

COPYRIGHT PROTECTION IN THE DIGITAL ERA

Mr. Rahul

LL.M. IFTM UNIVERSITY MORADABAD UP.

ABSTRACT -

Copyright protection refers to the legal right granted to creators of original works of authorship, such as books, music, films, and software, to control how their works are used, distributed, and copied. Copyright protection helps to incentivize creativity and innovation by providing creators with exclusive rights to their works, which they can monetize through licensing or sales. Copyright law also balances the interests of creators with the interests of the public by providing for limited exceptions and limitations on the scope of copyright protection. In the digital age, copyright protection has become increasingly important as the ease of copying and distributing works has made it easier for infringement to occur. To enforce copyright protection, creators can file infringement lawsuits and seek damages and injunctions against infringing parties. The ease of digital copying and distribution has led to widespread infringement of copyrighted works, which has significant economic implications for creators and rights holders. To address these challenges, copyright laws have been updated to include provisions for digital rights management (DRM) technologies, which aim to prevent unauthorized copying and distribution of digital works. DRM technologies can take various forms, such as encryption and watermarking, and are designed to ensure that only authorized users are able to access and use copyrighted works. However, DRM technologies have also been criticized for their potential to limit the ability of users to access and use copyrighted works in ways that are legally permitted, such as fair use and other exceptions to copyright law. In addition, DRM technologies can be circumvented by determined infringers, which can make them ineffective in preventing copyright infringement. As a result, there is ongoing debate about the best ways to balance the interests of copyright holders with the rights of users in the digital era. This includes exploring alternative models for copyright protection, such as open access and creative commons licensing, as well as developing more effective DRM technologies that are less restrictive and more resistant to circumvention. Ultimately, the goal is to find a balanced approach that supports the interests of both creators and users in the digital ecosystem.

KEYWORDS - Copyright, Digital Environment, Protection, Legal, Challenge.

INTRODUCTION -

Copyright protection is a legal concept that grants exclusive rights to creators and owners of original works, such as literary, artistic, musical, and other creative works. These rights allow the creators to control how their works are used, distributed, and reproduced. Copyright protection ensures that creators are fairly compensated for their efforts and encourages the creation and dissemination of original works. The exclusive

rights granted by copyright law include the right to reproduce, distribute, publicly display, perform, and create derivative works based on the original work. Copyright protection begins the moment a work is created and fixed in a tangible medium, such as writing it down, recording it, or saving it to a digital file. The duration of copyright protection varies depending on the type of work and the country in which the work is created. In most countries, copyright protection lasts for the life of the creator plus a certain number of years after their death. Once copyright protection expires, the work enters the public domain, meaning it can be freely used and distributed without permission or payment. Enforcement of copyright protection is typically carried out through legal means, such as lawsuits and injunctions, and violations of copyright law can result in penalties, including fines and imprisonment¹. Copyright protection serves as a means to incentivize creativity and innovation by providing creators with exclusive rights and fair compensation for their works. Copyright protection in the digital era refers to the laws, policies, and technological measures that are designed to protect the rights of creators and owners of digital content, such as software, music, videos, images, and other types of digital media. In the digital age, copyright protection has become more complex and challenging due to the ease with which digital content can be copied, distributed, and accessed worldwide. Therefore, copyright laws and policies have been updated and new measures have been introduced to protect digital content.²

Digitization has certainly brought positive change around the world, but its overuse has also led to lawlessness and crime. Copyright is the most affected intellectual property right. Copyright protection has become an important issue in the digital age. As we know, it is known that copyright is granted to literary, artistic, musical or dramatic works, but with the development of technology, new ideas and concepts such as programming, computers, databases and other works on the Internet, etc. have appeared. Since owners of copyrighted works are not only protected against possible copying, but are also compensated in the form of damages, in case of infringement, copyright law appears to be the comprehensive protection that owners of copyrighted work need. However, when the legislator formulated the copyright law, the technology was not yet advanced and we had not yet entered the digital age. However, with the advent of technology, copyright law appears to be flawed in addressing the problems created by new technology and the transmission of digital data.³

