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Introduction

Welcome to the Indian Journal of Legal Affairs and Research (IJLAR), a distinguished platform dedicated to the dissemination of comprehensive legal scholarship and academic research. Our mission is to foster an environment where legal professionals, academics, and students can collaborate and contribute to the evolving discourse in the field of law. We strive to publish high-quality, peer-reviewed articles that provide insightful analysis, innovative perspectives, and practical solutions to contemporary legal challenges. The IJAR is committed to advancing legal knowledge and practice by bridging the gap between theory and practice.

Preface

The Indian Journal of Legal Affairs and Research is a testament to our unwavering commitment to excellence in legal scholarship. This volume presents a curated selection of articles that reflect the diverse and dynamic nature of legal studies today. Our contributors, ranging from esteemed legal scholars to emerging academics, bring forward a rich tapestry of insights that address critical legal issues and offer novel contributions to the field. We are grateful to our editorial board, reviewers, and authors for their dedication and hard work, which have made this publication possible. It is our hope that this journal will serve as a valuable resource for researchers, practitioners, and policymakers, and will inspire further inquiry and debate within the legal community.

Description

The Indian Journal of Legal Affairs and Research is an academic journal that publishes peer-reviewed articles on a wide range of legal topics. Each issue is designed to provide a platform for legal scholars, practitioners, and students to share their research findings, theoretical explorations, and practical insights. Our journal covers various branches of law, including but not limited to constitutional law, international law, criminal law, commercial law, human rights, and environmental law. We are dedicated to ensuring that the articles published in our journal adhere to the highest standards of academic rigor and contribute meaningfully to the understanding and development of legal theories and practices.

COPYRIGHT PROTECTION AND DIGITAL MEDIA: ISSUES AND CHALLENGES IN INDIA

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ABSTRACT

The creation, sharing, and consumption of creative works have all changed as a result of the digital media platforms' explosive rise. Concerns about copyright infringement have also increased as a result of this development, especially in relation to digital intermediaries, user-generated material, and online streaming. The Copyright Act of 1957 and the Information Technology Act of 2000, which have both been put to the test in the era of digital dissemination, are the main sources of the legislative framework that governs copyright protection in India. Courts have been crucial in determining the limits of enforcement procedures and intermediary liability. The Delhi High Court acknowledged the safe-harbour protection afforded to online intermediaries in *MySpace Inc. v. Super Cassettes Industries Ltd.*, provided that the platform complied with a notice-and-takedown process and exercised reasonable diligence.¹ The subsequent *UTV Software Communications Ltd. v. TorrentMovies.co & Ors.* and related lawsuits gave copyright owners further legal protection by enforcing blocking orders and dynamic injunctions against rogue websites that were committing widespread infringement.² At the same time, cases like *Indian Performing Right Society v. Entertainment Network (India) Ltd.* and *Entertainment Network (India) Ltd. v. Super Cassette Industries Ltd.* highlighted the significance of dual copyright recognition in sound recordings and equitable licensing frameworks in the digital ecosystem.³ These changes show that even while India's copyright law has developed to combat online infringement, there are still recurring issues, such as balancing innovation and free speech and jurisdictional enforcement. The study examines these changing dynamics, assesses the efficacy of India's current framework, and suggests strategies to move towards a copyright system that is more technologically flexible and balanced.

¹ *MySpace Inc. v. Super Cassettes Industries Ltd.*, 2016 SCC OnLine Del 6382 (Dec. 23, 2016)

² *UTV Software Communications Ltd. v. TorrentMovies.co & Ors.*, 2019 SCC OnLine Del 8002 (Apr. 10, 2019)

³ *Entertainment Network (India) Ltd. v. Super Cassette Industries Ltd.*, (2008) 13 SCC 30 (May 16, 2008); *Indian Performing Right Society v. Entertainment Network (India) Ltd.*, 2021 SCC OnLine Del 48 (Jan. 4, 2021)

INTRODUCTION

One of the most important types of intellectual property rights is copyright, which, according to the Copyright Act of 1957, gives writers and artists the sole right to their creative works of literature, art, music, and film.⁴ Unauthorised replication, transmission, and dissemination across digital platforms are becoming commonplace due to the fundamental changes brought about by the digital revolution in the creation, sharing, and monetisation of such works.

