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AI-Generated Works in IP laws: Contemporary Authorship and Ownership Challenges Amidst Evolving Legal Frameworks

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Abstract

The escalating growth of Artificial Intelligence ('AI') in realm of literature, music, design, images and visual art has enabled automated production with minimal human interference. This paradigm shift exposes fundamental tensions in traditional Intellectual Property (IP) doctrines of originality, authorship, and fixation, which struggle to accommodate AI generated creativity. This research paper focuses on the doctrinal challenges, drawing on key international judicial decisions and the statutory frameworks through the 2025 lens. The critical analysis of the Thaler[2] case in the US serves as a pivotal case in clarifying questions surrounding the grant of copyright to AI-generated works. Furthermore, it analyses the diverse viewpoints from the USA's strict human authorship recognition to China's pragmatic recognition of human-directed AI outputs to the UK's statutory fiction in attributing computer-generated works to India's traditional approach of human authorship yet evolving status. The article concludes with the viewpoint of an urgent requirement for legislative reforms and international harmonisation by World Intellectual Property Organisation ('WIPO'), including differentiating AI-assisted works from fully autonomous AI-generated works in the era of 2025.

Keywords: Artificial Intelligence ('AI'), Copyright, Authorship, Ownership, Originality, fixation doctrine

I. INTRODUCTION

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[2] Thaler v. Comptroller General of Patents, Design and Trademarks, UKSC49(UKSC Dec. 20, 2023).

In recent years, the proliferation of generative AI tools such as DALL E or GPT models has dramatically expanded the boundaries of the creative expression, as AI can now produce images, literature, music, designs and other expressive works without direct human authorship or with only minimal human oversight.

The term "Artificial Intelligence" was coined by John McCarthy in 1956.[3] The evolution of AI from 1956 to 2025 has undergone tremendous changes, and now its usage in every domain is undeniable. By 2025 the global AI market is projected to exceed $500 billion, with generative AI comprising a significant share driven by applications in entertainment, design and R&D.[4] This has triggered legal questions that required urgent attention around authorship and ownership: who should be recognised as the author of an AI-generated work? Who owns the resulting rights? Can automated works attract copyright protection?

The traditional framework is built around the creation of human creators that have been stretched out of line in today's era. Policy debates in 2025 intensified globally and in India, exemplified by the Department for Promotion of Industry and Internal Trade ('DPIIT') committee's formation on April 28, 2025, which exposed the inadequacy of existing fair dealing provisions under Section 52(1)(a) for commercial AI inputs. The DPIIT's December 2025 working paper (Part 1) underscores this urgency, rejecting broad tax and data mining exceptions erupt-outs as insufficient for protecting small creators and India's cultural heritage, while proposing a mandatory "Hybrid Model" blanket license via a Copyright Royalties Collective for AI training to endure statutory remuneration from AI revenues.[5] Thus, the governments and copyright offices worldwide are considering the evolution and the inadequacy of the existing regime in considering the stature of AI works.

For example, the United States Copyright Office (USCO)'s Part 2 and pre-publication of Part 3 of its AI and Copyright report[6] highlight evolving thinking on AI authorship, human contribution thresholds and the legality of training datasets. Along with the judicial developments such as

[3] McCarthy, John et al., A proposal for the Dartmouth Summer Research Project on Artificial Intelligence (1955).
[4] Precedence Research, Artificial Intelligence(AI) Market size to Hit USD 3680.47 billion by 2034 (28 Sept. 2025), https://www.precedenceresearch.com/artificial-intelligence-market.
[5] Department for Promotion of Industry and Internal Trade, Working Paper on Generative AI and Copyright (Part 1) (December 2025).
[6] United States Copyright Office, "Copyright and Artificial Intelligence: Part 2- Copyrightability" para 25 (2025).

Thaler v Comptroller General of Patents, Design and Trademark[7] that held that an inventor must be a natural person and not a machine or an AI system such as DABUS.

Given the global and cross-border nature of generative-AI and its creative outputs, the need for a clear, globally harmonised legal framework is needed to provide certainty for both the creators and investments to AI innovators.

II. CONCEPTUAL FRAMEWORK OF AI GENERATED WORKS

An Artificial Intelligence-generated work refers to the creative and expressive output produced wholly or substantially by an AI system, i.e., a generative machine learning model with minimal or no human intervention.[8] AI can do tremendous work generating logos, poems, music and even mimic artists. The recent Ghibli trend of 2025 is one such example.[9] The basis of the Copyright Act, 1957[10] is the theory of human authorship and responsibility, which covers the creative works such as literary, musical, and artistic works. In other words, the person who willfully and knowingly infringes upon another's copyright bears the responsibility for any infringement.

