

AI vs Copyright

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AI vs Copyright: Legal Clarity or Creative Crisis?

Context:

With the rapid growth of **generative AI models** like ChatGPT, Claude, and LLaMA, the legal question of whether using **copyrighted content for AI training** qualifies as infringement or “**fair use**” has become a global concern. In 2024–25, two major rulings by US courts provided crucial clarity on this issue, potentially shaping future global regulations—including in India.

AI Training and Fair Use: Legal Issue

- Generative AI systems rely on **massive datasets**, including books, articles, and internet content, for training.
 - Critics argue this involves **unauthorised copying** of copyrighted works.
 - Tech companies defend their practice as “**transformative**” use, protected under the doctrine of **fair use**.
 - **Key Question:** Does using copyrighted content to train AI models constitute **copyright theft**?
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Key Rulings in the US: A Legal Turning Point

Case 1: **Writers vs Anthropic**

- Filed in **August 2024** by authors Andrea Bartz, Charles Graeber, and Kirk Wallace Johnson.
- Allegation: Anthropic used **pirated versions** of their books to train its Claude AI models.
- Writers claimed this harmed their **livelihood** by enabling **free or cheap AI-generated**

content.

Court's Decision:

- The **Northern District of California** ruled in **favour of Anthropic**.
 - The court recognised the AI training as **fair use** under US copyright law.
 - Judge emphasized that the AI's output was **transformative** and did not **replicate or replace** the original work.
 - **Key Quote:** "Like any reader aspiring to be a writer, Anthropic's LLMs trained upon works... to create something different."
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Case 2: Writers vs Meta

- Filed by **13 authors**, accusing Meta of using their copyrighted books to train its **LLaMA language models**.
- Plaintiffs claimed the AI generated outputs that **closely resembled** their original content.

Court's Decision:

- The court ruled in **Meta's favour**, stating the authors **failed to show market harm**.
 - Judge accepted the AI model's training as **transformative**, qualifying for fair use.
 - However, the court noted the **need to explore compensation mechanisms** for original creators, especially as AI becomes commercially dominant.
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Broader Legal Landscape: Escalating Copyright Battles

- **Anthropic** is facing a separate lawsuit by **music publishers** for training on copyrighted lyrics.
- **OpenAI and Microsoft** face a consolidated lawsuit combining **12 cases**, including one from

The New York Times.

- **Ziff Davis** has filed a separate lawsuit against OpenAI.
 - **Visual artists and platforms** have sued:
 - **Stability AI, Midjourney, Runway AI, and Deviant Art**
 - **Getty Images** accuses Stability AI of copying **12 million+ images** without permission.
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Indian Media's Legal Response

- In 2024, Indian news agency **ANI filed a case against OpenAI**, alleging unauthorised use of Indian content.
 - Major outlets like **The Indian Express, Hindustan Times**, and **NDTV** joined the protest through the **Digital News Publishers Association (DNPA)**.
 - These actions mark the **beginning of domestic litigation** in India around AI and copyright laws.
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Significance for Policy and UPSC Aspirants

- These rulings **legally support AI training** on copyrighted content under fair use—especially when output is **transformative** and serves **public interest**.
- However, unresolved issues persist:
 - **Protection and compensation** for original content creators.
 - Ethical concerns over AI's use of **pirated datasets** like **Books3**.
 - Risks to **livelihoods** and the **creative economy**.

Conclusion

The recent US court decisions mark a **milestone in AI regulation**, offering legal clarity in favour of tech companies under **fair use doctrine**. However, the broader debate on **ethical use, creator rights**, and **compensation** remains unsettled. As India gears up for **AI policy development**, these cases offer crucial legal and regulatory insights for lawmakers, creators, and aspirants alike.



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