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ROLE OF COPYRIGHT LAW IN PROTECTING EDUCATIONAL MATERIAL

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Abstract

Education has long stood as a fundamental driver of human advancement, consistently shaping society and fuelling innovation. In today's rapidly evolving landscape, the boundaries of learning have stretched far beyond conventional classrooms and libraries, embracing online platforms, interactive applications, video lectures, and AI-powered tools. Amidst this digital surge, a significant challenge emerges: safeguarding the rights of content creators while ensuring equitable access to knowledge for learners[73]. This discussion investigates the critical function of copyright law in maintaining this balance, underscoring its ongoing relevance within educational systems. A historical lens—from the advent of the printing press and England's Statute of Anne to the development of India's Copyright Act of 1957[74]—reveals copyright's persistent role in protecting intellectual output, whether textbooks, scholarly articles, instructional videos, or lesson plans. Central to copyright are structured exceptions such as "fair use" and "fair dealing," which aim to facilitate educational activities without undermining creators' interests. The underlying philosophy of copyright centres on two objectives: recognizing and compensating creators for their contributions, while also preserving the unimpeded flow of knowledge essential for learning and innovation. Additionally, the concept of moral rights—ensuring proper attribution and safeguarding the integrity of original works—highlights the ethical dimensions of copyright in academic contexts. The complexities of copyright infringement, particularly regarding "substantial similarity," present ongoing challenges. Distinguishing between protected expression and general ideas is especially nuanced in education, where content overlap is both common and, at times, necessary. The digital era has intensified these complexities, allowing for the instantaneous duplication and distribution of resources and prompting new questions surrounding AI-generated content, digital libraries, and open educational resources (OERs). While technological measures such as watermarking, digital rights management, and controlled digital lending offer partial solutions, there remains a pressing need for clear legal frameworks and updated licensing models. Looking ahead, this analysis advocates for policies that broaden educational exceptions, foster open access, and promote international harmonization of copyright standards. Effective collaboration among policymakers, educators, creators, and technologists is essential to strike a sustainable balance between access and protection, particularly within the rapidly expanding domains of AI and online education.

Keywords: policymakers, watermarking, digital rights, innovation, complexities

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[73] India. Copyright Act, 1957, No. 14, Acts of Parliament, 1957.
[74] Patterson, L. R. (2012). *Copyright in historical perspective*. Oxford University Press.

Introduction

Education is basically the secret sauce behind all the cool stuff humans have managed to pull off over the centuries. It's what tweaks our brains, gets us thinking outside the box, and helps us actually make sense of this wild world. And honestly, these days? Learning isn't stuck in some boring classroom or those ancient-smelling libraries. That's where copyright jumps into the scene. People act like it's just some stuffy legal jargon, but nah—it's more like the referee trying to keep things fair out there. Copyright protects the nerds and geniuses (and sometimes just regular folks) who put in the all-nighters to make those textbooks, videos, or mind-blowing research papers[75]. It says, "Hey, give credit where it's due, and don't just rip off their work." At the same time, it's not supposed to suffocate learning for everyone else. Now, here's where education is a bit of an oddball in the copyright world. It's not like music or blockbuster movies where it's all about making bank or going viral. Educational material is supposed to help people grow, not just entertain them. And yeah, it's someone's blood, sweat, and caffeine that goes into making lesson plans or online courses. If copyright just vanished, what's stopping someone from copying, selling, or butchering all that hard work? That'd kill motivation faster than a Monday morning. Plus, with no one bothering to make good stuff, the quality of what's out there would just nosedive. But—big but—education's also kind of everyone's business, right? Locking it all behind pricey subscriptions or impossible-to-navigate websites is just cruel. People need access. So, you've got this constant tug-of-war: creators want to protect their stuff, but society needs it to be open enough for learning. Copyright tries to walk that tightrope[76]. There are things like "fair use" where teachers, students, or researchers can use bits of copyrighted material for legit reasons without getting sued. It's not perfect, but it's something.

