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The International Conference on “Law in the Age of Artificial Intelligence: A Fundamental Perspective” provided an academic platform to examine the transformative impact of Artificial Intelligence on law, legal systems, governance and society.

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The conference brought together academicians, research scholars, legal professionals and students to present research, exchange ideas and engage in interdisciplinary discussions. It encouraged meaningful academic dialogue and contributed towards the development of effective, ethical and inclusive legal responses to the rapidly evolving Artificial Intelligence landscape.

Conference	International Conference
Theme	Law in the Age of Artificial Intelligence: A Fundamental Perspective
Date	24 January 2026
Time	10:00 AM onwards
Mode	Online
Organised by	IQAC, Student Research Society and Library Committee
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PRINCIPAL'S MESSAGE

KES' Shri. Jayantilal H. Patel Law College



It gives me immense pleasure to welcome all academicians, research scholars, legal professionals and students to the International Conference on “Law in the Age of Artificial Intelligence: A Fundamental Perspective.”

Artificial Intelligence is transforming the way societies function and is increasingly influencing legal systems, governance, professional practices and education. These developments bring significant opportunities as well as complex legal, ethical and social challenges.

This conference provided a valuable platform for intellectual exchange and interdisciplinary dialogue on emerging issues such as data privacy, intellectual property, liability, criminal justice, human rights, ethics and the governance of Artificial Intelligence. The scholarly contributions and discussions during the conference encouraged deeper understanding and promoted responsible approaches to the use of Artificial Intelligence.

I extend my best wishes to all the speakers, researchers, presenters, participants and members of the organising team for a meaningful and intellectually enriching conference.

DR. VIRAL DAVE

I/c. Principal

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DIGITAL AFTERLIVES OF ASPIRING ACTORS IN THE AGE OF GENERATIVE ARTIFICIAL INTELLIGENCE

Ishpreet Singh¹

I. ABSTRACT

By making it possible to extract and repurpose human performances outside of their original context, generative artificial intelligence has radically changed the lifecycle of creative expression. This study explores the mostly undetectable phenomena of aspiring actors' digital afterlives, concentrating on poor performances, erased show reels, and rejected auditions that are nonetheless used as training data by AI systems. When incorporated into generative AI models that can mimic voice, facial emotions, and body gestures, such performances gain substantial economic and technological value even though they do not have much artistic or commercial value in the conventional cinema and theatre sectors. The paper makes the case that Indian copyright law, namely the Indian Copyright Act, 1957, excludes aspiring actors whose artistic expressions fall outside of conventional production structures by conceptualizing artists' rights through the lens of market success and recognized performances. This results in a regulatory gap whereby unsuccessful or abandoned performances are technologically exploitable but not legally protected. These digital traces' continued existence creates serious issues with consent, dignity, informational self-determination, and the right to be forgotten – issues that India's current data protection and intellectual property laws are ill-suited to handle. It argues that a type of post-performance exploitation, in which creative labor survives its rejection but not its author, is made possible by the law's inability to acknowledge the ongoing legal relevance of unsuccessful performances. The article's conclusion advocates for a rethinking of performers' rights that takes into consideration the ongoing digital presence of artistic expression, regardless of commercial or artistic success.

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II. KEYWORDS

Generative Artificial Intelligence, Indian Copyright Act 1957, Performers' Rights, Aspiring Actors, Consent.

III. INTRODUCTION

Traditional beliefs about performance, authorship, and exploitation have been severely upended by the digital transformation of the creative industries. A large amount of digital content, including self-taped auditions, monologues, improvisations, workshop recordings, and screen tests, is regularly produced by aspiring actors in today's acting ecosystem, the majority of which are never shown in public. In the past, these failed or rejected performances were transient, vanishing after their evaluative function was fulfilled. But the emergence of generative AI has made sure that these performances don't disappear. Rather, they continue to exist as long-lasting digital artifacts to be used as Generative AI training data.²

In order to explain the ongoing technological survival and exploitation of performances that were neither artistically accepted nor commercially diffused, this study presents the idea of the "digital afterlife" of aspiring actors. Aspiring actors are especially susceptible to quiet kinds of data acquisition because they have less exposure, negotiating strength, and legal awareness than established artists. Such uncured, discarded, and informal performances are extremely valuable to generative AI systems because they provide unadulterated, varied, and emotionally genuine human expression. However, these realities continue to be largely ignored by Indian copyright law. Performance is still viewed by the law as a temporally limited phenomenon whose legal importance is contingent upon market involvement, recognition, and fixing inside formal production processes. The main issue this research looks at is this conceptual mismatch.³

² Lessig, L. (1999). *Code and other laws of cyberspace*.