COPYRIGHT LAW AND CYBERSPACE

Copyright in cyberspace refers to the legal protection afforded to creators of original works of authorship in the digital environment. The digital environment includes the internet, social media, online marketplaces, and other digital platforms. Copyright law aims to balance the rights of creators with the interests of the public in accessing and using creative works. In most countries, copyright protection extends to original works of authorship, such as literary, artistic, musical, and dramatic works, as well as software code, databases, and

¹ Law relating to Intellectual Property- B.L.Wadhwa.(Universal Law Publishing .P.No. 65.)

² Abbott, Ryan Benjamin, Artificial Intelligence, Big Data and Intellectual Property: Protecting Computer-Generated Works in the United Kingdom .

³ A. Johnson-Laird, Neural Networks: The Next Intellectual Property Nightmare?, 7 The Computer Lawyer 14 .

other forms of intellectual property. Copyright protection gives the creator the exclusive right to control how their work is used, distributed, and displayed. In cyberspace, copyright infringement is a common problem, as digital works can be easily copied and distributed without permission⁴. To combat copyright infringement in cyberspace, copyright laws have been updated to include provisions that address issues such as digital piracy, file sharing, and unauthorized use of copyrighted works.⁵

It's to protect copyright in cyberspace including digital rights management (DRM) technologies, which are designed to prevent unauthorized copying and distribution of digital works. Another important tool is the notice and takedown procedure, which allows copyright holders to request the removal of infringing content from digital platforms. Copyright in cyberspace is a complex and evolving area of law, and it is important for creators, users, and digital platforms to understand their rights and obligations under copyright law in the digital environment. Copyright law and cyberspace intersect in various ways. Cyberspace refers to the virtual world created by computer networks and the internet, while copyright law governs the ownership and use of creative works such as books, music, and movies. One of the main issues in the intersection of copyright law and cyberspace is the ease with which copyrighted material can be reproduced and distributed on the internet. This has led to widespread copyright infringement, with individuals and companies freely sharing and downloading copyrighted works without permission⁶.

To address this issue, various laws and regulations have been put in place, such as the Digital Millennium Copyright Act (DMCA) in the United States, which provides a framework for copyright owners to protect their works online. The DMCA allows copyright owners to send takedown notices to internet service providers (ISPs) and website hosts, requesting the removal of infringing material. In addition to legal measures, technological solutions have also been developed to protect copyrighted works in cyberspace. For example, digital rights management (DRM) systems are used to control access to and usage of digital content, such as movies and music, by encrypting the content and restricting access to those who have purchased a license. The intersection of copyright law and cyberspace is a complex and evolving area, with ongoing debates over issues such as fair use, the extent of copyright protection in cyberspace, and the role of ISPs and website hosts in enforcing copyright law⁷.

PROTECTION ON IPR IN DIGITAL ERA

Online-based communication has opened up a new field for humanity and it has been damaged. The validity and enforcement of the law is based on physical limits . Automated mechanization makes copyright enforcement more difficult. In today's world of internet connected consumers Information such as video, audio, and text can be accessed from around the world, as well as from global databases at the click of a

⁴ Mittal, R. (2006). From Printing Press to Internet: The Stride of Copyright with Technology, Intellectual Property and Technology Law Journal .

⁵ P.B. Hugenholtz (1996). Future of Copyright in the Digital Environment. Kluwer Law International.

