AI-GENERATED GHIBLI STYLE ART AND THE FUTURE OF COPYRIGHT ENFORCEMENT WITH POLICY SUGGESTIONS

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ABSTACT

The emergence of generative artificial intelligence has redrafted artistic production, with AI art now able to replicate unique styles like those of Studio Ghibli. This raises the foundations of copyright doctrine, especially in India, where the line between ideas and expressions is firmly maintained. Courts for a long time have been agreeing that styles cannot qualify for copyright protection, but the increasing prevalence of Ghibli-based AI art makes this framework wanting. The research establishes that current doctrines, including the idea-expression dichotomy and moral rights encapsulated by Section 57 of the Copyright Act, fall short of safeguarding artists from cultural, reputational, and economic damage from stylistic reproduction. Authorship is another unresolved matter. Section 2(d)(vi) of the Copyright Act attributes authorship of computer-generated works to "the person who causes the work to be created." Still, this definition does not correspond well with the sophistication of current generative systems. Academic opinion persists between awarding rights to the user, the developer, or none, leaving the court without much direction. Global litigations demonstrate that the gravest disputes exist not in using the copyrighted training data but in the outputs alone. American and British case studies, as well as the ANI v. OpenAI case before the Indian court, demonstrate how unauthorized training practice takes center stage as the subject of copyright enforcement. The research concludes that the reform must juxtapose the provision of legislative clarity with the provision for technical protection such as watermarking, provenance metadata, and licensing regimes. Finally, creativity protection for the age of AI involves recognizing artistic labor's cultural and legal aspects.

Keywords- AI-generated art, copyright laws, Studio Ghibli style, originality, authorship, copyright enforcement, intellectual property, digital art policy, legal reform.

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INTRODUCTION

The meeting point of artificial intelligence and the visual arts is a transforming and long-standing traditions of creativity which is drawing worldwide attention. AI-generated works which are produced by training machine learning systems on large collections of images, are changing not only the process of art making but also the way we think about creativity and ownership itself.[1] Studio Ghibli which is known for its hand-drawn animation, emotional storytelling, and aesthetic, has a unique place in the global culture. The ability of AI to create new images that capture this style opens fresh possibilities but also poses difficult legal questions. Where originality was once the exclusive domain of human artists, machines can now, through exposure to decades of Ghibli's imagery, produce results that are nearly indistinguishable from authentic creations.[2]

Any such technological innovation upends regimes of law designed to remunerate and protect human creators. Copyright as a principle of human labor struggles with growing indeterminacy when confronted with a work of non-human origin, or a human-AI collaboration. [3] Early disputes have arisen already, as original authors and right holders resist unauthorized taking of style and call for further protection for intellectual property. The problem gets larger from the development of AI art generators and open-source software which makes mass production and widespread dissemination of derivative artworks by the Ghibli style possible, often out of the control of right holders and regulators. The study points up the contradiction between the preservation of artistic creativity and the promotion of technological development. Artists and studios demand robust protection against market dilution, unauthorised profiteering, and cultural robbery. Yet, artists and enthusiasts as a whole view the AI as a new frontier for creativity, collaboration, and remixing. The diversity of views points up the necessity for policies which are nuanced and agile.

Against this backdrop, the research analyzes how the rules of copyright are being pushed and anew construed due to AI art. Taking the case of art inspired by Ghibli, it assesses the sufficiency of extant regulations governing authorship, originality, and infringement. The

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[1] Uwe Messer, *Co-creating Art with Generative Artificial Intelligence: Implications for Artworks and Artists*, 2 *Computers in Human Behavior: Artificial Humans* 100056 (2024), https://doi.org/10.1016/j.chbah.2024.100056

[2] Lingamgunta Nirmitha Rao, *What is ChatGPT's 'Studio Ghibli' and why is the internet obsessed?*, *Hindustan Times* (Mar. 28, 2025), https://www.hindustantimes.com/world-news/what-is-chatgpt-s-studio- ghibli-and-why-is-the-internet-obsessed-101743100327626.html

[3] Thambaiya, N., Kariyawasam, K., & Talagala, C. (2025). Copyright law in the age of AI: analysing the AI-generated works and copyright challenges in Australia. *International Review of Law, Computers & Technology*, 1–26. https://doi.org/10.1080/13600869.2025.2486893

cultural, economic, and moral implications also come into view as the attitudes of stakeholders continue to change before one's own eyes.