Although access to creative work has been reimagined by digital media platforms like YouTube, Spotify, and Netflix, the lines between fair use, ownership, and distribution are frequently blurred by their operations. Web 2.0's participatory features have further promoted user-generated material, escalating the legal dispute between copyright enforcement and freedom of expression.⁵

By adding intermediary liability protections under Section 79, the Information Technology Act, 2000 in India supplements the Copyright Act, 1957. This protects online platforms from liability as long as they exercise due diligence and take prompt action to remove infringing content after being notified.⁶ Clarifying the scope of such obligation has been made possible in large part by judicial interpretation. The Delhi High Court upheld in *MySpace Inc. v. Super Cassettes Industries Ltd.* that intermediaries could not be held accountable for copyright infringement unless they actually knew about the infringing material and did not take the necessary action within the allotted period.⁷

The Delhi High Court then took a more assertive approach in *UTV Software Communications Ltd. v. TorrentMovies.co & Ors.*, issuing dynamic injunctions and blocking orders against websites that regularly violate copyright while striking a balance with digital access and freedom of speech.⁸

India's increasing efforts to balance copyright protection with technology development are seen in this judicial trend. The courts' progressive interpretation represents a move away from strict

⁴ *The Copyright Act, 1957* (India)

⁵ *World Intellectual Property Organization (WIPO) Copyright Treaty*, 1996

⁶ *The Information Technology Act, 2000*, §79 (India)

⁷ *MySpace Inc. v. Super Cassettes Industries Ltd.*, 2016 SCC OnLine Del 6382 (Dec. 23, 2016)

⁸ *UTV Software Communications Ltd. v. TorrentMovies.co & Ors.*, 2019 SCC OnLine Del 8002 (Apr. 10, 2019)

liability frameworks and towards a well-balanced system that safeguards digital intermediaries as well as content providers. Examining the legislative framework governing copyright in digital media, evaluating important court decisions, and highlighting ongoing difficulties in safeguarding creative works in India's digital landscape are the goals of this research.

2. OBJECTIVE

Examining the legal and judicial structure that oversees copyright protection in India's digital environment is the main goal of this research paper. The study specifically seeks to:

Examine the laws pertaining to digital copyright protection under the Copyright Act of 1957 and the Information Technology Act of 2000, as well as any changes and international agreements.⁹

Examine India's legal system's approach to enforcing copyright against online infringement, taking into account notable instances involving digital platforms like social networking and streaming services as well as intermediaries.¹⁰

Determine the main obstacles and problems with copyright protection in the digital age, such as public awareness, intermediary liability, online piracy, and technological evasion.¹¹

Make suggestions to improve copyright protection's efficacy while juggling the demands of the public, digital platforms, and creators.¹²

This study aims to present a thorough knowledge of the relationship between digital media and copyright law, emphasising both ongoing enforcement gaps and legal advancements.

⁹ *The Copyright Act, 1957* (India); *The Copyright (Amendment) Act, 2012* (India)

¹⁰ *MySpace Inc. v. Super Cassettes Industries Ltd.*, 2016 SCC OnLine Del 6382; *UTV Software Communication Ltd. v. 1337X.to & Ors.*, 2019 SCC OnLine Del 8002

¹¹ Ramesh Subramanian, "Digital Copyright and the Challenges of the Internet Age," *Journal of Intellectual Property Rights*, Vol. 23, No. 4 (2018)

¹² N. S. Gopalakrishnan & T. G. Agitha, *Principles of Intellectual Property*, 2nd ed. (Eastern Book Company, 2020)

3. RESEARCH METHODOLOGY

This research work adopts a doctrinal methodology, relying on statutory provisions, judicial decisions, and secondary data from academic journals, government reports, commentaries, and articles. The study uses an analytical approach to assess adequacy of existing legal framework on mergers and acquisitions in India.

4. LEGAL FRAMEWORK GOVERNING COPYRIGHT PROTECTION IN DIGITAL MEDIA

A thorough framework for safeguarding artistic creations in both conventional and digital contexts is offered by the Indian legal system. The Copyright Act of 1957 is the main law governing copyright, and it is supplemented by the Information Technology Act of 2000, which deals with matters pertaining to internet intermediaries, liability, and digital distribution. Furthermore, India's involvement in a number of international treaties has shaped its digital copyright doctrine.