Now, throw the internet into the mix and, wow, its chaos. You can literally share a whole textbook or course video to thousands of people with a single click. Good for remote learners, sure, but also a nightmare for anyone trying to keep their work protected. Laws written back when people were still using quills and parchment are getting tested by Tikor, AI, and Google Classroom. Wild times.

Foundations of Copyright Law and Its Connection with Education

Copyright's one of those things people love to ignore until it bites them. But honestly, it's kind of the backbone for anyone who actually makes stuff. You write a book, drop a killer song, paint something wild, or even put together an epic lesson plan—it's your sweat, your brainpower, your weird midnight ideas. Copyright's like this invisible shield that says, "Hey, this is mine, at least for a while." It gives you the power to say who can copy, share, remix, or slap your name on your work. Without it, why bother? You'd just watch everyone else cash in on your effort. So, yeah, copyright isn't just a bunch of legal mumbo-jumbo. It's more like a social promise: you create, you get the credit and (hopefully) some cash, and the world keeps spinning because people want to make cool new things[77]. If you want to drag it back in time, copyright as we know it basically showed up because of the printing press. Before that, books were these precious, handwritten unicorns—hard to get, harder to copy. Printing changed the game. Suddenly, you could crank out a hundred books in the time it took to copy one by hand, and, naturally, people started fighting over who owned what. England's Statute of Anne in 1710? Big deal. It shifted power from the people printing the books to the folks who actually wrote them. That's the DNA of modern copyright. India's system grew out of colonial rules and eventually landed on the Copyright Act of 1957. Still the big boss when it comes to copyright today. Here's where it gets tricky:

[75] Sood, P. (2024). Fair dealing in India: An analysis vis-à-vis fair use in the United States. *Journal of Intellectual Property Rights*, 29(2)

[76] Ranjan, R. (2019). The "fair dealing" exceptions under Indian copyright law. *The Law Brigade Journal of Legal Studies*, 6(1)

[77] Choudhary, L. (2018). Study on the concept of fair dealing in Indian copyright law. *Penac Claims Law Review*, 4(3)

education. School, college, YouTube "how-to" videos—it all runs on ideas, and 99% of those are living under copyright. Imagine if you had to ask permission—or fork over cash—every time you wanted to photocopy a textbook page or play a video in class. Nightmare, right? But flip it the other way: if everyone could just rip off whatever they wanted, why would anyone spend years writing that textbook or filming that lesson? Copyright law tries to walk a tightrope here. You've got "fair use" or "fair dealing" rules that let people use bits of copyrighted stuff for teaching, research, or criticism, without needing to grovel for permission. In India, Section 52 is the MVP for this. It pretty much says, "Yeah, you can use parts of stuff for teaching, exams, or research—just don't go crazy." That way, teachers and students aren't stuck, but authors and publishers still get some protection. It's not perfect, but it beats having to bootleg every resource just to pass a test. Now, toss the internet into the mix and everything's on turbo mode. Classrooms aren't just chalk and blackboards anymore. You've got Zoom calls, e-books, PDFs flying around, PowerPoints, memes—sometimes all in the same lesson. Suddenly, everyone's using copyrighted stuff without even thinking about it. Schools and colleges got to pay attention to licenses, plagiarism, and all that digital rights jazz, or risk getting into hot water. Knowing how copyright works isn't just for lawyers anymore—its survival skills for teachers and students. Bottom line? Copyright and education are kind of like frenemies[78]. They both want the same thing: more knowledge, more creativity, and more progress. Copyright keeps creators from getting ripped off. Education spreads all that good stuff around. If the law gets the balance right, everyone wins—teachers, students, writers, artists. If not, well, cue the headaches. Used smartly, copyright isn't a wall; it's more like a set of guardrails, keeping the whole system fair and pumping out new ideas for the next generation.