STATEMENT OF PROBLEM

The proliferation of AI art reproducing the signature style of Studio Ghibli illustrates a broader problem for the law of copyright in the age of the internet. Traditional forms of law were based on the concepts of human authorship and novelty, but modern AI algorithms, which learn from vast databases of pre-existing material, generate products which are both new and unoriginal. This intersection has generated gravely significant confusion as to how such products must be dealt with by the law. Artists who spent years developing unique styles now find themselves up against programs which reproduce fakes by the thousand with minimal human involvement and without the involvement or permission of the originators.

Laws as they currently stand have not kept pace. Most jurisdictions do not clarify whether a style of art may be protected as intellectual property, nor does authorship assign credit for work generated by machine.[4] Historically unexampled speed and quantity of production and circulation of AI art evade the capability of customary means of enforcement, exposing the holders of rights to economic exploitation, reputational harm, and declining authority over creative inputs. The issue is of particular concern for distinctive visual styles, like Ghibli's, which lend themselves easily to recognition and cultural awareness but which are extremely vulnerable to copying without authority.[5]

This issue transcends private litigations and questions the basic premises of intellectual property law itself. If statutes fail to provide more definitive definitions and the strategy for enforcement gets tougher, the judicial system may diminish the economic incentives for artistic innovation which the copyright aims to preserve. The lack of regulatory clarity also impedes the development of balanced and sustainable markets for digital art, restraining both human creativity and the benign uses of AI. The study takes up the issue by scrutinizing the gaps in the current law, reviewing the apposite cases, and suggesting workable reforms for aligning the enforcement of the copyright with the realities of the Ghibli-styled art created by AI.

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[4] You, L., & Luo, H. (2025). Copyright Implications and Legal Responses to AI Training: A Chinese Perspective. *Laws*, 14(4), 43. https://doi.org/10.3390/laws14040043

[5] Aranyaa Chowdhury, *Everyone's Timelines Are Ghibli-fied & It's More Problematic Than It Seems*, *Grazia India* (Mar. 29, 2025), https://www.grazia.co.in/lifestyle/culture/everyones-timelines-are-ghibli-fied-its-more-problematic-than-it-seems-13960.html

LITERATURE REVIEW

Copyright law has long been founded upon the line between expression and ideas. The courts have long held that while the tangible expression of creative work might be protectable, underlying ideas or stylistic decisions are not. In India this rule took definitive form in R.G. Anand v. Deluxe Films, where the Supreme Court held that similarity merely in theme or general feel does not constitute infringement unless the expression itself is borrowed substantially. [6] The line between ideas and expression assumes a new kind of urgency due to the rise of AI-generated work which copies familiar styles such as Studio Ghibli's. Experts observe that Indian law does provide a sort of redress through moral rights by Section 57 of the Copyright Act, which provide authors the right not just to claim attribution but also to object to derogatory uses of the work.[7] These rights assume especial importance since they provide protection for the reputation and dignity of artists even when economic rights might not.

The act goes a step further towards addressing works generated by the computer. Section 2(d)(vi) of the Indian Copyright Act provides the author of a computer-generated work as "the person who causes the work to be created." [8]Though this wording was progressive for the time, it was not written with today's generative models. Researchers now debate how one would interpret this provision with the maturation of machine learning, with some asserting it does not provide definitive answers as to authorship when the contribution of the user is minimal. This vagueness has been the subject of further debate as to whether anyone or anyone else deserves the position as author of works generated by AI. Candidates included the prompt-giver, the developers of the model, or placing such pieces into the public domain. Each strategy comes with consequences: granting rights to the user may over-compensate for a small level of effort, granting rights to the developers may lead to centralizing power, and placing works into the public domain may disincentivize investment into innovation.