4.1 The Copyright Act, 1957

The foundation of India's copyright system is the Copyright Act, 1957, which outlines the rights of creators, owners, and performers.¹³ The Act acknowledges a number of exclusive rights, including distribution, adaptation, reproduction, and public communication, all of which provide authors more control over how their works are used. The Act's Section 14 outlines the extent of these exclusive rights, and Section 51 lists actions that amount to infringement.¹⁴

As digital technology became more widely used, changes were required to address new issues including online sharing, illegal streaming, and digital piracy. Sections 65A and 65B, which address the protection of technological measures and rights management information, respectively, are two important sections established by the Copyright (Amendment) Act, 2012.¹⁵ The purpose of these revisions was to bring Indian law into compliance with the duties outlined in the WIPO Performances and Phonograms Treaty and the World Intellectual Property Organization's (WIPO)

¹³ *The Copyright Act, 1957* (India)

¹⁴ *Id.*, §14, §51

¹⁵ *The Copyright (Amendment) Act, 2012* (India)

Copyright Treaty, both of which support the legal acknowledgement of digital rights management.¹⁶

Section 52 of the Act also reflects the fair dealing principle, permitting restricted uses of copyrighted works for review, criticism, and research.¹⁷ However, because of how simple it is to duplicate and distribute works online, this notion becomes complicated in the digital setting. Indian courts have emphasised over and over again that the law must strike a fair balance between protecting artists and granting the public access to knowledge and information.¹⁸

4.2 The Information Technology Act, 2000

To address the legal issues raised by electronic communication and data interchange, the Information Technology Act of 2000 was passed. Intermediaries including online platforms, hosting companies, and internet service providers are protected from liability for third-party content under Section 79 of the Act as long as they exercise due diligence and take prompt action after learning of infringement.¹⁹

The Delhi High Court defined how the Copyright Act of 1957 and the IT Act of 2000 interact in *MySpace Inc. v. Super Cassettes Industries Ltd.*, ruling that intermediaries cannot be held accountable for infringing content unless they have explicit notice or actual knowledge of it.²⁰ The Court substituted a structured notice-and-takedown procedure for a sweeping injunction, mandating that intermediaries block or remove infringing information within 36 hours of receiving valid notice and keep records for possible damages.²¹ The application of intermediary liability standards in India's digital copyright environment was made possible by this case.

Furthermore, intermediaries' due diligence responsibilities were increased by the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, which required

¹⁶ *WIPO Copyright Treaty*, 1996; *WIPO Performances and Phonograms Treaty*, 1996

¹⁷ *The Copyright Act, 1957*, §52 (India)

¹⁸ *Academy of General Education v. B. Malini Mallya*, 2009 SCC OnLine Kar 1703

¹⁹ *The Information Technology Act, 2000*, §79 (India)

²⁰ *MySpace Inc. v. Super Cassettes Industries Ltd.*, 2016 SCC OnLine Del 6382 (Dec. 23, 2016)

²¹ *Id*

them to put in place strong grievance redressal processes and content removal procedures within predetermined timeframes.²² India's changing strategy for striking a balance between copyright protection, technological advancement, and online freedom of speech is reflected in this legislative framework.

4.3 International Influence

International changes have an impact on India's copyright framework. The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which mandates that member governments provide sufficient protection and enforcement of intellectual property rights, including digital works, binds India as a World Trade Organisation (WTO) member.²³

Furthermore, India's dedication to modifying domestic legislation to reflect digital realities is demonstrated by its ratification of the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT).²⁴ In order to combat online infringement, these treaties place a strong emphasis on protecting technological mechanisms and digital rights management systems. The purpose of the 2012 Indian changes was to align the Copyright Act of 1957 with these global norms.²⁵

India hopes to preserve a balanced copyright ecosystem that fosters creativity while preserving access, innovation, and the unrestricted flow of digital information through these national and international agreements.

