International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
www.zesterapublications.com
ISSN: 3070-0523
Original Research Paper

From Human Authorship to Machine Creativity: Rethinking Copyright Law in the AI Age

Dr. B. Jaipal Reddy
Principal,
K.V. Ranga Reddy Law College, Gaganmahal,
Hyderabad, India,
drjrbattu@gmail.com

Abstract

Artificial Intelligence (AI) has brought about a rapid transformation within the creative sphere, thereby unsettling the traditional foundations of intellectual property law, particularly copyright. Works generated through AI systems become increasingly prevalent. Legal frameworks across jurisdictions are confronted with persistent difficulties in defining authorship, ownership, and copyrightability. This article tries to critically evaluatee the evolving legal platform governing AI-generated content and particular reference to comparative developments in the European Union, the United States, the United Kingdom, and India.

The analysis focus upon the fundamental issue of whether an AI system can be regarded as an author? Who should be recognised as the rightful holder of rights in such works? While traditional copyright frameworks are firmly rooted in the principle of human authorship, the growing confusion created by AI systems in content generation necessitates a reconsideration of established traditional assumptions. The notion of “work made for hire” has been advanced as a possible mechanism for allocating authorship. Hhowever, disputes regarding ownership continue to arise among developers, users, and corporate entities. In addition, the scope and applicability of economic and moral rights in relation to AI-generated works remain deeply contested underscoring the urgent need for greater legal clarity.With particular emphasis on the Indian copyright framework, this study highlights the urgent need for legislative reform capable of addressing the realities of AI-driven creativity. It advances policy-oriented suggestions, including the incorporation of AI-specific provisions.The mentioning of clear standards concerning human intervention, and the establishment of structured mechanisms for attribution and rights protection also suggested. Ultimately, the article argues that a balanced legal approach is essential with the one that simultaneously promotes technological innovation and safeguards the interests of human creators. By aligning copyright principles with contemporary technological developments, legal systems can more effectively navigate the complexities posed by AI-generated creativity. It thereby ensuring both progress and equitable protection in the digital age.

Keywords: Artificial Intelligence (AI); intellectual property law; ownership; AI-generated works; authorship; technological advancements.

Received: 24-10-2025 | Accepted: 10-11-2025 | Published: 27-11-2025

International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
www.zesterapublications.com
ISSN: 3070-0523
Original Research Paper

I. Introduction

Artificial intelligence (AI) is increasingly reshaping the contours of creative industries, extending its influence across fields such as music, visual arts, literature, and film. Advanced algorithmic systems are now capable of composing musical works, generating digital artworks, and producing written content with minimal or even no direct human involvement. These technologies are not merely altering the modes of production but are also challenging traditional concepts of creativity, originality, and human authorship. The rapid expansion and scale of AI-generated content have left many legal systems inadequately prepared, particularly in the domain of intellectual property protection.[1] Copyright law has traditionally mechanism for safeguarding the rights of creators, ensuring that authors, artists, and innovators retain control over their works and derive economic benefits from their exploitation. However with the increasing prevalence of AI-generated works even created without direct human agency. They are raising complex questions for legal frameworks that were originally designed with human creators at their core.[2] When a machine produces a new and original output, the issue of authorship becomes uncertain.More importantly, the question arises as to who should be entitled to the economic benefits derived from such creation? The uncertainty surrounding AI-generated content is becoming urgent consent. Courts, policymakers, and academic scholars are actively engaging with the implications of non-human creativity. While certain jurisdictions have begun to recognise limited rights in AI-assisted work. Many legal systems still lack explicit statutory provisions addressing whether AI can be treated as an author or how ownership should be determined.[3] This absence of legal clarity creates a significant vacuum.It risks impeding innovation while simultaneously undermining fairness. Developers and users of AI systems may operate without legal certainty and human creators may find their rights diluted or inadequately protected.