However, the pressing question that remains is whether an output will meet the originality requirements outlined in Section 13 of the Copyright Act, 1957[11] if copying is done by the algorithm to produce it? It has been stated in a number of places that the intellectual work that humans provide, where the inventive process must be taken into account, is what makes the content original. The U.S. Copyright Office's reports differentiate outputs based on AI-generated works into 3 types: - i) Fully Autonomous AI works, ii) Human-Aided AI works, iii) AI-assisted works.[12] These distinctions matter because copyright laws protect only human authorship.

In India, Protection vests only in works of human origin under Section 13 of the Copyright Act, 1957 and AI tools works as mere instruments that may qualify as human users for authorship in

[7] Thaler v. Comptroller General of Patents, Design and Trademarks, UKSC49 (UK SC Dec. 20, 2023).
[8] Patrick Zurth, Artificial Creativity? A case against Copyright Protection for AI-Generated Works, 25 UCLA Journal of Law and Technology(Spring 2021).
[9] Sayak Bnaerjee, " Ghibli AI Art and Copyright," The IP Press, Mar. 31, 2025.
[10] Copyright Act, 1957.
[11] Protection of AI Created Works under IPR Regime, Its Impact and Challenges: An Analysis, 10.1 IJLS (2024) 8.
[12] U.S. Copyright Office, Copyright and Artificial Intelligence, Part 2: Copyrightability(2025), available at: https://www.copyright.gov/ai/Copyright-and-Artificial-Intelligence-Part-2-Copyrightability-Report.pdf,(Last Visited on Nov. 17, 2025).

AI-assisted creations if sufficient creativity is shown. Similarly, DPIIT committee prioritises input licensing (Hybrid Model) while flagging output issues for future deliberations.[13]

III. DOCTRINAL CHALLENGES: ORIGINALITY, AUTHORSHIP AND FIXATION

The doctrinal principles of copyright law, i.e., originality, authorship, and fixation, have traditionally depended on the premise of traditional human creativity and involvement and they form the foundation for the grant of copyright protection by recognising and rewarding human intellectual effort and creative expression. However, the question of originality and authorship is raised with the growing use of AI works, specifically those created autonomously as well as those works with little human intervention. Thus, we need to understand the legal questions to ensure both the development of innovation and adequate protection for human creators in the AI era.

A. Originality: The threshold of Creativity

'Originality' requirement is one of the driving forces for copyright protection globally, as it determines whether a work qualifies for copyright protection or not. Three major schools of thought have emerged relating to the doctrine of originality, each differing in the amount of effort, creativity, and the requirement of intellectual input needed.

The Sweat of the Brow Doctrine is a traditional copyright principle that grants protection based on the effort, skill, and labor an author invests in creating a work, rather than requiring significant creativity or originality. This doctrine emerges from the case of *Walter vs Lane*[14], emphasising the doctrine of authorial diligence by protecting works like compilations, databases, or directories where the value lies in the compilation or organisation and not in creative expression. An author is granted copyright protection simply for the substantial labor that he put forth to gather, verify, or arrange the material and for his industrious effort.

The Creativity Doctrine (Modicum of creativity standard) is a modern standard, affirmed in the U.S. Supreme Court decision in *Feist Publications Inc. vs Rural Telephone Service Co.*[15], requires that a work possess at least a minimal degree of creativity or intellectual effort beyond

[13] DPIIT, Working Paper on Generative AI and Copyright (Part 1) (Dec. 2025); U.S. Copyright Office, Copyright and Artificial Intelligence Part 2: Copyrightability Report(2025).
[14] Walter V. Lane, A.C. 539 (HL).
[15] Feist Publications Inc. v. Rural Telephone Service Co., 499 U.S. 340(1991).

mere labor. The Court clarified that originality means independent creation with some modicum of creativity. Facts cannot be copyrighted, and only labor can justify copyright protection.