5. JUDICIAL APPROACH TO COPYRIGHT PROTECTION IN THE DIGITAL ERA

In the digital age, the Indian judiciary has been instrumental in determining the parameters of copyright protection. Courts have played a crucial role in interpreting the law to address new forms of infringement, such as online piracy, unauthorised streaming, and the misuse of digital content

²² *Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules*, 2021 (India)

²³ *Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)*, 1994

²⁴ *WIPO Copyright Treaty*, 1996; *WIPO Performances and Phonograms Treaty*, 1996

²⁵ *The Copyright (Amendment) Act*, 2012 (India)

on social media platforms, as technological advancements have completely changed the ways in which creative works are created, shared, and consumed.

Indian courts have often underlined the necessity of striking a balance between the public interest in accessing creative works and the rights of copyright holders. The Delhi High Court considered the liability of intermediaries hosting user-generated content in *MySpace Inc. v. Super Cassettes Industries Ltd.* (2016). It concluded that intermediaries cannot be held accountable for copyright infringement unless they have "actual knowledge" of the infringing material and do nothing in response to specific notice from the rights holder.²⁶ By guaranteeing that digital platforms are not subjected to undue monitoring requirements, this ruling represented a major step in bringing Indian law into compliance with the "safe harbour" protection principles outlined in Section 79 of the Information Technology Act, 2000.²⁷

The Delhi High Court issued a "dynamic injunction" against rogue websites involved in widespread movie piracy in *UTV Software Communication Ltd. v. 1337X.to & Ors.* (2019), another historic decision.²⁸ The court noted that because infringing websites frequently resurfaced under new domain names, traditional injunctions were insufficient in the digital sphere. As a result, plaintiffs were able to issue injunctions to "mirror" or "redirect" websites without having to go back to court each time. Because internet copyright violations are fluid and cross national borders, this case showed how the judiciary is adapting and changing.²⁹

Similar to this, the court reaffirmed in *Super Cassettes Industries Ltd. v. MySpace Inc.* (2017) that platforms like YouTube and MySpace are not required to carefully monitor every piece of content that users submit because doing so would stifle creativity and the free exchange of ideas online.³⁰ The ruling reaffirmed the need for notice-based procedures rather than prior censorship for copyright enforcement in digital domains.

²⁶ *MySpace Inc. v. Super Cassettes Industries Ltd.*, 2016 SCC OnLine Del 6382

²⁷ *The Information Technology Act, 2000*, §79 (India)

²⁸ *UTV Software Communication Ltd. v. 1337X.to & Ors.*, 2019 SCC OnLine Del 8002

²⁹ Shreya Suri, "Dynamic Injunctions and the Future of Online Copyright Enforcement in India," *NUJS Law Review*, Vol. 12, No. 3 (2020)

³⁰ *Super Cassettes Industries Ltd. v. MySpace Inc.*, 2017 SCC OnLine Del 9835

In cases involving digital copyright, the judiciary has also acknowledged the need of proportionality and fair use. In *The Chancellor, Masters & Scholars of the University of Oxford v. Rameshwari Photocopy Services* (2016), the Delhi High Court emphasised that copyright law should not be used as a means of limiting educational access by ruling that limited photocopying of copyrighted educational materials for classroom use did not amount to infringement.³¹ This ruling demonstrated a forward-thinking view of how to strike a balance in the digital information age between individual liberties and the demands of society.

When taken as a whole, these decisions show a steady judicial tendency towards contextual interpretation of copyright legislation. In order to ensure that digital platforms can prosper while still upholding the legitimate interests of content creators, the courts have attempted to balance enforcement with technological realities. While addressing the peculiar difficulties of India's digital environment, the Indian judiciary's adaptable approach shows an attempt to bring local law into line with international principles, especially those enshrined in the TRIPS Agreement and WIPO Internet Treaties.³²

6. CHALLENGES AND ISSUES IN PROTECTING COPYRIGHT IN THE DIGITAL ENVIRONMENT

Access to creative works has been greatly boosted by the digital revolution, yet copyright protection has also become more difficult. The ease with which digital content can be copied, transmitted, and altered online presents hitherto unheard-of difficulties for copyright enforcement. Like many other jurisdictions, India has trouble balancing the protection of intellectual property rights with technological progress.³³

6.1. Online Piracy and Unauthorized Distribution

One of the most enduring problems in the digital age is still online piracy. Unauthorised sharing and downloading of copyrighted content is made possible by peer-to-peer networks, streaming