This article seeks to address three central questions. First, whether an AI system can be recognised as an author under existing legal frameworks. Second, who should be regarded as the owner of works generated either predominantly or entirely by AI systems. Third, what forms of legal reform are necessary to ensure that copyright law remains relevant and effective in the context of algorithmic creativity. These issues are critical in achieving a balance between technological advancement on one hand and protecting intellectual property rights on another. The study adopts a doctrinal methodology, examining statutory provisions, judicial decisions, and academic literature across multiple jurisdictions. The paper is structured as - Section II examines the foundational principles of copyright law in relation to authorship. Section III analyses the legal status of AI-generated works. Section IV provides a comparative evaluation of international approaches. Section V Reforming

Received: 24-10-2025 | Accepted: 10-11-2025 | Published: 27-11-2025

International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
ISSN: 3070-0523 www.zesterapublications.com Original Research Paper

copyright in the age of AI and proposes legal reforms.Section VI The Need for Legal Reforms and Policy Recommendations.

II. Conceptual Foundations of Copyright Law

Copyright law operates as a legal instrument designed to protect the creative expressions of individuals by granting them exclusive rights over their intellectual output. At its core lies the principle of human authorship, which presumes that creative works originate from natural persons who initiate and direct the creative process. Judicial decisions and legislative frameworks have historically reinforced this position, consistently recognising only human beings as authors under the law.[4] This foundational principle presents a significant challenge in the context of autonomous systems that are capable of generating creative works without direct human intervention.Another essential requirement within copyright law is originality. A work must exhibit at least a minimal degree of creativity in order to qualify for protection. Furthermore, it must be fixed in a tangible medium, meaning that the expression of ideas must be recorded in a form that allows it to be perceived, reproduced, or communicated.[5]While these criteria have functioned effectively within a human-centred model of creativity, their application becomes more complex in the context of outputsgenerated by AI.Here originality will be derived from algorithmic processes and data-driven systems rather than human intention.Copyright law also confers two principal categories of rights: economic rights and moral rights. Economic rights enable the author to commercially exploit the work, including rights of reproduction, distribution, and public communication. Moral rights are particularly important in civil law jurisdictions. They protect the personal connection between the author and the work, including the right to attribution and the right to object to derogatory treatment.[6] These rights are inherently linked to human personality and consciousness, raising a serious concerns regarding their applicability to works generated by machines.

The doctrine of “work made for hire” introduces a limited exception to the principle of individual authorship. It allows an employer or commissioning party to be recognised as the legal author of a work produced within the scope of employment or contractual arrangements. This doctrine has been suggested as a possible mechanism for attributing ownership in the context of AI-generated works.[7] However, its application presupposes the existence of a human creator, which complicates its relevance in situations where the creative process is carried out autonomously by AI systems.A further conceptual difficulty arises from the distinction between legal personhood and non-human entities. Copyright law deals with persons either natural or juridical, who possess the capacity to hold rights and assume legal responsibilities. AI systems are not legal personality and are incapable of owning property, entering into contractual relationships, or being held liable. Consequently, AI to be recognised as an author would require either a fundamental reconfiguration of legal doctrine or the

Received: 24-10-2025 | Accepted: 10-11-2025 | Published: 27-11-2025

International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
www.zesterapublications.com
ISSN: 3070-0523
Original Research Paper

attribution of rights to individuals associated with the AI system, such as programmers, users, or corporate entities.[8]These doctrinal foundations results several limitations,when they are applied to AI-generated works. The requirement of human authorship becomes ambiguous regarding the eligibility of machine-generated content for protection. The concept of originality becomes difficult to assess in the absence of human creativity. Moral rights lose their relevance when no human author exists. Finally, existing ownership frameworks fail to provide a coherent or equitable basis for attributing rights to outputs generated by non-human systems. As AI continues to integrate into creative industries, these limitations underscore the urgent need for legal reform.

