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A CRITICAL STUDY ON COPYRIGHT ISSUES IN DIGITAL MEDIA

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Abstract

The rapid growth of digital media and artificial intelligence has significantly challenged traditional copyright frameworks. This study examines contemporary copyright issues, including unauthorized digital reproduction, platform liability, and emerging concerns related to AI-generated content. By analyzing Indian legal provisions, international frameworks, and recent case laws, the paper identifies a widening regulatory gap between technological advancement and legal enforcement. The research also highlights low public awareness and enforcement inefficiencies as key contributors to widespread infringement. The study concludes with recommendations for strengthening copyright protection while maintaining a balance between creators' rights and public access.

1. Introduction

The digital era has transformed the creation, distribution, and consumption of content, making copyright protection increasingly complex. Unlike traditional media, digital content can be reproduced and shared instantly at negligible cost, leading to widespread infringement.

Copyright law, rooted in protecting creators' economic and moral rights, now faces challenges such as social media misuse, streaming piracy, and AI-generated works. In India, the Copyright Act, 1957 (amended in 2012) attempts to address digital issues, but rapid technological advancements continue to outpace legal reforms.

This study aims to analyze the effectiveness of existing copyright laws in the digital environment and explore emerging challenges.

2. Objectives and Methodology

Objectives

To examine the scope of copyright in digital media

To identify key challenges such as piracy, AI content, and user-generated content

To analyze the concept of fair dealing in the digital context

To evaluate enforcement mechanisms in India

To suggest reforms for improving compliance and awareness

Methodology

The study adopts a doctrinal and empirical approach, including:

Analysis of statutes such as the Copyright Act, 1957 and IT Rules, 2021

Review of case laws (e.g., MySpace v. Super Cassettes, ANI v. YouTubers)

Secondary sources such as journals and reports

Primary survey (60 respondents in Chennai) to assess awareness levels

3. Key Issues in Digital Copyright

3.1 Ease of Infringement

Digital technology allows instant copying and distribution without loss of quality, making enforcement difficult.

3.2 Social Media and User-Generated Content

Users often assume that online content is free to use. Activities like memes, reels, and remixes frequently violate copyright laws.

3.3 Platform Liability

Platforms like YouTube and Instagram act as intermediaries but face challenges in balancing content hosting with copyright enforcement.

3.4 Fair Dealing Ambiguity

Indian law provides limited exceptions under Section 52, leading to confusion in cases involving parody, education, and commentary.

3.5 Artificial Intelligence

AI-generated works raise questions about authorship and ownership. Courts have indicated that works without human input may not qualify for copyright protection.

4. Legal Framework

4.1 Indian Law

Copyright Act, 1957: Governs copyright protection

IT Act, 2000 & IT Rules, 2021: Regulate digital platforms

Sections 65A & 65B: Address technological protection measures

4.2 International Framework

Berne Convention (1886): Establishes international copyright standards

TRIPS Agreement: Provides global enforcement guidelines

WIPO Treaties: Address digital copyright issues

These frameworks aim to harmonize copyright protection but face limitations due to jurisdictional differences.

5. Challenges in Enforcement

5.1 Technological Lag

Laws struggle to keep pace with innovations like AI, NFTs, and short-form video content.

5.2 Jurisdiction Issues

Cross-border infringement complicates enforcement due to territorial limitations of laws.

5.3 Weak Deterrence

Penalties are often insufficient to deter large-scale piracy operations.

5.4 Platform Dependency

Most enforcement relies on private platforms rather than courts, leading to inconsistent outcomes.

5.5 Lack of Awareness

Survey findings indicate that nearly 68% of users believe giving credit avoids infringement, highlighting a major knowledge gap.

6. Critical Analysis

The study reveals a significant “regulatory gap” between evolving technology and static legal provisions. While laws exist, their effectiveness is limited by:

Slow judicial processes

High litigation costs

Over-reliance on automated systems

Lack of clarity in fair dealing provisions

Furthermore, the rise of AI and digital platforms has blurred the distinction between original and derivative works, complicating ownership rights.

7. Conclusion

Copyright law in the digital age is undergoing a transformative phase. While it continues to protect creators’ rights, it must adapt to new technological realities. The balance between

innovation, accessibility, and protection remains a central challenge.

The study concludes that legal reform, technological adaptation, and public awareness are essential for an effective copyright system in digital media.