Another area of focus in the literature has been training data. Several lawsuits globally have opined that training AI systems using copyrighted work without authorization constitutes infringement. India also joined this fray with Asian News International v. OpenAI, which

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[6] R. G. Anand v. Deluxe Films 1978 4 SCC 118
[7] Copyright Act, No. 14 of 1957, § 57, India Code (1957)
[8] The Copyright Act, 1957, No. 14 of 1957, § 2(d)(vi) (India)

questions whether scraping and training from copyrighted news websites qualifies as a form of fair use or exception under Indian law.[9] These cases highlight how unresolved the doctrine remains and how training sets may come to form the core war zone for copyright protection for generative AI. Even while the doctrinal ambiguity prevails, researchers concur that enforcement ranks as one of the largest issues. Generative AI models may generate and disseminate millions of images in a matter of seconds, rendering traditional forms of litigation obsolete. Suggestions from the literature include the use of technological measures like watermarking, mandatory provenance metadata, licensing pools, and artist opt-out registries. EU Policymakers have begun to implement regimes like the Artificial Intelligence Act, which strives for a balance between innovation and responsibility. Indian researchers opine that corresponding reforms need to be adapted domestically but suited for India's realpolitik of the legal and cultural sphere. At the same time, many authors place strong emphasis upon the fact that this discourse is not strictly one of doctrine but also one of strong cultural import. The art of Studio Ghibli encapsulates decades of human labor and cultural heritage, and Hayao Miyazaki himself terms AI art as an "insult to life itself." Writings upon the matter invariably argue for the need for law and policy to accommodate these human elements by safeguarding against the protection of dignity, reputation, and cultural heritage as much as against economic interests.

THE SCEME OF STUDY:

AI Generated Ghibli Art and it's controversy

The latest surge of generative AI has made it possible for anyone who has access to the internet to generate images in the distinctive style of Studio Ghibli from a handful of simple text prompts.[10] What began as a harmless internet meme, with even celebrities sharing AI-generated Ghibli-style portraits, has quickly spawned hot debate regarding copyright and creative rights. Miyazaki Hayao, the late co-founder of Studio Ghibli, was vocally opposed to the practice, calling it "an insult to life" and "utterly disgusting" underscoring that the subtleties of human artistry, the years of training, imagination, and craftsmanship that go into making Ghibli films, cannot be duplicated by machines. [11] The legal struggles are also

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9 *ANI Media Pvt Ltd v OpenAI Inc & Anr,* CS(COMM) 1028/2024
10 Artificial Intelligence and Artistic Imitation: A Legal Analysis of the Ghibli-Style Image Debate, IIPRD (June 19, 2025), https://www.iiprd.com/artificial-intelligence-and-artistic-imitation-a-legal-analysis-of-the-ghibli-style-image-debate/

particularly notable. Under Indian copyright law, protection extends only to original works created by human authors, and it explicitly excludes ideas, methods, or general styles from protection. AI's ability to generate images that closely mimic a distinctive animation style therefore sits outside these traditional boundaries, raising difficult questions about the scope of copyright and the protection of artistic identity[12]. This clash emphasizes the strong need for smart legal and policy frameworks that can address the challenges posed by AI without undermining the value of human imagination.

Indian Copyright Law: Authorship and Originality

The Indian Copyright Act of 1957 grants exclusive rights in "artistic works" (such as paintings, drawings, and cinematographic films) that are original and fixed in a material form. However, the interpretation of an "author" under the Act assumes the presence of a human author. Section 2(d)(vi) defines where there is any computer-generated work, "author" as "the person who causes the work to be created". [13]This 1994 amendment addresses works where human ingenuity is supplemented by a computer and presumes a human "causing" the output. That is to say, Indian law perceives only a natural or legal person and not a machine, an author of a work where it is a computer-aided work[14]. Where a tool of AI generates an image independently, the law makes us question: who "caused" it? In practice, this will typically be the individual who provided the input or command. Section 2(d)(vi) can be "broadly interpreted" to encompass anyone who supplies data or ideas to an AI program, thereby making them the presumptive author and first owner[15]. Indeed, under current practice, an Indian Copyright Office case with regards to an AI painting app called "RAGHAV" initially had the human user and the app as joint authors, but later removed the title of the AI, reflecting the uncertainty in law. [16]

[11] Tom Leatham, Hayao Miyazaki on the Use of AI: "I Am Utterly Disgusted", *Far Out Magazine* (May 5, 2023), https://faroutmagazine.co.uk/hayao-miyazaki-on-ai-utterly-disgusted/

[12] J.V. Abhay, *Stealing Styles — Artistic Styles and AI-Generated Art*, SCC Online (Apr. 10, 2025), https://www.scconline.com/blog/post/2025/04/10/stealing-artistic-styles-ai-generated-art/

[13] The Copyright Act, 1957, No. 14 of 1957, § 2(d)(vi) (India)