The Skill and Judgment Doctrine doctrine requires that a work must involve more than mere mechanical labor; it must embody skill and judgment, to qualify for protection. This principle is articulated in Supreme Court of Canada case of *CCH Canadian Ltd. v. Law Society of Upper Canada*[16]*. In this,* Chief Justice McLachlin explained that "skill" refers to the use of one's knowledge, developed aptitude or practiced ability in producing the work, while "judgment" means the author's capacity for discernment or ability to form opinions by evaluating different options in producing the work. Importantly, the court emphasised that the required exercise of skill and judgment must not be rival or purely mechanical and creative while beneficial is not a necessary condition for originality. In India, the modicum of skill and judgment doctrine was portrayed through the case of *Eastern Book Company v. D.B. Modak*[17]. This case reinforced the principle that compilations involving substantial skill and judgment deserve copyright protection, resonating with the doctrine from CCH Canadian.

Each doctrine differs in how much effort, creativity, or intellectual input is required for a work to be considered original. The point of incidence of the originality is the owner. Originality is not always about the origin of the idea but about the way in which it is presented or expressed. Section 13 of the Copyright Act, 1957, outlines the types of works that are eligible for copyright protection. The significance of originality is highlighted in the case of *Aggrawal Publishing House vs Board of High School Intermediate Education*[18]*,* the court held that the paper setters will have the copyright who possess skill and judgment, and neither the Board nor the publishers. Thus, this case underscores originality vesting in the human author at the point of intellectual input.

This raises a crucial question: Can works created without meaningful human input meet the originality test? Legal approaches generally require some degree of meaningful human involvement for originality. The U.S. Copyright Office's Compendium clarifies that "works generated by a machine or mere mechanical process operating automatically without creative

[16] CCH Canadian Ltd. v. Law Society of Upper Canada, 1 SCR 339, 2004 SCC 13.
[17] Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1.
[18] Aggrawal Publishing House v. Board of High School Intermediate Education, AIR 1971 SC 155.

input from a human author" are not copyrightable.[19] Similarly, in *Bridgeman Art Library vs Corel Corporation*[20], the U.S. District Court for the Southern District of New York found that slavish reproductions by Bridgeman Art Library of public domain artworks which were the exact photographic copies, lacked originality required for copyright protection.

The Supreme Court of India in Eastern Book Company[21] has applied the "skill and judgment" test to assess originality in copyright law. The court held that mere labor and capital investment alone are insufficient for copyright protection; rather, the work must display independent intellectual effort involving skill and judgment. The work, including the programming of AI can affect whether a work meets the originality standard. Thus, purely AI works fail to satisfy this threshold because they lack human intellect.

In the European Union, Directive 2001/29/EC require that a work be an "author's own intellectual creation"[22], presupposing human creativity as a fundamental aspect. This means that protected work must reflect the author's personality and creative decisions. Courts and scholars thus continue to grapple with drawing the line between human-driven originality and algorithmic generation of AI, creating uncertainty for AI-generated works lacking explicit human creative control.

B. Authorship: The legal personhood constraint

Authorship traditionally refers to the creator's ownership of their work. It also consists of a bundle of rights and responsibilities enshrined by the author. Further, the concept of "Machine Authorship" refers to the human designers and developers behind the AI algorithms, i.e., the creators who program and control these systems.[23] AI-generated works challenge this human-centric principle with greater accuracy.

[19] U.S. Copyright Office, Compendium of U.S. Copyright Office Practices § 306 (3rd ed. 2021).
[20] Bridgeman Art Library v. Corel Corporation,36 F. Supp. 2d 191(S.S.N.Y. 1999).
[21] Eastern Book Company v. D.B. Modak, (2008) 1 SCC 1.
[22] Directive 2001/29/EC of the European Parliament and of the Council on the harmonization of certain aspects of copyright and related rights in the information society, Art. 2.
[23] Oren Bracha, Generating Derivatives: AI and Copyrights' Most Troublesome Right, 25 N.C. J.L. & TECH. 345(April 2024).

The turning point came in for the legal treatment of AI authorship with the UK SC's ruling in *Thaler vs Controller General of Patents Designs and Trademarks*[24], where Dr. Stephen Thaler sought to patent inventions autonomously created by his AI system, DABUS. The UK Supreme Court held that UK Patents Act 1977 requires an inventor to be a natural person. The court reasoned that, under the Patents Act 1977, non-human inventors cannot be recognised, as legal parenthood and the capacity to assign rights are pre-requisites.