³¹ *The Chancellor, Masters & Scholars of the University of Oxford v. Rameshwari Photocopy Services*, 2016 SCC OnLine Del 6225

³² *WIPO Copyright Treaty* (1996); *Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)*, Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1C

³³ P. Narayanan, *Intellectual Property Law*, 6th ed. (Eastern Law House, 2017)

websites, and torrent systems.³⁴ India has strict rules, yet enforcement is frequently reactive rather than proactive. In cases like *UTV Software Communication Ltd. v. 1337X.to & Ors.*, for example, courts have issued dynamic injunctions against infringing websites; however, these websites often reemerge under alternative domain names, so weakening the efficacy of legal remedies.³⁵ The enforcement of injunctions against foreign websites operating outside of Indian jurisdiction is also hampered by the absence of efficient cross-border cooperation.³⁶

6.2. Difficulty in Identifying Infringers

Because of the anonymity of the internet, it is challenging to find and bring charges against those who violate copyright. The majority of infringers hide their identities by using proxy servers, VPNs, or operating under pseudonyms.³⁷ Even while the Information Technology Act of 2000 allows for data disclosure and traceability in some circumstances, its implementation frequently results in privacy issues and jurisdictional disputes.³⁸ Because users believe there is little chance of legal repercussions for online wrongdoing, this anonymity not only makes litigation more difficult but also reduces deterrence.³⁹

6.3. Intermediary Liability and Safe Harbour Protection

It's still debatable whether middlemen like YouTube, Facebook, and OTT platforms are liable. If intermediaries operate as impartial conduits and remove infringing content after receiving genuine notice, they are protected by safe harbour under Section 79 of the Information Technology Act, 2000.⁴⁰ Determining what qualifies as "actual knowledge," however, has proven to be an ongoing challenge. In *MySpace Inc. v. Super Cassettes Industries Ltd.*, the Delhi High Court ruled that intermediaries are not accountable unless they specifically know about illegal content and do

³⁴ Ramesh Subramanian, "Digital Copyright and the Challenges of the Internet Age," *Journal of Intellectual Property Rights*, Vol. 23, No. 4 (2018)

³⁵ *UTV Software Communication Ltd. v. 1337X.to & Ors.*, 2019 SCC OnLine Del 8002

³⁶ P. Bernt Hugenholtz & Martin Senftleben, "Fair Use in Europe: In Search of Flexibilities," *IIC - International Review of Intellectual Property and Competition Law*, Vol. 52 (2021)

³⁷ K. N. Chidambaram, "The Problem of Online Anonymity in Copyright Enforcement," *Indian Journal of Law and Technology*, Vol. 15 (2020)

³⁸ *The Information Technology Act, 2000*, §§ 67C, 79 (India)

³⁹ B. S. Ramaswamy, "Digital Piracy and Enforcement Challenges in India," *Economic and Political Weekly*, Vol. 56, No. 17 (2021)

⁴⁰ *The Information Technology Act, 2000*, §79 (India)

nothing about it.⁴¹ However, copyright holders contend that by enabling platforms to avoid proactive monitoring obligations, such exemptions erode enforcement.⁴²

6.4. Balancing Copyright Protection with Freedom of Expression

Making sure that copyright enforcement does not impede the right to knowledge and freedom of speech is another major concern. Through concepts like "fair dealing," which allows for the restricted use of copyrighted content for objectives like criticism, review, teaching, and research, Indian courts have tried to strike a balance between these conflicting interests.⁴³ The Delhi High Court acknowledged in *The Chancellor, Masters & Scholars of the University of Oxford v. Rameshwari Photocopy Services* that overzealous enforcement can impede educational opportunities, therefore encouraging a fair balance between private rights and the general welfare.⁴⁴

6.5. Technological Protection Measures and Circumvention

Digital rights management (DRM) systems and encryption are two examples of technological protection measures (TPMs) that are now crucial for stopping illegal distribution and duplication of digital content. Nevertheless, enforcement is still lax and the Copyright (Amendment) Act, 2012 offers little defence against such measures being circumvented.⁴⁵ Users frequently use readily accessible software tools to get around DRM systems, and the problem is made worse by enforcement authorities' ignorance and lack of technical know-how.⁴⁶ Concerns over legitimate access and consumer rights may also arise from an over-reliance on TPMs, particularly in non-commercial and educational settings.⁴⁷