[14] Shashank Tripathi, Navigating Indian Copyright Framework in the Age of AI Generated Works, NLIU Cell for Studies in Intellectual Property Rights (Oct. 10, 2023), https://csipr.nliu.ac.in/miscellaneous/navigating-indian- copyright-framework-in-the-age-of-ai-generated-works/

[15] Artificial Intelligence and Artistic Imitation: A Legal Analysis of the Ghibli-Style Image Debate, IIPRD (June 19, 2025), https://www.iiprd.com/artificial-intelligence-and-artistic-imitation-a-legal-analysis-of-the-ghibli-style-image-debate/

Critically, there is no provision in the Copyright Act that defines a non-human object as a person within the Act. Both case law and commentators reiterate that only a natural or juridical person can be a proprietor of copyright[17]. For example, in Ramesh Sippy v. Shaan Ranjeet Uttam Singh & Ors., the Bombay High Court has, in another case, observed that an organization or a company can be an "author," but always in the notion of a juridical person invested with rights[18]. Conversely, there is no juridical personhood of an AI machine, and hence no copyright can be owned by it. Thus, if a purely AI-created image in the Ghibli style were copyrighted by law today, the only logical claimant would be the human person who ordered the generation or even possibly the AI creator if the work of the developer is employed, but not the AI, definitely not.

Apart from authorship, Indian copyright involves some originality, the usual test being the "sweat of the brow" rule - works should involve some skill, labour or judgment[19]. Indian courts have held that as long as a work is not taken from another and betrays some effort, it is original. This casts further doubts on AI output again. A generative AI may technically create new images, but does so without human creativity per se - it merely applies an algorithm to existing data. Courts have not yet addressed specifically whether such algorithmic "product" amounts to India's threshold of originality. At minimum, a fully automated output with little human creative effort might struggle to be termed "original," since the definition of originality under Indian law still remains human intellectual effort.

Experts therefore warn that many creative works produced by AI will fall outside the ambit of copyright protection unless human creative input is openly placed in their production.

Protectability of Artistic Style under Indian Law

One of the fundamental questions is whether or not the style of an artist i.e the particular visual appearance represented by Studio Ghibli can be copyrighted under Indian law. Indian

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[16] Janhavi Meshram, *Artificial Intelligence Art and Indian Copyright Registration*, Khurana and Khurana, Nov. 15, 2022, https://www.mondaq.com/india/copyright/1251028/artificial-intelligence-art-and-indian-copyright-registration

[17] Shashank Tripathi, Navigating Indian Copyright Framework in the Age of AI Generated Works, NLIU Cell for Studies in Intellectual Property Rights (Oct. 10, 2023), https://csipr.nliu.ac.in/miscellaneous/navigating-indian- copyright-framework-in-the-age-of-ai-generated-works/

[18] Ramesh Sippy v. Shaan Ranjeet Uttamsingh & Ors., 2013 4 AllMR 507

[19] Shuchi Mehta, *Analysis of Doctrines: 'Sweat of the Brow' & 'Modicum of Creativity' vis-a-vis Originality in Copyright Law*, IndiaLaw LLP (Jan. 8, 2015), https://www.indialaw.in/blog/law/analysis-of-doctrines-sweat-of- brow-modicum-of-creativity-originality-in-copyright/

law draws a crisp line between idea and expression: material expressions of ideas only are protected; ideas or methods themselves are not. In R. G. Anand v. Deluxe Films (1978), the Supreme Court explained that "the original form of an idea is protected, but not generic themes and concepts"[20]. Hence two works may adopt the same theme (e.g. national integration or animation style) but will be guilty of copyright infringement only if the original form like plot details, character, dialogues, images are copied extensively. By analogy, an artistic style like a genre of colors, shapes and motifs is similar to an idea or genre.[21] The courts have consistently refused to grant exclusive rights over abstract methods or styles of creativity. Applying this to Ghibli-style AI art suggests that copying the idea of Ghibli animation (dreamy settings, soft palettes, whimsical characters) would not itself infringe Ghibli's copyrights, unless specific protectable elements are copied. The Act "protects original artistic works, but not ideas and general styles".[22] The overall "feel" of the Ghibli brand may evoke many images, but if an AI product imitates a scene or character from a genuine Ghibli film word-for-word, it is unlikely to meet the legal test for infringement. That is, the Ghibli style in and of itself lies within the unprotected realm of ideas or methods. But creators do have other options if an AI image illegally reproduces protected works.

