

A robotic hand, rendered in a dark, metallic grey, is positioned as if about to press a key on a piano keyboard. The background is dark, with the keys of the piano providing a rhythmic pattern of light and shadow.

RGNUL Student Research Review

in collaboration with

The Dialogue

Call for Blogs

Traversing the Intersectionality of the Entertainment Industry and Generative Artificial Intelligence



About RGNUL Student Research Review

The RGNUL Student Research Review (RSRR) (*formerly*, RGNUL Student Law Review) is a biannual, student run, double-blind peer reviewed journal based at Rajiv Gandhi National University of Law, Punjab. It is a flagship law journal of RGNUL managed by the students of the University. It was founded with the objective of facilitating novel ideas and a research conducive environment. RSRR consistently publishes dedicated Blog Series on niche and contemporary legal issues. RSRR regularly engages the student community, as well as legal practitioners, to contribute to the legal discourse on various topics. The RSRR Blog Series has been named among the top 25 Constitutional Law Blogs by [Feedspot](#) for the last three years.

About The Dialogue

[The Dialogue](#) is an emerging research and public-policy think-tank founded in 2017. Their core mission is to elevate policy discussions, fostering a more informed citizenry. They aim to bridge the gap between policy and the public, advocating for vital global issues. By leveraging informed public opinion and citizen participation, they strive to instigate long-term reforms, with a special focus on the transformative power of technology in the 21st century.

Employing dynamic communication and innovative tools, The Dialogue crafts a diverse range of policy materials, collaborating with esteemed institutions both within India and globally. Their research spans critical areas such as data protection, cyber security, smart manufacturing, start-up policies, and road safety. With a robust presence in the policy ecosystem, The Dialogue wields influence through research, conferences, publications, and extensive networks. This strategic positioning empowers them to effectuate maximum impact in their pursuit of driving progressive narratives in India's policy discourse.

Call for Blogs

This blog series endeavours to initiate a conversation surrounding the challenges faced by the entertainment industry in integrating generative AI. It seeks to conduct a thorough examination of the existing legal framework in light of the notable advancements in this field. Furthermore, it aims to propose practical remedies to enhance the convergence of law and generative AI in the entertainment sector. We welcome students of law to send in their submissions for this blog series.

Theme for Blogs

In recent times, the Indian media and entertainment sector has experienced significant expansion due to the widespread access to affordable internet, rising purchasing capacity, and increased consumer spending on durable goods. The industry is well-known for its substantial content output and the consistent growth of Average Revenue Per User (ARPU), positioning it for a strong developmental phase ahead. As per recent analyses, the industry is projected to yield a revenue of 2.34 trillion rupees. Given its noteworthy contribution to the economy, it becomes essential to explore the recent changes shaping the industry's landscape, particularly considering technological advancements like generative AI.

The domain of intellectual property rights (IPR) is one such aspect in the entertainment industry that is undergoing a profound transformation, primarily driven by the advent of generative AI. Generative AI has emerged as a catalyst for substantial change within the entertainment industry, disrupting conventional frameworks of content creation and consumption. The intersection of intellectual property laws with the expanding presence of streaming services and content-sharing platforms raises notable legal and ethical considerations that warrant the attention of policymakers, legal experts, and stakeholders alike. As generative AI introduces a multitude of capabilities, including the fusion of deepfakes and chatbots for the augmentation of visual content, navigating the intricate web of IPR legislations and the associated rights and limitations becomes increasingly complex, given the evolving boundaries of originality within the entertainment sector.

AI algorithms now have the capacity to generate creative content, ranging from scripts and music compositions to visual effects and movie scenes. Undoubtedly, these advancements prompt questions about matters of authorship and ownership. Furthermore, the advent of AI-driven recommendation engines has now enabled personalized content suggestions, necessitating bespoke licensing agreements to address issues of ownership of the personalized versions of content.

