introduced new challenges in combating copyright infringement.²⁹ Secondly, striving an equilibrium among securing creator's rights and ensuring publicly available information and culture is a delicate and on-going challenge. In other words, defining and enforcing the boundaries of fair use in the digital age is complex. The terms 'fair use' or 'fair dealing' are not explicitly defined, and courts often struggle to establish precise standards.³⁰ However, through the examination of case law, a key test has emerged: determining

²⁶ *Id.*, s.57.

²⁷ *Id.*, s. 63.

²⁸ Copyright Amendment Rules, available at: <http://www.tbalaw.in> (last visited on July 24, 2024).

²⁹ *Supra* note 2 at 109.

³⁰ *Supra* note 3 at 159.

if the use in question is potentially detrimental to the viable market or value of the copyrighted work.³¹ In *Ashdown v. Telegraph Group Ltd.*, the court laid the following criteria for adjudging fair dealing: (1) whether or not the use of the work affects the owner's commercial interests; (2) whether or not the work has been previously promulgated made available to the general public; and (3) the extent and significance of the portion of the work that has been used.³² Thus, the meaning of the term 'fair use' is not certain yet or cleared by Legislature and Judiciary. *Thirdly*, the issue relating to cross border jurisdiction is one of the major challenges before the Government of India. Every Nation has its own law relating to copyright like India has The Copyright Act of 1957. But, the internet is global and it allows content to be accessed and distributed globally, unfortunately it also makes it easy for copyright infringement to occur across multiple jurisdictions which resulted in the question of which country's Courts have the authority to hear a case of copyright infringement. Different legal standards and procedures in various countries can lead to conflicts and compliance in enforcement. *Fourthly*, artificial Intelligence (AI) also poses significant challenges to copyright law, particularly in defining authorship and ownership of AI generated work. Traditional copyright frameworks, designed for human creators, struggle to address these new complexities. Issues such as determining the originality of AI-created content, liability for copyright infringement by AI, and fair compensation for human creators in an AI-driven economy necessitate updates to legal frameworks. At last but not the least, many content creators, especially in rural areas informal sectors, are unaware of their copyright rights and the means to protect them, which leads to unintentional infringement.

Futuristic Approach.

There must be some futuristic approach(es) that could shape copyright law in India such as; *Firstly*, as digital content creation and distribution continue to grow, Indian copyright law will need to tackle the issues related to online piracy, digital rights management, and the protection of content in digital formats. This includes adapting laws to new technologies like blockchain for tracking and verifying the authenticity of digital content. *Secondly*, the rise of AI-generated content presents new challenges for copyright law. Questions about authorship and ownership of AI-generated works will need to be clarified. Indian law may need to evolve to define who holds the copyright when a work is created by or with significant input from AI. *Thirdly*, as India becomes more integrated into the global economy, aligning its copyright laws with international standards will be important. This could involve adopting provisions from treaties like the Berne Convention or the World Intellectual Property Organization (WIPO) Copyright Treaty to ensure protection for works across borders. *Fourthly*, there is a growing movement toward open access and the sharing of knowledge and culture. Indian copyright law must achieve equilibrium among safeguarding inventor's rights and facilitating information accessibility and traditional works, particularly in educational and research settings. *Fifthly*, Effective enforcement of copyright laws, particularly online, will be crucial. This could involve stronger penalties for infringement, improved mechanisms for takedown notices, and collaboration with international agencies to combat cross-border piracy. *At last not the least* for copyright laws to be effective, there needs to be greater public awareness and understanding of these rights. Educational initiatives, possibly integrated into school curriculums and public campaigns, could help in fostering a culture of valuing intellectual property.

³¹ *Supra* note 3 at 159.

³² (2001) 4 All ER 666

In sum, the evolving landscape of copyright law faces a myriad of challenges and opportunities, particularly in the digital era. The traditional frameworks of IPR, including copyrights, are being tested by advances in technology such as the internet and artificial intelligence. These advancements require a reassessment of the harmony among safeguarding inventor's right and publicly available information and culture. The issues of cross-border jurisdiction, the ambiguity of fair use, and the emerging role of AI in creative processes require legal frameworks to adapt and evolve. India's Copyright Act of 1957 and its subsequent amendments highlight the on-going efforts to address these challenges, emphasising transparency, accountability, and adaptation to new technological realities. Moving forward, a nuanced and forward-looking approach is essential to navigate the complex interplay between innovation, creativity, and the law, ensuring that intellectual property rights continue to foster creativity and contribute to economic and cultural growth.