³ Cohen, J. E. (2012). *Configuring the networked self*. Yale University Press; Mayer-Schönberger, V. (2009). *Delete: The virtue of forgetting in the digital age*. Princeton University Press.

A. Statement of Problem

Despite their growing technological and financial exploitation by generative AI systems, the main issue this paper attempts to address is the legal invisibility of aspiring actors' unsuccessful performances under Indian copyright law. The performers themselves are still not covered by the Indian Copyright Act of 1957's protections for performers' rights, even though their performances are frequently used as training data. Due to a regulatory gap caused by the law's emphasis on market success, contractual participation, and recognized performances, rejected or abandoned performances gain post hoc value without the associated legal protections.

The inadequacy of current consent procedures, which are unprepared to handle secondary, future, and unexpected applications of performance data by AI systems, exacerbates this gap even further. Serious normative issues pertaining to autonomy, dignity, informational self-determination, and the ability to manage one's digital persona are brought up by the lack of significant legal recognition. As a result, aspiring performers are robbed of both agency and attribution while unintentionally contributing to AI systems that can mimic identity.

B. Research Objectives

1. To examine how generative AI alters the legal status and economic value of failed, unused, or rejected performances by aspiring actors.
2. To analyse whether the Indian Copyright Act, 1957 adequately recognizes or implicitly excludes such performances within the scope of performers' rights.
3. To explore the potential of a personality-based conceptualization of performers' rights as a normative framework for regulating AI-enabled reuse of performances.
4. To identify and propose necessary legal and policy reforms required to address post-performance exploitation in the age of generative AI.

C. Research Questions

1. How does generative AI change the legal and financial worth of failed or rejected performances by aspiring actors?
2. To diagnose whether the Indian Copyright Act, 1957 recognize or exclude such performances from the scope of performers' rights?
3. Can a more cohesive normative framework for controlling AI-driven performance reuse be provided by a personality-based understanding of performers' rights?
4. In the era of generative AI, what changes are required to overcome post-performance exploitation?

D. Research Methodology

The methodology used in this paper is doctrinal. The paper consults some major legal sources, such as the Indian Copyright Act of 1957, Information Technology Act of 2000, the Digital Personal Data Protection Act of 2023. Selected secondary materials, such as WIPO policy papers and pertinent comparative EU Directives, which offer both interpretive context and normative direction for evaluating the suitability of current legal frameworks in addressing AI-mediated performance reuse, further inform the analysis. The Indian Copyright Act, 1957's statutory provisions are critically examined, with a focus on Sections 38, 38A, and 38B.

In order to provide a normative framework that can deal with technological change, the study also engages with interdisciplinary scholarship from media studies, intellectual property theory, and philosophy of personality. The approach is essentially normative and analytical, aiming not only to characterize current legislation but also to highlight its conceptual flaws and suggest revision based on sound principles.

The doctrinal and normative approach is constrained by its dependence on theoretical scholarship and statutory interpretation rather than empirical data. Furthermore, interdisciplinary involvement is still interpretive rather than field-based, which could limit the suggested normative framework's usefulness in real-world situations.

Therefore, rather than forecasting enforcement results or implementation issues in quickly changing technology contexts, the approach is more suited to exposing conceptual gaps and proposing principled reforms.

IV. GENERATIVE AI AND THE RECONFIGURATION OF PERFORMANCE

The ontology of performance is radically changed by generative AI systems. In contrast to conventional methods of reproduction, AI abstracts patterns of expression, emotion, and embodiment rather than just reproducing a performance. Large datasets of human performances—many of which come from unofficial recordings and audition archives—are essential for voice synthesis, facial animation, and gesture replication models. These performances are economically valuable due to their statistical utility rather than their artistic worth. The reliance of copyright on originality, fixation, and public transmission is undermined by this change. For a performance to be economically beneficial, it does not have to be made public. Rejected performances do, in fact, frequently offer more expressive variety than polished commercial offerings. A stealthy transfer of value from performers to technical systems is made possible by the law's refusal to take this transition into account.