Indian moral rights under Section 57, survive copyright assignment and protect authors from derogatory treatment of work.[23] If an AI image distorts or represents a protected Ghibli character in a way detrimental to the reputation of the artist, moral rights may provide a solution.[24] Likewise, if the Ghibli style has gained great goodwill, unauthorized commercial exploitation could give rise to passing-off or trademark-like relief at the law of unfair competition. For example, where a company is selling AI-generated Ghibli-style artwork as authorized Ghibli art, customers may be confused. But these remedies address branding confusion or reputation harm, not copyrighting the style itself.

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[20] R. G. Anand v. Deluxe Films 1978 4 SCC 118

[21] *Ibid*

[22] J.V. Abhay, *Stealing Styles — Artistic Styles and AI-Generated Art*, SCC Online (Apr. 10, 2025), https://www.scconline.com/blog/post/2025/04/10/stealing-artistic-styles-ai-generated-art/

[23] The Copyright Act, 1957, No. 14 of 1957, § 57 (India)

[24] Anoushka Mathur & Vagisha Gupta, Animating the Line: Studio Ghibli, AI-Generated Art, and the Crosscurrents of Copyright and AI Law, *Indian J. Law & Legal Research*, May 13, 2025, https://www.ijllr.com/post/animating-the-line-studio-ghibli-ai-generated-art-and-the-crosscurrents-of-copyright-and-ai-law

AI-Generated Style and Copyright Infringement

Copyright infringement occurs when a work copies "substantial" protectable portions of a copyrighted work.[25] In the context of Ghibli-style AI art, infringement would thus require copying specific protected expressions such as character designs, unique background elements, or animation frames. For instance, generating an AI image of Totoro or using the exact backgrounds from a Ghibli film would plainly infringe Miyazaki's copyrighted works. On the other hand, an AI system that simply generates a generic serene forest in hand-drawn anime format without copying any unique Ghibli content likely does not infringe, as it only mimics the general style and not a unique copyrighted image. Another problem is how it comes into existence. Generative AI models are learned from enormous datasets, which could include copyrighted Ghibli images scraped from the internet illegally.[26] If an AI is trained on pirated copies of Ghibli work, even training itself may infringe copyright in Indian law, which does not explicitly acknowledge machine learning but does acknowledge direct copying as infringement. There is no Indian case yet that has decided machine learning training, but analogous foreign cases (e.g. US artists suing Stability AI) suggest that the rights-holders will object. In India, it is reliant on Section 52's "fair" dealing" exceptions, which are slender for research, criticism, etc. and will not cover large-scale commercial training.[27] A case waiting in the Delhi High Court, Ani Media (P) Ltd. v. OpenAI, is grappling directly with whether scraping copyrighted material for AI training and storing it on servers violates the Copyright Act. [28]If the court decides that storage and analysis of unauthorized protected material is infringing, this would heavily limit the manner in which AI art models are developed. Conversely, if data ingestion in moderate quantities is held to be within the law, AI companies will enjoy more concrete safe harbors. Either way, enforcement under the Copyright Act Sections 51-55 allows authors to obtain injunctions and damages against infringers.[29]

An Indian Ghibli licensee can sue an AI tool developer or user if it can demonstrate unauthorized copying of copyrighted work. In reality, monitoring huge numbers of AI-generated images on the internet is impossible. Automated removal systems exist in some industries but India currently employs manual complaints. The Information Technology

25 Illinois College of Optometry, *Copyright Infringement Policies and Sanctions*, https://www.ico.edu/copyright- infringement-policy
26 Kerem Gülen, *The Viral Studio Ghibli Trend Explained: How to Create Your Own*, *Dataconomy* (Mar. 28, 2025), https://dataconomy.com/2025/03/28/the-viral-studio-ghibli-trend-explained-how-to-create-your-own/
27 The Copyright Act, 1957, No. 14 of 1957, § 52 (India)
28 *ANI Media Pvt Ltd v OpenAI Inc & Anr,* CS(COMM) 1028/2024
29 The Copyright Act, 1957, No. 14 of 1957 (India)

(Intermediaries Guidelines) Rules permit rights-holders to request the removal of infringing content from online platforms, but these are posterior measures. [30]As one commentator points out, Section 51 remedies such as injunctions and damages are still available for AI situations, but numerous infringement events might be undetected or unresolved as a result of the magnitude and anonymity of AI production.