8. Suggestions

Enhance Awareness: Conduct educational programs on copyright compliance

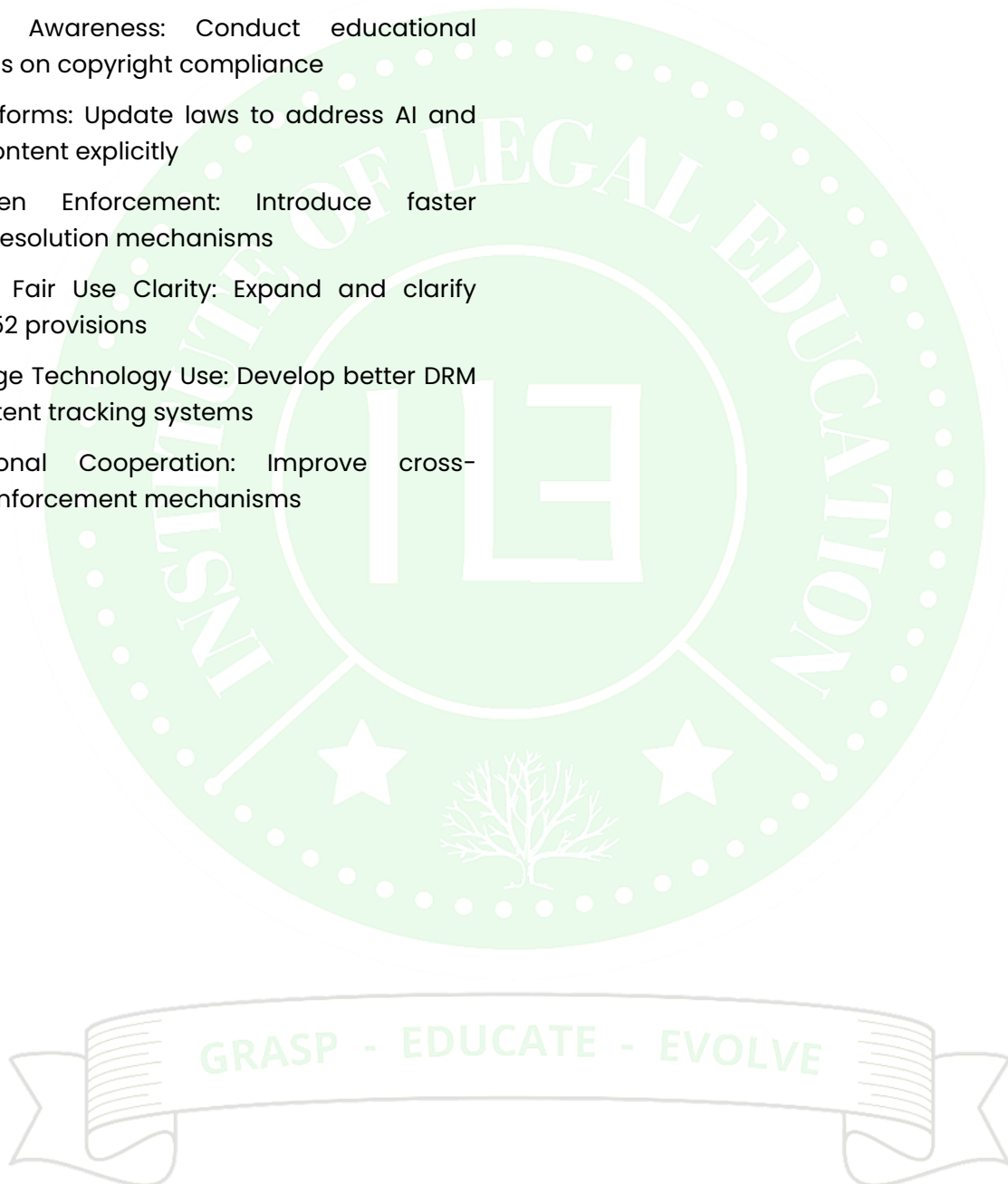
Legal Reforms: Update laws to address AI and digital content explicitly

Strengthen Enforcement: Introduce faster dispute resolution mechanisms

Promote Fair Use Clarity: Expand and clarify Section 52 provisions

Encourage Technology Use: Develop better DRM and content tracking systems

International Cooperation: Improve cross-border enforcement mechanisms





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