⁶ Burgess ,J. (1993). Creating a Computer Culture of Remote Intimacy Through the Internet, The Washington Post, pg. A1 , A8

⁷ Geller, Paul Edward (2000). European Intellectual Property Review, 22 (3), 125-153.

button. International copyright law has always been founded to enforce strict national copyright law in the province and the use of law selection criteria to determine which countries should apply copyright law.⁸

At the time the works are distributed or performed within clearly defined geographical boundaries, A national code system would suffice. The traditional concept of law selection is Accompanied by difficulty deciding where to perform certain activities in order. In addition, "immediately and simultaneously all over the world Access to copyrighted works on digital networks fundamentally challenges perceptions of the area in copyright." Thus, in the words of one critic: "Perhaps the basic legal ideas of current systems Protection of authors will be long overdue if authors and their works cease to exist. In terms of many conceivable places of expression or Copying a protected work, what law must be applied to define it violation? Where is the work uploaded? Where did you get the file? What Author's hometown? A legal claim can be made for each region. conflict It will be hotly contested and resolved unless standards are agreed upon⁹.

THE POSITION OF COPYRIGHT LAW UNDER THE INDIAN LAW IN THE USE OF DIGITAL MEDIA

Copyright law is a crucial component of Indian law, particularly in the context of digital media. The Copyright Act, 1957 is the primary legislation governing copyright in India, and it has been amended several times to keep up with technological advancements. Under Indian copyright law, copyright protection extends to literary, dramatic, musical, and artistic works, as well as to cinematograph films and sound recordings. The copyright owner has the exclusive right to reproduce, distribute, communicate to the public, and adapt their work, subject to certain exceptions such as fair use. In the context of digital media, the Copyright Act has been amended to address issues such as digital rights management, liability of internet service providers, and protection of digital works. The Act also provides for the establishment of copyright societies to manage and administer copyrights on behalf of owners. Indian copyright law also recognizes the concept of safe harbors for internet service providers, which means that they are not liable for copyright infringement by their users, provided they comply with certain conditions. Additionally, the Act includes provisions for the protection of technological protection measures, which are used to prevent unauthorized access to or copying of digital works. Indian copyright law plays a vital role in regulating the use of digital media and protecting the rights of creators and owners of copyright-protected works. As technology continues to evolve, it is likely that copyright law will continue to be updated and refined to address new challenges and opportunities in the digital landscape.¹⁰

⁸ <https://selvams.com/blog/copyright-in-the-digital-world/> . (Access on 04/03/2023.)

⁹ Raquel Acosta, Artificial Intelligence and Authorship Rights, Harvard Journal Of Law And Technology (Edi.-Feb. 17, 2012),

¹⁰ <http://www.manupatrafast.com/articles/PopOpenArticle.aspx?ID=394e7bf3-9764-4ae9-a530-2713b4120a89&txtsearch=Subject:%20Intellectual%20Property%20Rights> .(Access on 11/03/2023)

COPYRIGHT (AMENDMENT) ACT 2012 -PROTECTION OF DIGITAL CONTENT

The Copyright (Amendment) Act 2012 is a law enacted in India to amend the Copyright Act of 1957. The amendment introduced provisions to protect digital content, including music, movies, and other creative works, from unauthorized reproduction and distribution. The act seeks to provide greater protection to copyright owners in the digital age and to deter piracy and copyright infringement. Copy Rights Act, 2012 amendment to the in India sought to address the requirement or necessity Conditions established by WIPO, treaties related to the Internet, that is, WIPO's copyright WCT and the WIPO Performances and Phonograms Treaty (WPPT). politics behind . The amendment of the Copyright Law aims to regulate copyright protection in the field of copyright as well as the digital sector. Amendment to the Copyright Act 2012 Amendment sec 14 of the Copyright Act are granting material rights to the owner of a work of art, cinematographic work, or composite film voice¹¹.

Important key provisions of the amendment include¹²:

Protection of digital content: The amendment provides protection to digital content by introducing provisions such as digital rights management (DRM) and technological protection measures (TPMs) that prevent unauthorized access and distribution of copyrighted material.

Penalties for circumventing TPMs: The amendment makes it illegal to circumvent TPMs and provides penalties for anyone who does so. This provision aims to prevent piracy and unauthorized distribution of copyrighted material.