Considering the plethora of transformative changes and challenges brought with the utilisation of generative AI in the entertainment industry, international bodies of jurisdiction such as the EU have proposed new copyright rules and the AI Act. The freshly made legislations are aimed at regulating the influx of AI in content creation and answering burning questions on the IPR attached to them. Moreover, with countries such as China adding on to the list of jurisdictions

devising novel regulations to accommodate the use of generative AI, it is time that India stepped to the forefront and added to the discourse.

Note. These sub-themes are merely illustrative. Submissions need not be restricted to the following list, as long as they fall within the ambit of the main theme.

1. The Implications of Generative AI on Copyright and Privacy

Generative AI platforms are trained on data lakes and question snippets — billions of parameters that are constructed by software which process huge archives of images and text. The AI platforms recover patterns and relationships, which they then use to create rules, and then make judgments and predictions. This process is likely to lead IPR infringement and as of now, exists in a legal vacuum where no rules to mitigate or adjudicate such issues have been developed. There are infringement and rights of use issues, uncertainty about ownership of AI-generated works, and questions about unlicensed content in training data. Additionally, there is a consideration of whether users should be able to prompt these tools with direct reference to other creators' copyrighted and trademarked works by name without their permission.

2. Redrawing Legal Boundaries: What is “Creativity” in an Oversaturated Culture & Creative Market?

Tools like ChatGPT and Dall-E give the appearance of being able to carry out creative tasks – such as writing a poem or painting a picture – in a way that is often indistinguishable from what human beings can do. These recent developments have forced human beings to reassess their ideas around what constitutes art, expression, and creativity, and this is just one of the many tumultuous effects that AI will have on society in the near future.

3. AI and Entertainment: Navigating Competition Law Concerns

It is no surprise that despite the embryonic state of generative AI, most big-tech companies and multinational corporations have already managed to use it to their advantage and raise concerns on the existing laws. The availability of ingredients to do so such as curated data, training, IP licensing, investment, data integration, etc pose an array of questions and concerns over big corporations' abuse of their dominant position in the market, which runs antithetical to the object of a healthy competition. Explorations on the interface of competition law and generative AI can not only lead to surfacing challenges and gaps in the status quo, but can also aid in formulating better regulations and policies by adding to the discourse and suggesting informed solutions.

4. Comparative Analysis of Jurisdictions on AI and Entertainment Law

As discussed previously, various jurisdictions are devising novel regulations and altering old ones to not only regulate AI use across industries, but also to provide determinative answers to questions relating to IPR. The new copyright rules proposed by the EU advocate for extremely high transparency levels from the developers and lay down a classification of the AI based on the same framework. The rules as well as the AI Act have, however, not been met entirely without resistance from tech companies and developers. While the US model has been criticized for its minimal interference approach, other jurisdictions such as China have been appreciated for the balancing nature of their legislations. The growing need of policy making and legislation over generative AI in India carries a significant opportunity to add to the existing discourse and pave the way for fruitful comparative analyses.

5. Mitigation of the Menace and Bias caused by AI: The Era of Deepfakes and Chatbots

Concerns over biometric uses and spread of misinformation and discriminatory or hateful content have been often cited as criticisms of the rising use of generative AI. Deepfakes and chatbots not only serve as illustrative instances of these concerns but also play a role in generating defamatory and inflammatory content, encompassing both visual and other forms. The pervasion of human menace and bias into the domain of generative AI, though not unexpected, has certainly raised an amalgamation of legal, ethical, socio-economic, and political concerns over its regulation, requiring careful academic examinations and discussions in order to mitigate such concerns.

6. Generative AI and Upheavals in Labour Relations in Industries

The advent of generative AI-driven content creation heralds a transformative shift in labour markets, workplace dynamics, and intricacies spanning multiple sectors. Anticipated alterations in workforce size and job prerequisites are not the only concerns; generative AI also holds the capacity to fundamentally reshape the essence of roles throughout various industries. This resurgence of the on-going discourse regarding the implications of innovative technology on the economy and workforce is particularly noteworthy. The entertainment sector and its affiliated industries such as media, mass communication, marketing, and advertising are poised to be at the forefront of encountering the transformative effects promised by generative AI. The same has sparked a keen interest in exploring uncharted avenues, which offer substantial potential for scholarly analysis and valuable insights.