III. Legal Status of AI-Generated Works

The question of whether artificial intelligence systems can be recognised as authors under existing copyright frameworks remains a major issue in the contemporary intellectual property law. Across most jurisdictions, including the United States, the United Kingdom, and the European Union, copyright statutes implicitly assume that authorship is inherently human.[9] This presumption is deeply embedded within statutory language and further reinforced through judicial interpretation.A notable illustration of this principle can be found in the decision of Naruto v. Slater, where a photograph taken by a macaque was denied copyright protection on the ground that it lacked a human author.[10] Although the case concerned an animal rather than an artificial system, courts have relied on its reasoning to emphasise that non-human entitiesirrespective of their level of intelligence cannot be recognised as authors under current legal doctrines.A critical complication in this context arises from the varying degrees of human involvement in AI-assisted creation. In numerous instances, individuals contribute to the creative process by training models, providing prompts, or structuring inputs that influence the final output. This raises the question of whether such involvement is sufficient to establish authorship. Copyright law traditionally distinguishes between genuine creative contribution and mere mechanical input. Where a user simply provides minimal instructionssuch as a basic promptthe level of human input may be insufficient to meet the threshold of originality.[11] Conversely, where individuals engage in more substantive activities, such as curating datasets, fine-tuning algorithms, or iteratively refining outputs, courts may be more inclined to recognise such involvement as constituting authorship.

The issue of ownership becomes increasingly complex when multiple stakeholders are involved. Developers who design the underlying algorithms may claim that their intellectual effort enables the creation of the output. However, where third parties utilise such systems to generate content, the connection between the developer and the final work may be too remote to justify ownership claims.[12] On the other hand, users who operate AI systems may assert ownership on the basis that they provide the inputs and determine the manner in which outputs are used. Nevertheless, in the

Received: 24-10-2025 | Accepted: 10-11-2025 | Published: 27-11-2025

International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
www.zesterapublications.com
ISSN: 3070-0523
Original Research Paper

absence of clear legal precedent, such claims remain uncertain.Corporate entities may also attempt to invoke the doctrine of "work made for hire" to claim ownership over AI-generated outputs produced within the scope of employment. However, this application raises unresolved questions, as the doctrine traditionally presupposes the existence of a human employee rather than an autonomous system.[13]Scholarly opinion on this issue remains divided. Some commentators advocate a pragmatic approach, suggesting that ownership should be attributed to the party most closely associated with the creation of the work. Others adopt a policy-oriented perspective, arguing that copyright should function as an incentive mechanism, and therefore rights should be allocated to those who invest resources in developing or utilising AI systems.[14]Judicial approaches vary across jurisdictions. In the United Kingdom, the Copyright, Designs and Patents Act 1988 provides that, in the case of computer-generated works, authorship shall be attributed to the person who undertakes the necessary arrangements for their creation.[15] This provision offers a degree of flexibility, although it still presumes the involvement of a human intermediary. In contrast, the United States Copyright Office has adopted a stricter position, explicitly denying protection to works generated without human authorship.[16] Other jurisdictions, such as Australia and Canada, have yet to provide definitive judicial guidance, though academic commentary suggests that existing legal frameworks in these regions are ill-equipped to address fully autonomous AI-generated works.

The copyrightability of AI-generated content ultimately depends on whether such works satisfy the established legal requirements of originality, fixation, and authorship. While AI systems are capable of producing outputs that meet the criteria of originality and fixation, the absence of a human author remains a fundamental obstacle. Current legal doctrines do not provide a clear mechanism for recognising AI as a rights holder, thereby leaving such works either unprotected or legally uncertain.[17] Some scholars have proposed the concept of proxy authorship, whereby rights are attributed to the most relevant human actor without recognising the AI system as a legal person.[18] Others advocate the creation of a sui generis regime specifically designed to address machine-generated works. While such proposals offer potential solutions, their implementation would require significant legislative reform and, ideally, international consensus.