Safe harbor provisions for internet service providers (ISPs): The amendment provides safe harbor provisions for ISPs who host user-generated content on their platforms. This means that ISPs will not be held liable for copyright infringement if they can demonstrate that they have taken reasonable steps to prevent infringement.

Statutory licensing: The amendment introduced provisions for statutory licensing, which allows copyright owners to grant licenses for the use of their copyrighted material on a non-exclusive basis. This provision aims to facilitate the use of copyrighted material for educational and research purposes.

The Copyright (Amendment) Act 2012 provides greater protection to copyright owners in the digital age and aims to balance the interests of copyright owners and users of copyrighted material.

DIGITAL COPYRIGHT AS AN EMERGING TREND

Digital copyright refers to the legal rights that protect digital content, such as music, movies, books, software, and other types of creative works. These rights are granted to the creators or owners of the digital content and regulate how it can be used, distributed, and shared online. Digital copyright laws aim to prevent unauthorized copying, distribution, or modification of digital content, which can result in revenue loss for the

¹¹ Bharat Intellectual Property Law By Aditya Soni Edition April 2019.P.No.165.

¹²Dr. M.K.Bhandari- Law Relating to Intellectual Property Rights, Edition January 2017 (Publisher By Central Law Publications). P.N.- 123-150.

creators or owners of the content. These laws also establish fair use guidelines, which allow users to use copyrighted material for certain purposes, such as education, research, and criticism. In the digital age, digital copyright laws face new challenges, such as piracy, file sharing, and online streaming. As a result, digital copyright laws continue to evolve to keep pace with technological advancements and to ensure that the rights of creators and owners are protected in the digital world¹³.

UTV Software Communication Limited v. 1337X.To and Ors¹⁴. The Delhi High Court, in its judgment dated May 4, 2018, ruled in favor of UTV Software Communication Limited and ordered 1337X.To and its operators to cease and desist from infringing on UTV's copyrights. The court also directed the internet service providers (ISPs) to block access to the website and its domains. The court held that 1337X.To was actively facilitating copyright infringement by providing a platform for users to share and download copyrighted content. The court noted that the website's operators had knowledge of the infringing activity taking place on their platform and had not taken sufficient measures to prevent it. The case highlights the importance of copyright protection in the digital age and the need for effective measures to prevent online piracy. It also demonstrates the legal consequences that websites and their operators may face for facilitating copyright infringement.

My Space Inc. v. Super Cassettes Industries Ltd¹⁵. My Space Inc. v. Super Cassettes Industries Ltd. is a case that was heard before the Delhi High Court in India in 2016. The case involved copyright infringement allegations by My Space Inc. against Super Cassettes Industries Ltd. (SCI) for the unauthorized use of My Space's music library on SCI's website. My Space Inc. is a US-based company that provides an online platform for users to share and stream music. SCI is an Indian company that operates in the music industry and offers a website for users to stream and download music. My Space Inc. alleged that SCI had infringed upon its copyright by using its music library without obtaining proper licensing or authorization. My Space Inc. claimed that SCI's actions had caused it significant financial losses and reputational harm. SCI argued that it had not committed any copyright infringement, as it had obtained a license from an Indian copyright society, the Indian Performing Rights Society (IPRS), which it believed gave it the right to use the music. The Delhi High Court ultimately ruled in favor of My Space Inc., finding that SCI had indeed committed copyright infringement. The court held that the license obtained by SCI from IPRS did not cover the specific works owned by My Space Inc., and thus SCI had no right to use them without obtaining proper authorization. The court awarded damages to My Space Inc. and also directed SCI to remove all infringing content from its website. The case has been seen as an important decision in the Indian music industry, clarifying the legal obligations of companies with regards to copyright licensing and use of copyrighted works.

¹³ <https://selvams.com/blog/copyright-in-the-digital-world/> (Access on 20/03/2023)

¹⁴ 2019 SCC OnLine Del 8002.