The Purpose and Philosophy of Copyright in Education

When people talk about copyright in education, it's not just about slapping a "mine" sticker on something and calling it a day. The whole point is to keep the creative juices flowing, give credit where it's due, and make sure people actually swap ideas instead of hoarding them. I mean, education is basically a giant potluck of information. Teachers show up with their recipes, students dig in, and researchers try to whip up new dishes from old leftovers. Copyright? That's the thing making sure nobody just steals the casserole and claims it as their own, but it's also not locking the food behind a glass case. There's got to be trust on both sides—creators don't want to get ripped off, but learners still need to get their hands on the good stuff. The whole philosophy behind copyright is kind of a two-parter: reward and progress. First off, if you pour your soul (or just a lot of late nights) into writing a textbook or grinding out a research paper, you deserve a little recognition. Money, fame, bragging rights—whatever floats your boat. Copyright's supposed to make sure you get that, and that nobody just lifts your work and pretends it's theirs. That's the "reward" thing. But the flip side is, you can't make the rules so tight that nobody else can learn from you. If copyright's just a brick wall, education kind of falls on its face. So, yeah, the whole system's about keeping creators happy without shutting down the whole learning process. And in schools or universities, this balancing act gets even trickier[79]. Teachers are constantly quoting, remixing, explaining, and sharing bits of stuff someone else made. A student might borrow a graph from a research paper for their project, or a prof might pull a passage from a novel to make a point in class. That's what "fair use" or "fair dealing" is all about—it's like a hall pass for learning, not a free-for-all. The idea isn't to stop people from learning, but to make sure they're not just copying and pasting their way through

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[78] Creative Commons. (n.d.). About the licenses. Retrieved October 11, 2025, from

[79] Wiley, D., & Hilton, J. (2018). Defining OER-enabled pedagogy. *International Review of Research in Open and Distributed Learning*

life. It's about respecting the original creator while still letting the next wave of brains do their thing. Then there's the whole "moral rights" angle, which, honestly, gets overlooked way too much. It's not just about cashing in—creators want their name next to their work, and they don't want it twisted into something it's not. In education, that's super important, because messing with the facts or misusing someone's work can totally mess up students and trash the creator's reputation. Moral rights are like the little voice making sure nobody pulls a fast one with someone else's material. Now, toss in the internet, and everything gets messier[80]. Suddenly, you can download a whole textbook with two clicks, or share a PDF to your entire class in three seconds flat. Yeah, it's awesome for access, but it's also a copyright nightmare. The lines between "sharing" and "stealing" have gotten so blurry, people barely notice when they cross them. So, the whole copyright philosophy has to keep up—don't just clamp down, but teach people how to play fair in the digital sandbox. Maybe even encourage more open resources, instead of just punishing rule-breakers. At the end of the day, the whole copyright-in-education thing is pretty simple: knowledge grows when you protect it but don't lock it away. The laws aren't there to kill the vibe—they're there so creators feel good about putting their stuff out there, and so learners know how to use it right. When everyone respects the process, the whole cycle just works better. Copyright, if you ask me, isn't the enemy of learning—it's that sometimes-annoying-but-necessary friend who keeps the party going without letting things get out of hand.

Tests for Infringement and the Challenge of "Substantial Similarity"

Copyright law is such a weird beast, honestly. Just figuring out when someone's actually ripped off another person's work can be a nightmare. Sure, in theory it's simple: if you copy or use someone else's stuff without asking, that's infringement. But real life? It's messy.

Nobody's out here Xeroxing whole books (well, almost nobody). Most of the time, the so-called "copycat" work kind of looks like the original, or maybe it just borrows a vibe or two. So courts have to roll up their sleeves and dive into this whole "substantial similarity" mess. Basically: how close is too close? Here's the thing—copyright doesn't protect ideas, just the way you put them out there. Two teachers can write lessons about photosynthesis, but unless one straight-up lifts the other's words or diagrams or whatever, it's fine. It's the difference between "Hey, let's both write about dinosaurs" and "Hey, I'm going to steal your exact dinosaur jokes, drawings, and lesson plan." That line—between idea and actual expression—is basically the spine of copyright law. And in schools or universities, where everyone's teaching the same stuff, it gets even trickier. Overlap's going to happen. Not all overlap is shady. When someone cries copyright wolf, the courts have a couple tools to figure out what's up. There's no one-size-fits-all checklist. They might use the "ordinary observer test"—like, would a regular person think the two works seem pretty much the same? Or maybe the "objective-subjective" approach, which sounds fancy but just means they first check if the details match up, then if the overall look and feel are similar to a normal person. The point isn't to nit-pick every comma, but to see if the similarities are just random, or if someone actually copied something that mattered[81]. Now, toss education into the mix, and it gets even stickier. Think about it: textbooks, lesson plans, flashcards—everyone's working off the same syllabus. Some stuff's bound to look alike. The trick is figuring out whether someone's just covering the same ground, or if they're actually copying the unique way someone else explained or illustrated it. Like, two history teachers are both going to mention Akbar the Great. But if one copies the other's entire paragraph about Akbar's elephant obsession, jokes included.[82] Yeah, that's probably over the line. And oh boy, the