This judgement aligns with global jurisprudential trends. The U.S. Patent and Trademark Office have similarly rejected patent applications listing AI as investors, reinforcing the necessity of human authorship.[25] Australian and German Courts have also dismissed AI inventorship claims.[26]

In copyright law, a parallel consensus has emerged. The U.S. courts reaffirm human authorship as a statutory condition for copyrightability. For example, in the case of *Thaler vs Perlmutter*, the court denied copyright protection where the author was an AI system, reiterating that the copyright Act's text and history limit authorship to natural persons.[27] Similarly, in *Naruto vs Slater*, a prominent animal authorship case, established that non-human entities, even animals, cannot claim copyright.[28]

C. Fixation: Tangibility and Intentionality

Fixation demands that a work be embodied in a tangible medium or otherwise be perceivable for sufficient time to allow reproduction. It serves to ensure that works are not merely fleeting expressions but fixed for public dissemination and economic exploitation. While digital AI-generated works exist in tangible digital formats, the fixation doctrine implicitly assumes human intent and a volitional act of fixation encompassing artistic expression. AI-generated outputs typically result from autonomous processing without explicit human intent directed at fixing the work.

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[24] Supra 1.
[25] U.S. Patent and Trademark Office, Inventorship Guidance (2021).
[26] Commissioner of Patents vs. Thaler, No. NSD 1902/2019 (fed. Ct. Aus. 2021); Federal Patent Court Germany, 2021.
[27] Thaler V. Perlmutter, No. 21-1617 (D.C. Cir. 2018).
[28] Naruto V. Slater, 888 F.3d 418(9th Cir. 2018).

This challenges traditional fixation concepts, which were framed in eras where fixation was a deliberate act by human creators, such as writing, recording or capturing images. The absence of intentional expression in AI-generated fixation complicates the doctrinal foundation of copyright protection. Jurisdictions have yet to fully resolve whether AI-generated works fulfill fixation requirements in the absence of human intentional fixation. The U.S. Copyright Office acknowledges fixation met in a mechanical sense but emphasises human creative purpose.[29] Similarly, Indian copyright doctrine requires fixation with human creative expression.[30] This fixation suggests potential reforms are necessary to either adopt fixation doctrine or clarify the role of human intervention in AI contexts.

The Munich Regional Court I (Landgericht Munchen I) ruled in *GEMA vs OpenAI*[31], ruled that OpenAI's ChatGPT models infringed German copyrights by memorising and reproducing protected song lyrics from GEMA-represented authors without licenses. GEMA, Germany's music rights society, sued over lyrics like those from "Atemlos" being output via simple prompts establishing that such memorisation constitutes fixation and reproduction under Section 2 of the German Copyright Act.[32]

The doctrinal challenges presented by AI-generated works are not merely academic; they have profound implications for rights allocation, innovation incentives and the future of creativity. Originality Authorship and fixation assumptions are intertwined and doctrinally inseparable from human agency.

IV. GLOBAL DEVELOPMENTS AND COMPARATIVE ANALYSIS

The rapid advancement of AI technologies challenges traditional IP concepts, particularly regarding authorship and ownership in copyright law. A crucial distinction between AI created works and AI assisted works i.e. human assisted works must be carved out. Jurisdictions worldwide grapple with these issues differently reflecting variations in legal traditions and policy priorities.

A. USA

[29] U.S. Copyright Office, Compendium Reg. 1202 (2021).
[30] Copyright Act, 1957, India, S. 2(o).
[31] GEMA vs OpenAI, NO. 42 O 14139/24(Reg. Ct. Munich Nov. 12, 2025).
[32] Act on Copyright and Related Rights (Urheberrechtsgesetz – UrhG), s.2, Germany, 1965.

In the United States copyright protection fundamentally requires human intellectual creativity. The landmark case *Burrow- Giles Lithographic Co. vs Sarony*[33], established that photography could achieve copyright protection only if the photographer (human editor) exercised originality and creativity. This human- centric approach remains persists denying protection to purely-AL generated works due to lack of human authorship, as reinforced in *Naruto V. Slater*, where a monkey's "selfie" did not qualify as an "author" under copyright law reinforcing the human authorship prerequisite.

Similarly in *Thaler V. Perlmutter*[34], the District Court of Columbia held that copyright law "protects only works of human creation" and rejected the claim that an AI system itself could be an author affirming that works generated solely by AI are ineligible for copyright protection. The U.S. Copyright Office has reinforced this view in cases such as the registration attempts for AI generated images like *Theathre Dopera Spatial*[35] and the comic book *Zarya of the Dawn*[36], where it was held that creativity solely derived from AI prompting does not confer authorship, and only the human-authored elements(such as texts or creative selection/arrangement) are protectable.