⁴¹ *MySpace Inc. v. Super Cassettes Industries Ltd.*, 2016 SCC OnLine Del 6382

⁴² N. S. Gopalakrishnan & T. G. Agitha, *Principles of Intellectual Property*, 2nd ed. (Eastern Book Company, 2020)

⁴³ *The Copyright Act, 1957*, §52 (India)

⁴⁴ *The Chancellor, Masters & Scholars of the University of Oxford v. Rameshwari Photocopy Services*, 2016 SCC OnLine Del 6225

⁴⁵ *The Copyright (Amendment) Act, 2012*, §65A (India)

⁴⁶ Ritu Gupta, "Digital Rights Management and the Indian Legal Framework," *NUJS Law Review*, Vol. 11, No. 2 (2019)

⁴⁷ Lawrence Liang, "Beyond the TPM: Access, Control, and User Rights in the Digital Age," *Centre for Internet and Society Reports* (2018)

6.6. Lack of Awareness and Digital Literacy

The legal ramifications of copyright infringement are still unknown to a sizable portion of the Indian populace. Copyrighted content is frequently downloaded or shared by consumers without their knowledge that doing so is illegal.⁴⁸ The issue is exacerbated by the lack of effective awareness efforts and the sparse inclusion of intellectual property knowledge in academic programs. Therefore, encouraging digital literacy and responsible content consumption is crucial for long-term, successful copyright protection.⁴⁹

7. RECOMMENDATIONS AND CONCLUSION

In the digital age, copyright protection necessitates a flexible and equitable legal framework that takes into account both creators' rights and the reality of digital innovation. The efficacy of copyright protection is nevertheless threatened by enduring issues including internet piracy, intermediary liability, and lax enforcement, even with India's extensive legislative framework established by the Copyright Act, 1957, and the Information Technology Act, 2000.⁵⁰

7.1. Recommendations

India must first improve collaboration with internet service providers (ISPs) and international law enforcement organisations in order to fortify legislative and technological measures to counteract digital piracy.⁵¹ *UTV Software Communication Ltd. v. 1337X.to & Ors.*⁵² demonstrates that courts should continue to issue dynamic injunctions that adjust to mirror websites and changing online platforms.

Second, without restricting creativity or free speech, intermediary liability clauses must to be improved to put a proactive duty of care on digital platforms. Intermediaries must take prompt action after learning of infringement, according to the *MySpace Inc. v. Super Cassettes Industries*

⁴⁸ A. K. Kaushik, "Public Awareness and Copyright Compliance in India," *Journal of Law and Policy*, Vol. 9, No. 1 (2022)

⁴⁹ World Intellectual Property Organization (WIPO), "Building Respect for IP: Awareness and Education Initiatives," WIPO Publication (2020)

⁵⁰ *The Copyright Act, 1957 and The Information Technology Act, 2000* (India)

⁵¹ Ramesh Subramanian, "Digital Copyright and the Challenges of the Internet Age," *Journal of Intellectual Property Rights*, Vol. 23, No. 4 (2018)

⁵² *UTV Software Communication Ltd. v. 1337X.to & Ors.*, 2019 SCC OnLine Del 8002

Ltd. case. This should now develop into a framework mandating preventive monitoring in high-risk areas.⁵³

Third, to promote the legal consumption of creative content, public awareness and digital literacy campaigns need to be increased.⁵⁴ Through organised awareness campaigns, media outlets and educational institutions can significantly contribute to the development of respect for intellectual property.

7.2. Conclusion

In conclusion, cooperation between the government, rights holders, digital intermediaries, and users is essential to the efficacy of copyright protection in the digital sphere. It's important to strike a balance between safeguarding artistic creations and making knowledge and innovation accessible to the general public.⁵⁵ In order to protect both artistic freedom and cultural advancement, India's copyright system must continue to be adaptable, transparent, and sensitive to new digital realities as technology develops.⁵⁶

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⁵³ *MySpace Inc. v. Super Cassettes Industries Ltd.*, 2016 SCC OnLine Del 6382

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