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[80] Cornish, W., Llewelyn, D., & Aplin, T. (2019)

[81] Landes, W. M., & Posner, R. A. (2003)

[82] Copyright Act, No. 14 of 1957, 52 (India)

digital age. Everything's online. People reuse slides, videos, and memes—sometimes you don't even mean to copy, it just kind of happens because there's so much stuff floating around. Plus, plagiarism software loves to ring the alarm even for basic stuff like textbook definitions[83]. Just because a robot found matching sentences doesn't mean it's actually infringement. You got to look at what was copied and ask: is this just a common way to say something, or did they swipe something truly original? Education's a weird mix of new ideas and old tricks. Teachers might use the same teaching template or lesson structure, but their stories, jokes, and style? That's what copyright actually protects. So the question isn't, "Did these works both mention gravity?" It's, "Did one of them steal the other's killer apple-falling anecdote?" At the end of the day, this whole "substantial similarity" thing tries to keep things fair[84]. You want to protect people who actually put in the work, sure, but you also don't want to shut down learning just because two people had similar ideas. Courts try to keep it sensible, not just follow rules for the sake of rules. The goal's to stop the real cheaters, not people who happened to think alike. Especially in education, where the whole point is building on what came before, this balance isn't just law—it's common sense, and we kind of need it if we want progress to keep happening.

Digital Transformation and Its Impact on Copyright Protection

Man, the internet's totally flipped the script on how we deal with knowledge. Remember when learning just meant dragging yourself to class, lugging around textbooks, and maybe squinting at a microfilm machine in the library? A file gets duplicated and shipped off worldwide faster than you can say. That kind of speed totally messes with the whole idea of "original work." Why pour your soul into creating something when it might just get swiped and reposted by a

thousand strangers before you've even hit 'save'? Piracy, plagiarism, random sharing—it's a nightmare for folks trying to make a living (or just get credit) off their educational stuff. Speaking of online learning, those platforms—Coursera, eddy, Khan Academy, you name it—have blown things wide open. No more boring old textbooks; now its videos, interactive quizzes all that jazz. Awesome for access, kind of a headache for copyright. Like, if a professor pours weeks into designing a killer course, does she own it? Or does the platform? And what about students—can they just record and pass it around? No one seems to agree, so honestly, we need some new rules that make sense for digital stuff. On the flip side, tech's given us some fancy new tools to fight back. DRM, watermarks, tracking bots—platforms like YouTube have entire armies of algorithms sniffing out stolen content. Sometimes they work. Sometimes they're a pain—like when a teacher gets flagged for showing a 30-second movie clip that's totally fair use. Machines aren't great at nuance, let's face it. So, yeah, tech helps, but it's not a fix-all. We still need copyright laws that get the human side of things. Then there's the whole open educational resources movement—OERs[85]. It's basically the idea that knowledge should be free for everyone, and you can use or remix whatever you want (legally!) thanks to licenses like Creative Commons. It's a cool vibe, a kind of "share the love" approach, and it shows copyright doesn't have to be this iron cage. You can actually protect creators and encourage sharing at the same time. Bottom line? The internet isn't killing copyright—it's giving it a midlife crisis. Time to shake off the old rules and get creative. Copyright shouldn't be about locking stuff away, but about making sure creators get their due and learners aren't left out in the cold. The real challenge isn't just about what's legal—it's about what's fair[86]. We need a culture where tech and respect for people's hard work actually go together. That's

[83] Smith, M., & Telang, R. (2017). *Streaming, sharing, stealing: Big data and the future of entertainment.* MIT Press.