IV. Comparative Legal Analysis: International Perspectives

A. United States

Within the United States, the Copyright Act does not expressly define the term "author" as a human being. Nevertheless, judicial interpretation and administrative practice have consistently affirmed the necessity of human creativity as a prerequisite for copyright protection.[19] The U.S. Copyright Office has repeatedly clarified that works lacking human authorship are ineligible for registration.This position was reaffirmed in the case of Thaler v. Perlmutter, where the court held that an artwork

Received: 24-10-2025 | Accepted: 10-11-2025 | Published: 27-11-2025

International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
www.zesterapublications.com
ISSN: 3070-0523
Original Research Paper

generated entirely by an AI system could not be protected under copyright law due to the absence of human authorship.[20] The claimant, Stephen Thaler, sought recognition for a work produced by his AI system; however, the court rejected the claim, emphasising that copyright protection is limited to human-created works.Similarly, the reasoning adopted in Naruto v. Slater reinforces the principle that non-human entities cannot hold copyright. Although the case involved an animal, its underlying rationale has influenced judicial attitudes towards AI-generated content.The United States Patent and Trademark Office (USPTO) has aligned its approach with these judicial developments, requiring applicants to identify a human author even where AI tools have been used in the creative process. While this ensures doctrinal consistency, it has been criticised for failing to adequately reflect technological realities.[21]

B. European Union

The European Union adopts a similarly human-centric approach through its copyright framework, particularly under Directive 2001/29/EC. The requirement that a work must reflect the "author's own intellectual creation" places emphasis on personal expression and subjective creativity.[22]The Court of Justice of the European Union has reinforced this principle in decisions such as Infopaq International A/S v Danske Dagblades Forening, where it held that copyright protection requires the expression of free and creative choices made by a human author.[23] This interpretation effectively excludes works generated entirely by AI systems, especially in cases where human intervention is minimal.Despite this restrictive framework, some scholars argue that the concept of originality could be reinterpreted to accommodate AI-assisted works where significant human input is involved. However, until such reinterpretation is formally adopted, EU law remains largely resistant to recognising autonomous machine-generated works.

C. United Kingdom

The United Kingdom offers a comparatively flexible approach through Section 9(3) of the Copyright, Designs and Patents Act 1988. This provision stipulates that, in the case of computer-generated works, authorship shall be attributed to the person who undertakes the arrangements necessary for the creation of the work.[24]This framework acknowledges the role of technology in the creative process while maintaining a human-centred approach to authorship. However, the phrase "arrangements necessary" has been criticised for its ambiguity, particularly in the context of complex AI systems that operate with significant autonomy.Scholars and policymakers have suggested that the provision may require clarification or reform to remain effective in the age of generative AI. Proposals include issuing detailed guidelines or establishing a distinct category of rights for AI-generated works. Although such reforms are still under consideration, the UK model is often

International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
ISSN: 3070-0523 www.zesterapublications.com Original Research Paper

regarded as a potential middle ground between strict human authorship and full recognition of machine-generated creativity.[25]

D. India

In India, copyright law is governed by the Copyright Act, 1957, which defines authorship primarily in relation to human creators. Unlike the United Kingdom, Indian law does not contain specific provisions addressing computer-generated works.[26] This omission creates significant uncertainty regarding the legal status of AI-generated content.The Indian Copyright Office has not yet issued authoritative guidance on this issue, and there is an absence of judicial precedent directly addressing AI-generated works. As a result, developers, creators, and industry stakeholders operate within a framework of legal ambiguity.Policy discussions have acknowledged the growing importance of AI. The NITI Aayog, in its National Strategy for Artificial Intelligence (2018), recognised the need for regulatory clarity in this domain. However, concrete legislative measures have yet to be implemented.[27]Indian scholars have advocated for the introduction of a sui generis framework or targeted amendments to existing legislation in order to address the challenges posed by AI-generated works. Until such reforms are enacted, India remains reliant on traditional copyright principles that may be inadequate for addressing contemporary technological developments.[28]