Ownership and Authorship Debates

Who is the "author" or rights-bearer of an AI-created Ghibli-style image? Indian law lacks a statute specifically answering this for AI, and hence the question is fiercely debated. Under the literal text of Section 2(d)(vi), the human who "caused" the computer-generated work is the author. In practice, that would be the person who input the prompt and directed the AI. Indeed, industry practice like OpenAI's terms is to grant ownership of AI outputs to the user who provided the input, not to the AI vendor. [31]So the human who initiates the AI should be thought of as author and first owner. This is consistent with the inherent policy of crediting human creativity: if the user invested skill in creating a prompt or selecting a result, they are entitled to ownership. Others propose the software developer as a potential author. For here, after all, is a product of the developer and his mental work. Section 17 of the Act awards first copyright ownership which would read to confer on the developer rights if the AI work is a by-product of the software. [32]However, granting developers comprehensive rights to anything that their AI produces would be "over-protectionist" since it would actually grant one company proprietorship over all output of the tool. Analysts warn that this would stifle competition and innovation: for example, if the user inputs a prompt and the AI generates multiple versions, it would not be right to make the developer retain ownership of all of them by default simply because the developer made the model. Some researchers suggest an alternative: placing works entirely generated by AI in the public domain. A recent law journal article describes how, as AI has no human author, to copyright such works would either over- reward the programmers or discourage human artists. [33]The author proposes instead

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[30] Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, updated as on April 6, 2023, Ministry of Electronics and Information Technology, Government of India, https://www.meity.gov.in/static/uploads/2024/02/Information-Technology-Intermediary-Guidelines-and- Digital-Media-Ethics-Code-Rules-2021-updated-06.04.2023-.pdf

[31] OpenAI, *Terms of Use* (Dec. 11, 2024), https://openai.com/policies/row-terms-of-use/

[32] The Copyright Act, 1957, No. 14 of 1957, § 17 (India)

autonomous AI art available to all, thus preserving incentives for human imagination. Radical as this view is, it identifies the policy problem: either we grant new rights to AI or run the risk of depriving those we have of rights for human creators. Indian law has not adopted this stance, but it does emphasize the limits of existing legislation. What of co-authorship?

If an AI art work involves significant input by multiple parties, the Act allows joint authorship where the contribution cannot be separated. In practice, however, as there has been no precedent in case law for AI, courts have not yet decided how contribution would be quantified. It is sure, however, that no Indian case has granted copyright on an AI system by itself. Instead, the courts have repeatedly reaffirmed the need for a human author behind work. As one Indian commentator suggests, "the fundamental authorship and ownership of the work continue to rest with human creators" who supply the input or effect the creative tweaking.

Enforcement Mechanisms and Policy Gaps

Current Indian enforcement mechanisms like civil action, injunctive relief, statutory damages, and criminal action for wilful infringement, are equally available for application to digital works and could presumably be enforced against AI infringers. Sections 51–55 of the Copyright Act offer the usual remedies: rights-holders have the right to seek injunctions, accounts of profits, damages and delivery-up of infringing copies. The government's newly notified Copyright Rules and the IT Act intermediaries rules also enable formal complaints for online infringement, allowing platforms to remove content when notified.[34] Yet these measures were not created for the scale of generative AI. One real-world problem is proof: a human writer must determine which of his or her pieces was exploited by the AI. Establishing the origin of style components is a problem.

Another is jurisdiction and anonymity: the AI service itself can be operated abroad, and end-users tend to be individual netizens. The case of Ani Media v. OpenAI, which is pending, exemplifies this challenge, as it suggests challenging questions regarding the jurisdiction of Indian courts over a US-based AI tool. [35]Even presuming jurisdiction, an Indian judgment

33 Shashank Tripathi, *Navigating Indian Copyright Framework in the Age of AI Generated Works*, NLIU Cell for Studies in Intellectual Property Rights (Oct. 10, 2023), https://csipr.nliu.ac.in/miscellaneous/navigating-indian- copyright-framework-in-the-age-of-ai-generated-works/