[84] *Controlled digital lending of library books: Issues and legal framework.* Association of Research Libraries

[85] U.S. Copyright Office. (n.d.). *More information on fair use*

[86] University of California. (n.d.). *Fair use.* Copyright & Fair Use

how you keep ideas flowing and learning alive, even in this wild digital world.

The Role of Copyright in Digital Libraries and Archives

Let's be real, digital libraries are basically the unsung heroes of the information age. They're like those old-school librarians but turbocharged—making sure knowledge doesn't just vanish into the abyss, even as the world goes full-on digital. Back in the day, you bought a book, tossed it on a shelf, and anyone could borrow it. Simple, right? Well, now we're dealing with files instead of dusty tomes, and you can make a million perfect copies at the click of a button. That's where things get messy. Copyright law is kind of the bouncer at the door here. On one hand, it protects writers and publishers, making sure they get paid and don't just see their stuff pirated all over the place[87]. On the other, it ties the hands of libraries—suddenly, they can't just share or save stuff like they used to. If they did, what's stopping everyone from just freeloading off the system? No one wants to write a book if they know it'll get copied and handed out for free. To keep things from totally breaking down, the law throws libraries a bone. There's a bunch of legal mumbo jumbo (like Section 108 in the U.S.) that says, hey, libraries and archives can make a few copies of works for stuff like preservation, research, or replacing something that's fallen apart. The catch? It's got to be non-commercial, and they're supposed to keep things under control—no Wild West file-sharing. This is actually a big deal, especially with all the fragile old stuff out there—think crumbling books, ancient tapes, or film reels that could turn to dust any day now. If libraries couldn't digitize these, a ton of history would just disappear. But the rules have to walk a fine line: let libraries save and share, sure, but not open the floodgates to mass piracy. Some libraries came up with "controlled digital lending"—basically, if you check out a digital book, nobody else can read that copy until you're done. It's like digital musical chairs. Of course,

copyright law isn't always a buddy. Sometimes it's a pain. There's loads of stuff from, say, the 1970s or 80s that's still under copyright, but good luck finding the author or publisher. These "orphan works" are stuck in limbo. Libraries[88] can't release them, but keeping them locked up is pretty pointless. Lawmakers argue about this a lot, but so far, not much progress. Meanwhile, there's a big push for open access—think public domain, Creative Commons, and all that jazz. More scholars and institutions are deciding, screw it, and let's just make research and learning materials free for everyone. It's not always easy, but copyright law can actually help if people use the right licenses. End of the day, digital libraries are kind of the heartbeat of learning. They're preserving history, fuelling today's research, and maybe even sparking the next big idea. The law's got to keep up—protect creators, sure, but don't choke off the flow of knowledge.

Future Directions and Policy Considerations

The relationship between copyright and education is undergoing significant transformation as digital technologies continue to reshape the landscape. Traditional copyright frameworks, originally designed for print media and in-person instruction, now face unprecedented challenges from online learning platforms, open educational resources (OERs), and artificial intelligence-driven tools. The core issue centres on how to maintain a balance between protecting creators' rights, promoting widespread access to knowledge, and fostering innovation. The collaboration of policymakers, educators, and content creators is essential to construct a regulatory environment that encourages creativity while ensuring broad accessibility. A key area of focus involves the clarification and expansion of educational exceptions within copyright law. Provisions such as fair use (in the United States) or fair dealing (in other jurisdictions) offer some flexibility, but their ambiguity often leaves educators

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[87] Wiley, D., Bliss, T. J., & McEwen, M. (2014)

