Bollywood Wants to be Part of OpenAI India Copyright Case

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Bollywood music labels have expressed their own concerns regarding OpenAI and want to join the ongoing copyright lawsuit against the creator of ChatGPT.

In November 2024, Indian news agency Asian News International (ANI) sued OpenAI before the Delhi High Court for violating its copyright, alleging that the American artificial intelligence (AI) research company was using its news content to train its models. ANI was the first media outfit in India to file a case against OpenAI for copyright issues.

Now, India's music industry frontrunners are wont to follow ANI's lead. On February 13, 2025, Saregama, T-Series, Sony Music, the Indian Music Industry and others voiced their concerns before a New Delhi court. According to them, the AI company used lyrics from their songs, musical compositions and sound recordings without permission to train its AI models.

Musical compositions combine the lyrics and melody of a song. These are protected separately from sound recordings. AI models trained on copyrighted songs may result in the reproduction of melodies, lyrics or arrangements, and thus may infringe copyright.

"The news of Bollywood music labels planning to intervene in the *ANI v. OpenAI* lawsuit highlights the growing concerns of content creators across industries regarding the unauthorized use of copyrighted material in AI training," said Vaishali Mittal, a litigation partner and strategist at Anand and Anand in Delhi.

"The Delhi High Court will need to determine whether the music industry's concerns are directly relevant to the ongoing lawsuit. While the case was initially filed by ANI concerning text-based content, the fundamental legal question is the same: Can AI companies use copyrighted material without permission under the guise of fair use?" Mittal remarked.

She added that the Delhi court must also determine if the nature of copyright infringement differs between AI-generated text and AI-generated music. The latter involves complexities such as rhythm, melody, harmony and performance rights. According to Mittal, these differences may require separate legal considerations instead of allowing both ANI's and the Bollywood music labels' concerns to be part of the same lawsuit.

Nevertheless, Mittal believes Bollywood's involvement in the case could set a critical precedent for how AI interacts with copyrighted creative works, both locally and globally.

"Given the global legal uncertainty surrounding AI and music copyright, Indian courts could lead in establishing clear guidelines. If intervention is allowed, the court could explore:

1. Whether AI-generated music replicates copyrighted melodies, lyrics or compositions
2. If AI training on copyrighted songs constitutes unauthorized reproduction or adaptation
3. How AI companies can obtain licenses or compensate copyright owners for training data use
4. Whether a regulatory framework is needed to address AI's impact on the music industry," shared Mittal.

She added that policymakers in India must also explore solutions such as requiring AI companies to obtain licenses for copyrighted training data, developing an opt-out system for publishers to prevent their content from being used and creating revenue-sharing models where AI developers compensate content creators for the use of their work. "Existing laws provide some guidance," Mittal noted, "[but] they were not designed with AI in mind." The solutions mentioned above will pave the way for clearer AI copyright regulations in India.

"Innovation should not come at the cost of intellectual property rights. As AI adoption grows, it is crucial to establish a balanced framework that fosters technological advancement while ensuring that content creators are protected and compensated. This case is an opportunity for Indian courts to take a decisive stand on AI and copyright, setting a precedent that safeguards the rights of journalists, authors and creators in the digital age," Mittal added.

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