In the governance of performance data, consent plays a crucial yet delicate role. AI training or synthetic reproduction cannot legitimately be covered by consent obtained for audition evaluation. By separating the performer's expressive identity from their agency, such secondary uses violate dignity rights. Informational self-determination is compromised in the absence of specific, informed, and revocable consent. Additionally, aspiring performers frequently lack the negotiating capacity to negotiate terms or refuse assent. Because of this systemic imbalance, consent becomes a legal fiction and abuse is justified under the pretense of voluntariness.⁴ In this paper, post-performance exploitation is defined as AI-driven reuse of discarded performances. In this case, artistic work endures despite rejection, but legal recognition does not. Performances become

⁴ Zarsky, T. Z. (2019). Privacy and manipulation in the digital age. *Theoretical Inquiries in Law*, 20, 157–188.

practically permanent once they are integrated into AI models, making removal or withdrawal pointless. Conventional ideas of ownership and control are called into question by this technological permanence. Despite being acknowledged in theory, the right to be forgotten is essentially meaningless when it comes to machine learning. Asymmetrical exploitation is sustained by the law's incapacity to address this permanence. When considered in the context of India's developing data protection system, this issue becomes much more pressing. The Digital Personal Data Protection Act, 2023 must be studied together with the Digital Personal Data Protection Rules, 2025, notified by the Ministry of Electronics and Information Technology (MeitY), which operationalise the Act by prescribing procedures governing consent management, data retention and erasure obligations.

Although Section 12 of the Act⁵ provides a limited Right to Correction and Erasure rather than a comprehensive right to be forgotten, the Rules further clarify that personal data must ordinarily be erased once the specified purpose has been fulfilled or the applicable retention period expires, subject to statutory and lawful retention requirements under Rule 8. While these operational safeguards strengthen procedural compliance, they do not fundamentally resolve the challenges posed by generative AI systems. Once audition recordings, test footage or other performance data have been incorporated into AI training datasets or model parameters, subsequent erasure of the original dataset may not effectively eliminate their influence on trained models or prevent future synthetic reproduction. Accordingly, the remedial framework remains predominantly database-centric and transactional, rather than recognising the continuing personality interests implicated in AI-enabled reanimation of expressive performances.

The DPDP Act, read together with the DPDP Rules, 2025, therefore improves procedural governance of personal data but does not eliminate the broader regulatory gap concerning post-performance autonomy, dignity and continuing control over embodied identity in AI-mediated entertainment ecosystems.

⁵ Digital Personal Data Protection Act, 2023, § 12

In the era of AI, a personality-based paradigm provides a more logical normative basis for performers' rights. Instead of viewing performances as merely products of labor, such a paradigm acknowledges them as extensions of the performer's humanity. Regardless of institutional validation or market success, embodied expression must be protected.⁶ This strategy harmonizes the rights of performers with the autonomy and dignity guaranteed by the constitution. It requires that even after performances are rejected or erased, the law recognize their ongoing legal significance.

V. DIAGNOSIS OF THE INDIAN COPYRIGHT ACT 1957

In the era of generative artificial intelligence, the Indian Copyright Act, 1957 is inherently inadequate to address the phenomena of aspiring actors' digital afterlives. The Act's conceptual design is nonetheless based on the presumptions of identifiable performances, institutional production, and market-facing exploitation, even while it explicitly recognizes performers' rights through a number of neighboring rights clauses. The realities of generative AI, where value is extracted from rejected auditions, erased show reels, and unofficial self-recorded expressions that were never meant to survive beyond evaluative contexts, shatter these presumptions. The Act's failure stems from a deeper normative commitment to a success-centric and production-centric understanding of performance, which makes aspiring actors legally invisible at the same moment their performances acquire technological value, rather than only from technological obsolescence.⁷

The first fault line is exposed at the definitional level in Section 2 of the Act. Although a "performance" is defined broadly in Section 2(q), the Act indirectly links performative value to recognized acts that are placed within recognizable cultural or entertainment frameworks. The Indian Copyright Act, 1957 defines "performance" as "any visual or acoustic presentation made live by one or more performers" in Section 2(q). The Delhi

⁶ Margaret Jane Radin, 'Property and Personhood' (1982) 34 Stan L Rev 957.

⁷ Balganes, S. (2018). Copyright as market prospect. *University of Pennsylvania Law Review*, 166, 443–520.