34 Gupta, I., & Srinivasan, L. (2023). Evolving scope of intermediary liability in India. *International Review of Law, Computers & Technology*, *37*(3), 294–324. https://doi.org/10.1080/13600869.2022.2164838

against a foreign technology company is hard to enforce. At the sectoral level, some legislative or voluntary measures are proposed. It is proposed that there need to be established licensing regimes and opt-out mechanisms to allow artists to opt-out their work from AI training datasets. The EU is similarly inclined to have an "AI Act" and would enjoy a legal safe haven for style imitation if licensed and accredited[36]. Indian legislators have not yet affirmatively legislated on generative AI, but the frenetic pace of developments like the Ghibli phenomenon is pushing the issue onto the agenda. The most recent government draft Copyright Amendment Bill (2024) does not refer to AI specifically, but future amendments may need to specify the status of AI outputs. Choices include explicitly stating the author of AI work (for instance, through amending Section 2(d)(vi) to define the user or programmer as the author) or creating new exceptions. Another reform would necessitate digital watermarking or metadata tagging of AI-generated art to enable traceability. Nonetheless, experts have a consensus that India will have to get aligned with global standards (e.g. WIPO debates on AI and copyright) in order to keep away from fragmentation. An area already pointing the direction of reform is moral rights. As mentioned, artists could utilize moral rights to stop distortions of their work by AI. Congress can make this stronger by requiring AI platforms to respect artists' moral rights (e.g. not to alter protected works in training or output).

Or, trade secret or consumer protection law (e.g. against false endorsement) can deter blatant copying of a studio's style in a manner that deceives the public. At the very least, creators should be taught to avail themselves of available tools: for instance, registering a copyright or trademark application for defining elements of their style may offer more basis on which to take action against misappropriation.

FINDINGS

The research shows that the current framework of copyright law struggles to address the challenges created by AI-generated art. The traditional distinction between ideas and expressions, which has been the cornerstone of copyright law for decades, does not provide

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[35] Mittal, Vaishali, *ANI v OpenAI: A copyright, AI training and false attribution dispute*, *Law.asia* (Dec. 5, 2024), https://law.asia/ani-vs-openai-legal-case/#:~:text=ANI%2C%0a%20news%20agency%20that,three%20main%20causes%20of%20action

[36] Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence (AI Act), 2024 O.J. (L 184) 1, https://digital-strategy.ec.europa.eu/en/policies/regulatory-framework-ai

adequate protection when what is being imitated is not a character or a storyline but an entire artistic style. Courts in India, particularly through *R.G. Anand v. Deluxe Films*, have been clear that a style cannot be monopolized. This means that when an AI tool generates images that feel like Studio Ghibli's work but do not reproduce specific characters or scenes, copyright law offers little recourse. What becomes evident is that the very quality that makes such art unique, its style, slips through the boundaries of existing legal protection.

Another significant finding is the lack of clarity on authorship. Section 2(d)(vi) of the Indian Copyright Act defines the author of a computer-generated work as "the person who causes the work to be created." While this definition was sensible in an earlier era of technology, it does not address the complexity of modern generative systems. The literature and case law reveal deep uncertainty about whether the author is the user who provides the prompt, the developer of the model, or if such works should remain unowned. This gap leaves artists, developers, and users without firm guidance and creates uncertainty that could lead to inconsistent outcomes in court.

The research also finds that the most promising site of legal intervention lies not in the outputs but in the inputs. The question of training data has become the central issue in global litigation. The Indian case of *ANI v. OpenAI* illustrates how the use of copyrighted content for training is already being contested. Internationally, lawsuits involving Getty Images and artist collectives against Stability AI and others reinforce this trend. These disputes highlight that the unlicensed use of creative works in training datasets may well be the area where courts and lawmakers can step in most effectively.

Finally, the findings point to the urgent need for policy reform. Technical measures such as watermarking and provenance metadata, combined with legislative clarification of authorship rules and collective licensing schemes, are seen as essential. Yet the research also makes clear that the stakes are not purely economic. For many artists, including those whose work is inspired by cultural traditions, the concern is about dignity, recognition, and cultural preservation. The findings suggest that any meaningful legal reform must balance the goals of innovation with the human values at the heart of creative labor.

CONCLUSION

The rise of AI-generated Ghibli-style art highlights a fundamental friction in Indian intellectual property law. On one hand, generative models empower anyone to produce

beautiful, imaginative images; on the other hand, they ride on the copyrighted aesthetics cultivated by human artists over decades. Currently, Indian law tends to side with the human creators. Strictly speaking, only a human can be an "author," and only concrete expressions (not general styles) are protected. Thus, AI-made Ghibli images likely escape copyright infringement, unless they directly copy a protected illustration. This leaves original artists vulnerable - their style and labor can be freely echoed without compensation.