These decisions thus underscore the legal and commercial incentives for creators to conceal AI's involvement in their works to secure copyright protection and avoid immediate public domain status. Courts have also recognised the "copyright protection" doctrine as a potential tool to penalise right holders who overreach by asserting copyright over AI-generated content lacking human authorship, thus, disincentivising obfuscation of AI provenance. Thus, the U.S copyright law does not recognise AI machines as legal author of AI-generated works[37] nor the artists' applications who use AI as authors because they lack "predictability and control over the outputs".[38]

B. CHINA

[33] Burrow- Giles Lithographic Co. V. Sarony, 111 U.S. 53(1884).
[34] Thaler V. Perlmutter, 687 F. Supp. 3d 140,146(D.D.C. 2023).
[35] U.S. Copyright Office, Letter on Theathre Dopera Spatial (Sept.5 2023).
[36] U.S. Copyright Office, Letter on Zarya of the Dawn (Sept. 15, 2022).
[37] U.S. Copyright Office, Compendium of U.S.Copyright Office Practices s. 101 (3d ed. 2021).
[38] Lauren LaPorta, Authorless AI: Navigating Copyright Challenges of Generative AI Works, 11 PENN UNDERGRADUATE L.J. 64(Fall 2024).

China being a global leader in AI development and deployment, has poignantly confronted these challenges in the judiciary. A landmark Chinese case, *Shenzhen Tencent Computer System Co., Ltd. v. Sanghai Yingxun Technology Co., Ltd.*[39], saw the Nanshan District People's Court recognise that works generated by AI applications such as Tencent's Dreamwriter software can qualify for copyright protection. The court held that copyritability depends on the intellectual creativity and specific arrangements by human developers and operators supporting the AI system. Despite the article's automatic generation by AI, the plaintiff's team provided original contributions through data selection, analysis, trigger condition settings, template choices and corpus styling, which shaped its unique expression and satisfied originality requirement under China's Copyright law. Unauthorised reproduction by the defendant was ruled infringing under Chinese Copyright law.

In another notable case before the Beijing Court involving Gao Yang and Youku in *Gao Yang et al. vs Golden Vision (Beijing) Film & Television Culture Co. Eld. Et al.*[40] the court held that photos automatically taken by a camera on a hot air balloon were protectable under copyright law as this emphasises the "personal touch" or minimal originality standard, recognising originality. Additionally in 2023 Beijing Internet Court recognise AI generated images created with human input through prompt and design and granted copyrighted protection.[41] Thus, the Chinese approach does not over rightly reject the idea of AI works rather gives protection and follow a balanced approach.

C. UK

The United Kingdom has taken a distinctive approach for the protection of AI generated works under Section 9(3)[42] of the Copyright Designs and Patents Act 1988 (CDPA). This provision discusses "computer-generated works" and defines them as literary, dramatic, musical or artistic works generated by a computer "in circumstances when there is no human author." This legal fiction creates and establishes under Section 9 (3) grants authorship to the person who made all

[39] Shenzhen Tencent Computer System Co., Ltd. V. Sanghai Yingxun Technology Co., Ltd.2019 Yue 0305 Min Chu No. 14010 (Nanshan District People's Cout).
[40] Gao Yang et al. v. Golden Vision(Beijing) Film & Television Culture Co. Eld. Et al.2017 Jing 73 Min Zhong 797.
[41] Beijing Internet Court, (2023) Jing 0491 Min Chu No. 11279 (Beijing Internet Ct. 2023) (AI generated image copyright infringement case).
[42] Copyright, Design and Patents Act, 1988, c. 48, s. 9(3)(UK).

the arrangements and gave command to the computer's output rather than the traditional evolution of human creativity.

This framework is one of the pioneer enactments that aimed to curb the gap that exists in conventional copyright doctrines that do not contemplate authorship without human intervention. In the case of *Nova Production Ltd. V. Mazooma Games Ltd.*[43], the court held that the programmer or the person who created the essential conditions for the output was the author and not someone who merely interacts with the software i.e. the users who "contribute artistic skill and labor" can be an author.[44] The decision aligned with the concept that the human involvement is a must for establishing authorship, even when much of the work is computer generated.

Despite this, ambiguity subsists around how originality is assessed for AI generated works created autonomously by machines.

D. INDIA

India's approach being the 4th largest economy to AI generated works within the copyright framework remains rooted in the traditional principles of human authorship but it is currently undergoing significant evolution to address emerging technological realities. The Indian Copyright Act, 1947 defines an "author" under Section 2(d)[45], as a human being or juristic person, thereby leaving no scope of AI generated works from recognised authorship.