High Court clarified in *Neha Bhasin v. Anand Raj Anand*⁸ that a performance need only be live in its first instance whether rendered in a recording studio or in front of an audience to fall within the statutory meaning, giving the phrase "made live" particular significance. Performances created in speculative, aspirational, or pre-contractual contexts such as audition recordings or self-taped monologues produced solely for evaluation may technically originate as "live" performances and may subsequently be fixed in a recording. However, under the current structure of the Copyright Act, 1957, such performances are not ordinarily treated as attracting meaningful performers' rights protection because they remain outside recognised commercial or production contexts, notwithstanding their technological value for generative AI systems.

Despite being permanent, corporeal, and expressive, these performances are seen as legally incomplete neither totally private nor fully public. However, generative AI systems treat all expressive data as equally important training material and do not differentiate between recognized and unrecognized performances. Due to the law's incapacity to recognize the ontological neutrality of data, technologically readable performances continue to be legally unreadable.⁹

The way that Section 38, which gives performers some exclusive rights about their performances, operates highlights this conceptual flaw. Despite the fact that Section 38 is supposedly applicable to all performers, its actual operation requires performances that are either recorded for distribution inside formal production chains or performed live in front of an audience. These standards are rarely met by aspiring actors' show reels and auditions. They are rarely subject to explicit contractual terms, are usually submitted under informal agreements, and are kept forever by digital platforms or casting agencies. Because Section 38¹⁰ links enforceability to situations when negotiating power,

⁸ *Neha Bhasin v. Anand Raj Anand*, 2006 (32) PTC 779 (Del); 132 (2006) DLT 196 (interpreting "made live" under § 2(q), Copyright Act, 1957).

⁹ Indian Copyright Act, 1957, § 2(q); *Indian Performing Rights Society v. Eastern India Motion Pictures Association*, (1977) 2 SCC 820; AIR 1977 SC 1443

¹⁰ Indian Copyright Act, 1957, § 38; Sridevan, P. (2013). Performers' rights in India. *National Law School of India Review*, 25, 1–28.

paperwork, and industry recognition already exist, it excludes potential participants in practice even though it seems inclusive in theory.

By permitting the assignment or licensing of performers' rights, frequently through standard-form agreements, Section 38A further solidifies this exclusion. Consent is frequently acquired in the aspirational economy of acting through ambiguous, expansive provisions that permit the "use" of audition material without defining its purpose, duration, or technical change.¹¹

The Act does not acknowledge the qualitative distinction between generating reuse and evaluative usage, nor does it provide any protections against consent being used for AI training. Through contractual processes that prospective actors are fundamentally unable to negotiate, Section 38A effectively legitimizes the conversion of rejected performances into eternal training data. Thus, the legislation ignores the power imbalance that characterizes the audition process and confuses formal permission with genuine autonomy. This issue is made worse by Section 38B's insufficient protection of moral rights. Although the clause ostensibly safeguards the performer's right to integrity and attribution, it is poorly worded and applied. More significantly, it is predicated on the idea that harm only occurs when a performance is altered, disfigured, or publicly misrepresented.¹²

This presumption is called into question by generative AI, which permits exploitation without attribution and harm without distortion. Even if a performance is accurately absorbed, statistically abstracted, and synthetically replicated without changing the original recording, it still violates the performer's dignity since it separates their expressive identity from their agency. Because Section 38B does not consider performance as an extension of personality rather than a distinct labor output, it is unable to capture this type of injury. *Justice K.S. Puttaswamy (Retd.) v. Union of India*¹³, which

¹¹ Indian Copyright Act, 1957, § 38A; WIPO. (2019). *Study on audiovisual performers' rights*.

¹² Indian Copyright Act, 1957, § 38B; Chandru, K. (2013). Personality rights in Indian law. *NUJS Law Review*, 6, 45–62.

¹³ *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1 (India).

acknowledged the right to privacy as a basic right under Article 21, must also be taken into consideration while understanding the constitutional component of this approach. An important normative basis for assessing the ongoing digital circulation and AI-mediated reuse of performers' previous utterances is provided by the judgment's articulation of dignity, autonomy, and informational self-determination. Puttaswamy provides a constitutional framework for examining the permanence and reanimation of recorded performances by reaffirming that human identity include sovereignty over personal information and its display. A larger constitutional commitment to dignified self-representation and decisional autonomy in electronically mediated cultural surroundings is implicated by the post-performance exploitation issues articulated in this study, which go beyond statutory or proprietary concerns.