Part V: Reforming Copyright for the Age of Artificial Intelligence

The existing architecture of copyright law, historically grounded in the protection of human creativity, is increasingly inadequate to address the legal complexities introduced by AI-generated works. As artificial intelligence systems evolve from auxiliary tools into autonomous generators of creative content, uncertainties surrounding authorship, ownership, and liability have become more pronounced. The absence of tailored statutory provisions has resulted in doctrinal ambiguity, leaving courts and policymakers to rely on analogical reasoning that often fails to capture the distinctive nature of algorithmic creation.[29] Consequently, there is a compelling need to reconceptualise copyright law in a manner that accommodates technological developments while preserving its foundational objectives.A primary area requiring reform concerns the establishment of clear thresholds of human involvement in AI-assisted and AI-generated works. The spectrum of AI usage ranges from passive tools, such as grammar correction software, to highly advanced generative systems capable of producing music, literary texts, and visual art with minimal human input. In the absence of a defined legal standard, it becomes difficult to determine whether a work qualifies as human-authored or machine-generated. Scholars have therefore advocated for a structured test distinguishing between mere mechanical input and substantive creative contribution.[30] Such a framework would ensure that copyright protection continues to reward genuine intellectual effort while acknowledging the evolving role of technology in creative processes.

Received: 24-10-2025 | Accepted: 10-11-2025 | Published: 27-11-2025

International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
www.zesterapublications.com
ISSN: 3070-0523
Original Research Paper

Among the various reform proposals, the most widely supported model conceptualises artificial intelligence as a tool rather than an independent author. Under this approach, the individual who meaningfully engages with the AI systemwhether by designing prompts, curating datasets, or iteratively refining outputsis regarded as the legal author of the resulting work.[31] This model aligns with the traditional treatment of creative instruments such as cameras and software, thereby preserving doctrinal continuity. Importantly, it avoids the controversial extension of legal personhood to artificial systems while maintaining human accountability and incentivising responsible innovation.An alternative approach involves the creation of a legal fiction often described as "work made for AI." Drawing inspiration from the doctrine of "work made for hire," this model would allocate authorship and ownership to a designated human actorsuch as the programmer, user, or commissioning entitybased on predefined statutory criteria.[32] While this construct departs from traditional notions of authorship, it offers a pragmatic mechanism for integrating AI-generated works within existing legal frameworks. However, its implementation would require careful legislative calibration to prevent excessive concentration of rights in corporate entities or technology developers.

The need for international harmonisation further underscores the urgency of reform. At present, jurisdictions adopt divergent approaches to AI-generated works, resulting in a fragmented and inconsistent global legal landscape. For instance, while the United Kingdom provides limited recognition to computer-generated works through statutory attribution mechanisms, the United States maintains a strict requirement of human authorship, and the European Union continues to emphasise originality grounded in personal intellectual creation.[33] These inconsistencies create uncertainty in cross-border transactions and complicate the enforcement of rights in digital environments. A coordinated international framework, potentially facilitated through multilateral institutions, would enhance predictability and foster a more coherent intellectual property regime.Within the Indian context, the necessity for reform is particularly acute. The Copyright Act, 1957, does not explicitly address AI-generated works, thereby creating a significant regulatory vacuum. The absence of statutory guidance or judicial precedent has left stakeholdersincluding developers, creators, and commercial entitiesoperating within a framework of legal uncertainty. Scholars have therefore recommended the introduction of explicit provisions addressing automated creation, including definitional clarity and structured rules for attributing authorship.[34] India may draw upon comparative models, particularly the United Kingdom's approach, by recognising the individual responsible for the arrangements necessary for the creation of the work as the legal author. Such reforms would align domestic law with technological realities while supporting the growth of India's digital economy.Equally significant is the role of international organisations in shaping the future

Received: 24-10-2025 | Accepted: 10-11-2025 | Published: 27-11-2025

International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
www.zesterapublications.com
ISSN: 3070-0523
Original Research Paper

trajectory of copyright law. Institutions such as the World Intellectual Property Organization (WIPO) have initiated discussions on the intersection of artificial intelligence and intellectual property, emphasising the need for adaptable legal frameworks.[35] Through global consultations and policy dialogues, such organisations can facilitate the development of baseline standards and encourage harmonised responses across jurisdictions. Their involvement is particularly crucial in ensuring that emerging economies are not disadvantaged in the transition towards AI-responsive legal systems.