Indian Courts have consistently reinforced the primacy of human agency in copyright protection. In *Rupendra Kahyap V. Jiwan Publishing House Pvt. Ltd.*[46], the Delhi HC held that only natural persons are eligible to claim copyright, disallowing artificial entities such as CBSE to hold copyrights, which similarly applies to AI models. Likewise, in the landmark ruling like *Eastern Book Co. V. D.B. Modak*[47], emphasise the necessity of a "modicum of creativity" and human

[43] Nova Production Ltd. v. Mazooma Games Ltd., [2007] EMLR 427.
[44] Lauren LaPorta, Authorless AI: Navigating Copyright Challenges of Generative AI Works, 11 PENN UNDERGRADUATE L.J. 64(Fall 2024).
[45] Indian Copyright Act, 1957, 17, No. 14, Acts of Parliament, 1957, s. 2(d).
[46] Rupendra Kashyap V. Jiwan Publishing House Pvt. Ltd., 1996(38) D.L.R. 81(Del. H.C.).
[47] D.B. Modak v. Eastern Book Company, (2017) 1 SCC 44.

intellectual effort to qualify for copyright. Additionally, the influential *Naruto V Slater*[48] case is referenced to illustrate courts' refusal to extend copyright to non human's authors.

Nonetheless, there has been some experimental recognition, such as the Indian Copyright Office's initial acknowledgement of the *RAGHAV AI Painting App* as co-author; through this was later withdrawn pending legal clarity. The emerging approach suggests potential joint ownership in cases where AI assists humans, while works created autonomously by AI remain contentious.[49]

To address ambiguities, the Government of India (GOI) established an expert panel in 2025 to review the Copyright Act concerning generative AI. The panel's mandate includes examining authorship, ownership, licensing infringement risks and the impact of AI training datasets on existing copyrights. Proposed reforms contemplate recognising "AI-assisted" Versus "AI generated" works distinctly, introducing mandatory disclosures about AI use and adapting ownership norms akin to the Section 9(3) of UK'S Copyright Designs and Patents Act 1988.[50]

Furthermore, India's Ministry of Electronics and Information Technology issued AI governance guidelines in 2025, promoting innovation balanced with rights protection and a graded liability framework across AI development chains.[51] This guideline also suggests that copyright infringement is done by human or legal entities and not on AI generated content.

V. CONCLUSION

The doctrinal pillars of copyright such as originality, authorship and fixation reveal the inadequacies in dealing with AI-generated works throughout various jurisdictions as dealt throughout the paper in 2025. These tensions demand legislative recalibration to foster certainty amid AI's $500 billion market worldwide.[52]

Moving forward, the imperative is clear and urgent: policymakers must prioritise rapid, evidence-based reforms that distinguish meaningfully AI assisted (human-dominant) works

[48] Naruto V. Slater, 888 F.3d 418 (9th Cir. 2018).
[49]Tanya Saraswat, ChatGPT and IP Issues, MONDAQ (May 5, 2023), available at: https://www.mondaq.com/india/copyright/1311836/chatgpt-and-ip-issues, (Last Visited on Nov. 17, 2025).
[50] Rommel Khan, "AI works- the future of Intellectual Property Law," MONDAQ(Feb. 20, 2023)
[51] Ministry of Electronics and Information Technology, AI Governance Guidelines (Nov. 5, 2025).
[52] Statista Global AI Market Size 2031(Jan.14, 2016), https://www.statista.com/forecasts/1474143/global-ai-market size/.

which have THE merit of full copyright with a human as the author, AI aided collaborations (eligible for protection proportionate to demonstrable human creative contribution) and purely autonomous outputs.

International harmonisation ideally through WIPO led treaty or at minimum coordinated national positions in ongoing USCO[53], EU AI Act[54] implementation and India's 2025 Copyright Review Panel deliberations must be pursued with deliberate speed to avoid a fragmented global regime that stifles cross border innovation while rewarding a forum shopping.[55] The choices made in the next two to five years will shape the creative economy for decades. Consequently, the call to modernise copyright must prioritise balanced, technologically informed legislative frameworks that reinforce human authorship principles without suppressing AI facilitated creativity.

[53] U.S. Copyright Office, Copyright & Artificial Intelligence: Part 2- Copyrightability(Jan. 29, 2025), https://copyright.gov/ai/.
[54] Regulation 9EU) 2024/1689 (AI Act), Aug. 1, 2024.
[55] Dep't for Promotion of Indus. & Internal Trade, Working Paper on Generative AI & Copyright (Part1) (Dec. 2025).