The Delhi High Court's decision in *Anil Kapoor v. Simply Life India & Ors.* (2023) further demonstrates the growing judicial recognition of personality interests in the age of artificial intelligence. In granting interim protection against the unauthorized commercial exploitation of the actor's name, image, likeness, voice, catchphrases and persona through AI-generated content and deepfake technologies, the Court acknowledged that emerging technologies are capable of appropriating an individual's identity in ways that conventional intellectual property doctrines inadequately address. Although the decision concerned a well-known public figure whose commercial goodwill formed part of the Court's reasoning, its normative foundation extends beyond celebrity status to the broader principle that an individual's identity deserves protection against unauthorized digital replication.

Nevertheless, aspiring actors remain situated differently under the existing legal framework because, unlike established celebrities, they ordinarily possess limited commercial reputation and may therefore face greater difficulty in invoking personality-rights jurisprudence founded upon demonstrable goodwill and public recognition. This distinction exposes a significant doctrinal limitation. While *Anil Kapoor* provides persuasive judicial support for recognising AI-enabled misappropriation of personality, the Copyright Act, 1957 continues to lack an express statutory framework capable of

protecting the embodied identity interests of aspiring performers whose performances possess technological value despite the absence of market recognition. The case therefore reinforces, rather than displaces, the need for a personality-based reconceptualisation of performers' rights proposed in this paper.

The Act's market-oriented reasoning is the root of its deeper flaws. The Copyright Act implicitly calibrates performers' rights to safeguard performances that are popular, profitable, and circulate across established cultural marketplaces. Even if generative AI revitalizes unsuccessful performances as long-lasting sources of value, they are regarded as legally exhausted once rejected. Failure becomes technologically productive but legally useless as a result, creating a paradoxical scenario. The Act does not impose duties on enterprises that extract value through AI systems, nor does it have a method to acknowledge value creation that occurs after rejection.

As a result, prospective players are forced to contribute to generative infrastructures without being acknowledged, compensated, or given any control. The Act's incapacity to handle the temporal aspect of digital afterlives is also explained by this market bias. Traditionally, copyright law has been predicated on fixed temporal assumptions: performances take place, rights are attached, exploitation ensues, and rights eventually expire. This order is upset by generative AI, which allows for endless reuse independent of any discernible performance. Even if the original recording is removed, the impact of a rejected audition remains forever once it is integrated into a model. The right to revoke consent or remove data is essentially illusory because the Act provides no redress for this type of irrevocable extraction. By doing thus, the informational permanence that characterizes machine learning systems is not taken into consideration.¹⁴

Importantly, generative reuse of performance data raises constitutional issues that the Copyright Act ignores. Concerns about autonomy, dignity, and informational self-determination are raised by the ongoing exploitation of aspiring actors' performances.

¹⁴ Cohen, J. E. (2019). *Between truth and power*. Oxford University Press; WIPO. (2023). *AI and intellectual property policy toolkit*.

However, performers' rights under the Act which are seen as financial entitlements rather than personality interests remain conceptually detached from these ideals. Because of this division, the law is unable to address damages that result from losing control over one's embodied identity rather than from losing money.

The Act's silence on these issues essentially allows for a type of post-performance exploitation in which the performer does not survive as a legal subject but creative labor survives their rejection. It is clear from diagnosing these failures that the issue is theoretical direction rather than just legislative omission. Performance is still viewed through the prisms of labor, production, and market recognition under the Indian Copyright Act, 1957. By converting wasted performances into useful data while avoiding the circumstances in which the law recognizes rights, generative AI highlights the limitations of this framework. The Act will not be able to address the digital afterlives of aspiring performers unless it moves toward a personality-based understanding of performance, which recognizes the ongoing legal significance of embodied expression regardless of success. Therefore, failing to reform runs the risk of institutionalizing a system where creative lives that are legally invisible serve as the foundation for technological innovation.