7. Tortious Liability in the Age of Generative AI

Generative AI, while revolutionizing various industries, introduces a unique legal challenge. Unlike AI-driven drones or vehicles, its impact is subtle, often manifesting as negligent reliance. This poses a conundrum in establishing the standard of care, as users can't oversee AI decision-making due to its opaque nature. Efforts to develop post-hoc explanations are underway, highlighting the need for comprehensive training in generative AI usage. Recent legal action against OpenAI exemplifies this dilemma. Mark Walters' libel suit underscores the responsibility of individuals employing such technology. Associations, too, must exercise caution, as AI-generated outputs could lead to potential tort claims if they cause harm. Vigilance and vetting are essential in navigating this evolving landscape.

8. Threats to Consumer Protection with the Rise of Generative AI

In recent years, consumers have been voicing concerns about harms related to AI—and their apprehensions span the technology's lifecycle, from how it is built to how it is applied in the real world. Consumers have expressed reservations about biometric data particularly voice recordings, being used to train models or generate “voice prints” and continuing with customer support calls after hearing a message indicating the call could be recorded, expressing a fear that the recording could then be used to train an AI using their voice. With the introduction of generative AI, the boundaries between protecting individual consumer interests and maximising profits can get distorted in the entertainment industry which is notorious for its exploitative tendencies. Addressing these potential issues necessitates thorough academic scrutiny and extensive deliberations to effectively alleviate any associated concerns for media consumers.

Submission Guidelines

1. All submissions must be in Garamond, font size 12, spacing 1.5.
2. Referencing:
 - a. Manuscripts must include hyperlinks for relevant legal sources and other information, including any laws, treaties or other legal texts which are mentioned.
 - b. The hyperlinks must only link to legal or reliable/respected news sources. The sources shall only be linked to primary sources. Hyper-linking to secondary sources may lead to re-corrections required from the authors.
 - c. Only relevant legal sources that cannot be accessed online may be cited through endnotes. The endnotes should be in Garamond, font size 10, single-spaced. The authors can use any uniform style of citation. In order to help with the review process, please use endnotes only if absolutely unavoidable.
3. Margins: Left 1 Inch, Right 1 Inch, Top 1 Inch, and Bottom 1 Inch.
4. Word limit for each post is 1500-1800 words (exclusive of endnotes). Articles exceeding the word limit shall be accepted subject to the discretion of the Board. If accepted, they shall be published in two parts.
5. Authors are required to provide an abstract of 100-150 words along with keywords that represent the essence of the submission. The abstract is to be submitted along with the article itself in the same document as of the blog submission.
6. The entries should be submitted only in .doc/.docx format.
7. Entries selected, after the Peer Review process by The Dialogue, shall be published on the RSRR website.
8. The manuscripts which are selected by the Board shall be replied to within 21 days of the submission.
9. Co-authorship up to a maximum of two persons is permitted.
10. The author(s) bear sole responsibility for the accuracy of facts, opinions or views stated in the submitted Manuscript.

11. Plagiarism in any form is strictly prohibited. RSRR follows the University Grants Commission (Promotion of Academic Integrity and Prevention of Plagiarism in Higher Educational Institutions) Regulations, 2018. Our Plagiarism Policy can be found [here](#).
12. Copyright of all blog posts published on the RSRR website shall remain with RGNUL Student Research Review. Our Copyright Policy can be found [here](#).
13. All moral rights shall vest with the author(s).
14. The manuscripts not abiding to the above guidelines are subject to rejection.

Perks

The Dialogue shall offer an **internship opportunity** to the author of the **top entry**.

E-certificates shall be awarded by RSRR and The Dialogue to the authors of each published blog.

Submission Procedure

All the submissions must be made through the [Google Form](#). Any submission made via any other mode than the one suggested shall not be considered.

Deadline

The last date of submissions for this Blog Series is **10th December, 2023**.

Contact

For any queries, please reach out to us at submissionsrslr@rgnul.ac.in.

Our website can be accessed [here](#).

Our previous Blog Series can be accessed [here](#).