Ultimately, the reform of copyright law in the age of artificial intelligence is not merely desirable but essential. Legal systems must evolve to accommodate new forms of creativity without undermining the core principles of rewarding intellectual labour and promoting societal progress. Approaches that conceptualise AI as a tool, incorporate legal fictions where necessary, and define clear thresholds of human contribution offer viable pathways forward. When complemented by international cooperation and context-specific national reforms, these strategies can ensure that copyright law remains both relevant and resilient in the face of rapid technological transformation.[36]

VI. The Need for Legal Reforms and Policy Recommendations

The existing copyright framework, built around human creativity, is increasingly ill-suited to address the complexities introduced by machine-generated works. As AI systems evolve from assistive tools to autonomous content producers, legal uncertainties around authorship, ownership, and liability have multiplied. The absence of tailored legal provisions has left courts and creators struggling with ambiguity. To bridge this gap, there is a compelling case for introducing AI-specific copyright laws that recognize the unique nature of algorithmic creativity without undermining the rights of human authors[37].One critical reform area involves setting clear thresholds for human involvement in AI-generated works. The spectrum of AI use ranges from passive tools like grammar checkers to systems capable of creating images, music, and code without direct human design of the final output. Establishing a definable standard that determines when a work is “human-authored” versus “AI-produced” would help courts decide who, if anyone, qualifies for copyright protection[38]. A framework that distinguishes between mere interaction and substantive creative input is essential for fair attribution and ownership. Among the proposed legal models, the most widely supported view frames AI as a tool rather than a creator. In this model, the person who uses the AI system to generate content by directing inputs or making meaningful choices is considered the legal author[39]. This approach mirrors how traditional tools like cameras or software are treated in creative processes. It avoids granting legal personhood to AI while preserving human accountability and incentivizing responsible development and use of such technologies. Another proposed framework is the creation of a legal fiction called “work made for AI,” where rights to machine-generated works are allocated based on predetermined legal structures. This could involve assigning authorship to the person

Received: 24-10-2025 | Accepted: 10-11-2025 | Published: 27-11-2025

International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
www.zesterapublications.com
ISSN: 3070-0523
Original Research Paper

commissioning or operating the AI, much like how the "work made for hire" doctrine functions under existing law[40]. While purely fictional, this model offers a practical way to integrate AI into copyright regimes without rewriting foundational principles. However, implementing such a concept would require substantial legislative changes and global consensus. Given the cross-border nature of digital content, the need for international harmonization is more pressing than ever. Different jurisdictions currently interpret AI-generated works inconsistently. The UK, for instance, permits authorship of computer-generated works by the person arranging their creation, whereas U.S. law does not recognize non-human authorship at all[41]. This divergence creates a patchwork system that undermines predictability and complicates enforcement across borders. Harmonizing definitions, standards, and ownership rules would support a more coherent global intellectual property landscape. In the Indian context, the Copyright Act of 1957 does not contemplate non-human creators, making it ill-equipped to handle AI-generated works. Amendments could introduce definitions for "automated authorship" and stipulate how rights should be assigned in such cases[42]. India could adopt a modified version of the UK model, recognizing the individual or entity responsible for the AI's operational design as the legal author. Such clarity would benefit India's rapidly growing AI and tech sectors, ensuring legal certainty while supporting innovation.

International organizations like the World Intellectual Property Organization (WIPO) play a vital role in coordinating global policy responses. WIPO's public consultations and policy briefs have highlighted the urgency of creating adaptable IP systems for emerging technologies[43]. By facilitating global dialogue and setting baseline standards, WIPO can help bridge the legal gaps that national laws alone cannot address. Their involvement is also crucial in helping less-developed jurisdictions align with international norms without stifling local innovation.AI-specific copyright reform is no longer a theoretical debate it is a practical necessity. Legal systems must evolve to accommodate non-traditional forms of creativity without eroding the foundational goals of copyright: to reward creators and promote progress. Models such as treating AI as a tool, creating legal fictions like "work made for AI," and defining human involvement thresholds offer workable paths forward. National reforms, like proposed amendments to India's copyright laws, must be complemented by global coordination through forums like WIPO. Only then can law keep pace with technology while maintaining fairness and coherence across borders.