VI. SUGGESTIONS AND RECOMMENDATIONS

The definitional architecture of the Act, particularly Section 2(q), must be amended to explicitly recognise expressive acts produced in aspirational, evaluative, and pre-contractual contexts as legally cognisable performances. Reform must begin at this foundational level. In an ecosystem where generative AI systems treat all expressive human data as equally valuable training material, audition recordings, self-taped monologues, and speculative performances cannot be excluded from protection merely because they were unsuccessful, unpublished, or never intended for public circulation. A technologically neutral understanding of performance would correct the present asymmetry in which such performances remain invisible to law but legible to machines. Section 38 should be reorganized concurrently. AI-mediated reuse is becoming more and more at odds with its existing association of enforceable performers' rights with event-

based markers like live audiences, formal fixation, or integration into established production chains. Instead, regardless of market distribution or financial success, performers' rights should be attached to the act of expressive embodiment itself. By doing this, the protection model would shift from being event-centric to being data-centric, guaranteeing that aspiring performers would not be denied legal protection because they lacked industry recognition or negotiating leverage at the time their performances were captured on tape and preserved.

The proposed personality-based reform should also be situated within the Government of India's emerging policy framework on artificial intelligence and copyright. In December 2025, the Department for Promotion of Industry and Internal Trade (DPIIT) released Part I of its Working Paper on Generative AI and Copyright, proposing a "One Nation, One License, One Payment" blanket-licensing framework for the use of copyrighted works in AI training. While the proposed licensing model seeks to regulate access to copyrighted material through collective authorization and remuneration, it does not directly resolve the distinct concerns arising from the reuse of aspiring actors' performances, including autonomy, dignity, consent, and post-performance identity interests. Accordingly, the personality-based framework advanced in this paper should be understood as complementary to, rather than necessarily inconsistent with, the licensing-based approach currently under governmental consideration. A comprehensive reform framework should therefore combine licensing mechanisms governing AI training with explicit recognition of performers' continuing personality interests in AI-mediated reuse of their expressive performances.

Additionally, Section 38A has to be amended to create a clear legal separation between the generative or derivative use of performance data and its evaluative use. Generative AI makes it possible for exploitation to occur that may not change or publicly misrepresent the original recording, but nevertheless results in honorable harm. Therefore, a personality-based interpretation of moral rights is required to significantly improve Section 38B. Even when the initial performance is unaltered, embodied identity can be separated from agency by the unapproved abstraction, statistical absorption, and

replication of a performer's voice, gestures, or expressive style. By acknowledging performance as an extension of personality rather than a separate labor output, moral rights would be able to address losses resulting from loss of autonomy and dignity, rather than only misattribution or distortion.

VII. CONCLUSION

The difficulties presented by generative AI reveal a structural flaw in the current structure for performers' rights under the Indian Copyright Act. Law continues to favor success as the threshold of protection by linking legal recognition to periods of prominence, such as business incorporation, public distribution, or industry validation. In a technologically driven cultural economy, this structure could have been administratively feasible, but in a time where expressive human data travels without regard to recognition, contract, or purpose, it becomes unworkable. As training material for generative systems, performances that were before legally meaningless due to their failure to penetrate the market now have new economic and technological worth.

If the law stays silent in this area, it could normalize a system where the embodied labor of aspiring performers is still able to be extracted, even if it is not acknowledged. Traditional divisions between creation and rejection, publication and abandonment, and exposure and obscurity are undermined by the rise of AI-mediated reuse. Failures no longer cause performances to vanish; instead, they continue to exist as latent informational resources that may be abstracted, modeled, and revived. In this case, lack of legal recognition simply eliminates accountability rather than preventing reuse. What started out as a fleeting moment of creative aspiration has evolved into a long-lasting platform for technological innovation, posing issues with dignity, autonomy, and control over identity projection throughout time in addition to ownership.

A strong normative reaction to this change is provided by a personality-centric interpretation of performers' rights. The law can go beyond event-based thresholds and recognize the ongoing legal significance of expressive acts regardless of their commercial outcome by viewing performance as an extension of embodied identity rather than as a

contingent market output. This method offers a theoretical foundation for addressing problems that result from disembodied replication rather than distortion, and it is more in line with the constitutional values of autonomy and informational self-determination.

In the end, the question is not whether unsuccessful performances should be given the same status as economically successful works, but rather whether the law should keep allowing their technological afterlives to develop without giving the people who created them any real credit. In the absence of revision, the Act runs the risk of institutionalizing a paradox: a system where robots can fully comprehend performances that are not legally visible. If performers' rights are to continue to adapt to the reality of AI-mediated cultural creation and the changing landscape of creative labor, this disparity must be addressed.

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