[88] Open educational resources: A review of the literature. *Educational Technology Research and Development*

uncertain about what is legally permissible. There is a growing need for explicit, practical guidelines tailored to digital learning contexts. For instance, regulations could define precisely how much of a digital textbook can be used in an online classroom setting, or clarify the legal status of AI-generated summaries derived from copyrighted materials. Such guidance would reduce legal risk for educators and institutions, while still upholding the rights of authors and publishers. Another significant direction is the promotion of open educational resources and the expansion of the public domain. Policymakers and educational institutions can facilitate access by investing in high-quality, openly licensed materials that are freely available for adaptation and distribution. Strategies might include reducing the duration of copyright protection for educational works or providing incentives for creators to use Creative Commons licenses. These approaches can lower barriers to learning, enhance collaboration, and allow educators to build upon existing materials without encountering legal obstacles. Licensing and collective rights management also require modernization to address the realities of digital education. Traditional licensing models, often tailored to print, are ill-suited to digital platforms and large-scale online courses. Streamlined licensing solutions, such as blanket licenses negotiated by collective management organizations, can enable institutions to use copyrighted materials efficiently and legally. These mechanisms can also ensure that content creators receive fair compensation while minimizing administrative burdens for educational providers. Artificial intelligence introduces both opportunities and new legal complexities. AI technologies can support education through personalized learning and automated content generation, but training AI systems on copyrighted educational materials raises difficult questions about permissible use. Policymakers must define the boundaries between legitimate transformative uses and unauthorized reproduction. The adoption of

principles such as "transformative use"—where AI-generated outputs are genuinely novel rather than mere copies—may provide a constructive framework. Initiatives will be essential to ensuring broad, equitable access to educational resources while respecting the rights of creators worldwide.

Conclusion

Copyright law's always been a bit of a tightrope act—trying to protect creators without stopping the rest of us from actually learning anything. Nowhere is that juggling act more obvious than in schools and universities. I mean, think about it: textbooks, lecture notes, software, digital archives, AI-powered learning stuff—all of it's basically the scaffolding for learning and progress. These materials are both the result of creative minds and the raw material for the next big idea. Figuring out how to keep them safe *and* make them accessible? That's not just a legal headache, it's a question of ethics, fairness, and—let's be real—a better society. Honestly, copyright tries to do a lot at once, and it doesn't always pull it off gracefully. On the one hand, yeah, authors deserve to get paid for their work. We want good content, and people don't crank out masterpieces for free (well, not usually). Educational publishers need to keep the lights on. But swing too far that way, and suddenly students and teachers can't get their hands on what they need. You end up with these weird legal rules like fair use and Section 108, which are basically like, "Okay, you can copy this much, but not *that* much." They exist to let libraries, teachers, and students do their thing without trampling over creators' rights. It's all supposed to push science and the arts forward, not lock knowledge in a vault. Now, digital tech has completely blown the doors off the old system. Online classes, e-books, massive digital libraries—you don't have to hop on a bus to get your hands on info anymore. Anyone, anywhere, can access a world of knowledge… as long as copyright doesn't get in the way. But here's the rub: copying digital stuff is so easy it's almost laughable. Add AI into the mix, and suddenly machines are churning out

stuff that looks a lot like human work. Where's the line between inspiration and infringement? Can an AI use copyrighted material without ticking off the original creator? And what about libraries—how much can they digitize without lawyers breathing down their necks? It's a legal and ethical mess. So, what's next? If copyright is going to work in education, we need fresh ideas and real teamwork. Maybe we make educational exceptions bigger, push for more open resources, figure out better licensing, and actually set some ground rules for AI. Tech can help too—watermarking, digital rights controls, even smart lending systems can keep rights holders happy without shutting out students. But none of it works if policymakers, teachers, creators, and techies aren't talking to each other. At the end of the day, you can't forget the big picture: learning has to stay open, and creators still need respect (and, let's be honest, a pay check). Bottom line? Copyright doesn't have to be the villain in education. Used right, it sparks new ideas, keeps quality high, and still lets knowledge flow. In this digital, AI-crazy age, finding that balance matters more than ever. We need to mix protection with access, laws with tech, and—probably most important—a real

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