Conclusion

The rapid integration of AI into creative industries has exposed deep flaws in existing copyright frameworks. This paper has examined how foundational principlessuch as human authorship, originality, and ownership—struggle to apply when works are generated by autonomous systems. Current laws provide little clarity on attribution, rights allocation, or liability, especially where

Received: 24-10-2025 | Accepted: 10-11-2025 | Published: 27-11-2025

International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
www.zesterapublications.com
ISSN: 3070-0523
Original Research Paper

human involvement is minimal or indirect.There is a clear and growing need for reforms that strike a balance between encouraging technological innovation and safeguarding the rights of creators. Legal models that treat AI as a tool, or use legal fictions like "work made for AI," can help bridge the gap while maintaining the spirit of existing copyright law. At the same time, any national reforms must be aligned with international standards to ensure consistency across borders. Looking ahead, copyright law must evolve in tandem with technological change. As AI-generated content becomes more prevalent, static legal systems risk becoming obsolete. Dynamic, forward-thinking legislation is essential to keep pace. Finally, continuous legal and academic engagement is vital. Policymakers, scholars, and technologists must work together to ensure that the law remains adaptable, fair, and capable of supporting both human creativity and machine-assisted innovation in the decades to come.

[1]Daniel J. Gervais, The Machine as Author, 105 Iowa L. Rev. 2053 (2020)
[2]Cheng Lim Saw & Duncan Lim, The Case for AI Authorship in Copyright Law (Oct. 30, 2024), .
[3]Sattilton Thongmesuk et al., Artificial Intelligence and the Challenges of Copyright Protection Systems, 24 J. Res. Comput. Sci. & Tech. (2024).
[4]Robert Burrell & Alison Coleman, Copyright Exceptions: The Digital Impact (Cambridge Univ. Press 2010).
[5]C.J.S. Azoro & Queen O. Aguledofo, "Original" Under Copyright Law, 7 Int'l J. L. 29 (2021).
[6]Sam Ricketson, *Moral Rights in Copyright Law* (Oxford Univ. Press 2009).
[7]Ryan Vacca, *Work Made for Hire—Analyzing the Multifactor Test*, 42 Fla. St. U. L. Rev. 197 (2014).
[8]Ryan Benjamin Abbott, *The Reasonable Robot: Artificial Intelligence and the Law* (Cambridge Univ. Press 2020).
[9]Jane C. Ginsburg & Luke Ali Budiardjo, Authors and Machines, 34 Berkeley Tech. L.J. 343 (2019).
[10]Naruto v. Slater, 888 F.3d 418 (9th Cir. 2018).
[11]Robert Burrell & Alison Coleman, Copyright Exceptions: The Digital Impact (Cambridge Univ. Press 2009).
[12]Ryan Benjamin Abbott, The Reasonable Robot (Cambridge Univ. Press 2020).
[13]Xiao, Decoding Authorship: Algorithmic Author, 54 IIC 5 (2023).
[14]Pamela Samuelson, Allocating Ownership Rights in Computer-Generated Works, 47 U. Pitt. L. Rev. 1185 (1985).
[15]Copyright, Designs and Patents Act 1988, c. 48, § 9(3) (U.K.).
[16]U.S. Copyright Office, Copyright Registration Guidance: Works Containing AI-Generated Material (2023).
[17]Jane C. Ginsburg, People Not Machines, in The Berne Convention and the Changing Concept of Authorship (2020).
[18]Jodi Benassi, Human Authorship Required, IP Update (Mar. 27, 2025).
[19]P. Bernt Hugenholtz & João Pedro Quintais, Copyright and Artificial Creation, 52 IIC 1193 (2021)
[20]Thaler v. Perlmutter, No. 22-1564, 2023 WL 5333236 (D.D.C. Aug. 18, 2023).
[21]Ryan Benjamin Abbott, The Reasonable Robot (Cambridge Univ. Press 2020).
[22]Directive 2001/29/EC, 2001 O.J. (L 167) 10.
[23]Infopaq Int'l A/S v. Danske Dagblades Forening, Case C-5/08, 2009 E.C.R. I-6569.
[24]Copyright, Designs and Patents Act 1988, c. 48, § 9(3) (U.K.).
[25]Simon Chesterman, Good Models Borrow, 2024 Pol'y & Soc'y.
[26]The Copyright Act, No. 14 of 1957, INDIA CODE (1957).
[27]NITI Aayog, National Strategy for Artificial Intelligence (2018).
[28]Chahat Bhatia & Rishiraj Sharma, Challenges of Copyright Protection, 1 IPR J. NLU Nagpur 123 (2023).
[29]Jane C. Ginsburg, Humanist Copyright (2025).
[30]Zachary L. Catanzaro, Beyond Incentives, 13 N.Y.U. J. Intell. Prop. & Ent. L. 1 (2023).
[31]Sabeeh Akhter & Tehreem Shamsi, Legal Odyssey of AI-Generated Works (2024).
[32]Haochen Sun, Redesigning Copyright Protection, 70 Iowa L. Rev. 1213 (2025).
[33]Chaiwat Watiktinnakorn et al., Blurring the Lines, 3 Discov. Artif. Intell. 37 (2023).
[34]Akshat Agrawal & Sneha Jain, Indian Copyright Law and Generative AI (Nov. 21, 2024), .
[35]World Intell. Prop. Org. (WIPO), WIPO Conversation on AI & IP (2023), https://www.wipo.int.
[36]Jane C. Ginsburg, People Not Machines, in Berne Convention and Authorship (Cambridge Univ. Press 2020).
[37]Jane C. Ginsburg, Humanist Copyright (Colum. Pub. L. Rsch. Paper No. 5170170, Mar. 7, 2025) (forthcoming in 6 J. Free Speech L. (2025)), available at http://dx.doi.org/10.2139/ssrn.5170170.