To address this imbalance, Indian policymakers and courts must fill the gaps. Clarity is needed: for example, a statutory definition of AI authorship that credits the user would give certainty. Provisions for automated enforcement - perhaps modeled on the EU's new approaches could help rights-holders monitor misuse. Internationally, India should engage in WIPO discussions on AI and IP, learning from other jurisdictions for e.g. the U.S. insistence on human input, or Japan's current debate. At the same time, culture and innovation interests must be balanced. Any reform should preserve incentives for human creativity without stifling beneficial AI tools.

In the meantime, creators must remain vigilant. They can rely on traditional copyright suits for blatant copying, invoke moral rights if their works are defaced, and even consider trademark or passing-off claims for misattributed style. As one commentator warned, we are nearing "new frontiers" in copyright where old rules may not suffice. By carefully updating its law and policy, India can aim for a future in which human artistry is rewarded, innovation is encouraged, and even beloved cultural icons like Studio Ghibli retain the protection they deserve - even in the age of AI.

BIBLIOGRAPHY

Books, Articles, and Reports

1. Uwe Messer, "Co-creating Art with Generative Artificial Intelligence: Implications for Artworks and Artists," 2 Computers in Human Behavior: Artificial Humans 100056 (2024).

2. Lingamgunta Nirmitha Rao, "What is ChatGPT's Studio Ghibli and why is the internet obsessed?," *Hindustan Times*, Mar. 28, 2025.

3. Thambaiya, N., Kariyawasam, K., Talagala, C., "Copyright law in the age of AI: analysing the AI-generated works and copyright challenges in Australia," *International Review of Law, Computers & Technology* 1-26 (2025).

4. You, L., Luo, H., "Copyright Implications and Legal Responses to AI Training: A Chinese Perspective," *Laws* 144 (2025).

5. Aranyaa Chowdhury, "Everyone's Timelines Are Ghibli-fied: It's More Problematic Than It Seems," *Grazia India*, Mar. 29, 2025.

6. J.V. Abhay, "Stealing Styles - Artistic Styles and AI-Generated Art," *SCC Online*, Apr. 10, 2025.

7. Shashank Tripathi, "Navigating Indian Copyright Framework in the Age of AI Generated Works," NLIU Cell for Studies in Intellectual Property Rights, Oct. 10, 2023.

8. Anoushka Mathur Vagisha Gupta, "Animating the Line: Studio Ghibli, AI-Generated Art, and the Crosscurrents of Copyright and AI Law," *Indian J. Law Legal Research*, May 13, 2025.

9. Shuchi Mehta, "Analysis of Doctrines 'Sweat of the Brow' and 'Modicum of Creativity' vis-à-vis Originality in Copyright Law," *India Law LLP*, Jan. 8, 2015.

10. Gupta, I., Srinivasan, L., "Evolving scope of intermediary liability in India," *International Review of Law, Computers & Technology* 373, 294-324 (2023).

Legal Texts

1. Copyright Act, No. 14 of 1957, India.

2. Information Technology Intermediary Guidelines and Digital Media Ethics Code Rules, 2021, Ministry of Electronics and Information Technology, Government of India, updated April 6, 2023.

3. Regulation EU 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence (AI Act), 2024 O.J. L 184/1.

Case Law

1. R.G. Anand v. Deluxe Films, 1978 4 SCC 118.
2. ANI Media Pvt Ltd v. OpenAI Inc. Anr, CSCOMM 1028/2024.
3. Ramesh Sippy v. Shaan Ranjeet Uttam Singh Ors., 2013 4 All MR 507.
4. Naruto vs Slayer

Media and Online Sources

1. Tom Leatham, "Hayao Miyazaki on the use of AI: 'I am utterly disgusted,'" *Far Out Magazine*, May 5, 2023.
2. Kerem Glen, "The Viral Studio Ghibli Trend Explained: How to Create Your Own," *Dataconomy*, Mar. 28, 2025.
3. Artificial Intelligence and Artistic Imitation: A Legal Analysis of the Ghibli-Style Image Debate, *IIPRD*, Jun. 19, 2025.