Received: 24-10-2025 | Accepted: 10-11-2025 | Published: 27-11-2025

International Journal of
LAW, ARTS AND HUMANITIES
Peer Reviewed, Referred& Indexed Journal
www.zesterapublications.com
ISSN: 3070-0523
Original Research Paper

[38]Zachary L. Catanzaro, Beyond Incentives: Copyright in the Age of Algorithmic Production, 13 N.Y.U. J. Intell. Prop. & Ent. L. 1 (2023).
[39]Sabeeh Akhter & Tehreem Shamsi, The Legal Odyssey of AI-Generated Works: Who Truly Owns Creativity?, MANUPATRA (Oct. 29, 2024), https://articles.manupatra.com The-Legal-Odyssey-of-AI-Generated-Works-Who-truly-owns-creativity).
[40]Haochen Sun, Redesigning Copyright Protection in the Era of Artificial Intelligence, 70 Iowa L. Rev. 1213 (2025).
[41]Chaiwat Watiktinnakorn, Jutharat Seesai & Chuleerat Kerdvibulvech, Blurring the Lines: How AI Is Redefining Artistic Ownership and Copyright, 3 Discov. Artificial Intell. 37 (2023), https://doi.org/10.1007/s44163-023-00088-y.
[42] Akshat Agrawal & Sneha Jain, Indian Copyright Law and Generative AI (Nov. 21, 2024), http://dx.doi.org/10.2139/ssrn.5028835.
[43]Dr. Luo Li, Response to WIPO Conversation on Intellectual Property and Frontier Technologies (Fourth Session), Coventry L. Sch., Coventry Univ., U.K. (n.d.).

Received: 24-10-2025 | Accepted: 10-11-2025 | Published: 27-11-2025