¹⁵ (2017) 236 DLT 478 (DB).

INFRINGEMENT OF COPYRIGHT IN DIGITAL WORLD

In today's digital age, copyright infringement has become a significant concern due to the ease of accessing, copying, and distributing digital content. Digital technologies and the internet have provided individuals with the ability to easily reproduce, distribute, and display copyrighted materials without the permission of the copyright holder¹⁶. This research paper will examine the issue of copyright infringement in the digital world, its impact on various stakeholders, and the legal framework governing copyright protection. Copyright infringement in the digital world refers to the unauthorized use, reproduction, distribution, or display of copyrighted materials through digital platforms, such as the internet, social media, or file-sharing networks. With the proliferation of digital technologies and the internet, copyright infringement has become more prevalent and difficult to monitor.

Online Piracy

Online piracy is a serious issue in India and is considered illegal under the Indian Copyright Act, 1957. Copyright law in India protects original works of authors, artists, and creators, including literary, dramatic, musical, and artistic works, as well as films and sound recordings. Section 51 of the Copyright Act lists various acts that are considered to be infringement of copyright, including reproduction, distribution, and communication to the public. These acts apply to online piracy as well, where unauthorized copying, sharing, or streaming of copyrighted works, such as movies, music, or books, can lead to legal action against the infringer¹⁷.

The Indian government has taken various measures to curb online piracy, including the implementation of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, which require digital platforms to take down infringing content within 36 hours of receiving a complaint. In addition, the Indian film industry, which has been severely affected by piracy, has also taken steps to combat the issue by using anti-piracy technology and pursuing legal action against infringers. Online piracy is a serious offense under Indian copyright law, and individuals and entities found guilty of infringement can face significant penalties and legal consequences¹⁸.

Online Streaming

Copyright problems are quite common in online streaming, especially when the content being streamed is not owned by the person or organization doing the streaming. In such cases, the owner of the copyrighted material may take legal action against the person or organization streaming the content without their permission. To avoid copyright problems, it is important to obtain the necessary licenses and permissions before streaming copyrighted material. This can involve obtaining a license from the copyright owner, paying

¹⁶<https://spicyip.com/2019/04/breaking-delhi-high-court-issues-indias-first-dynamic-website-blocking-injunction-for-copyright-infringement.html> (Access on 28/03/2023)

¹⁷ Section 51 of the Copyright Act.

¹⁸<https://mib.gov.in/sites/default/files/IT%2528Intermediary%2520Guidelines%2520and%2520Digital%2520Media%2520Ethics%2520Code%2529%2520Rules%252C%25202021%2520English.pdf>. (Access on 01/04/2023)

a royalty fee, or obtaining a written consent agreement from the copyright owner. Another way to avoid copyright problems is to stream content that is in the public domain or under a Creative Commons license, which allows for the sharing and use of copyrighted material under certain conditions. It is important to respect the intellectual property rights of others and to ensure that any content being streamed is done so legally and with the necessary permissions in place¹⁹.

Peer to Peer File Sharing

Peer-to-peer (P2P) file sharing can pose significant challenges regarding copyright infringement because users can share and download copyrighted content without permission from the copyright owner. This can include music, movies, TV shows, software, and other types of content. When users share copyrighted content without permission, they may be violating copyright law, which can lead to legal consequences such as fines or even imprisonment. Additionally, the platforms and software used for P2P file sharing can be held liable for facilitating copyright infringement. To address these issues, some P2P file-sharing networks have implemented measures to prevent copyright infringement. For example, some networks may use filters to prevent users from sharing copyrighted content, while others may require users to verify that they have the right to share the content before allowing it to be uploaded. Despite these efforts, copyright infringement remains a significant problem in P2P file sharing. To avoid legal issues, it is important for users to ensure that they have the right to share the content they are uploading and to avoid downloading copyrighted content without permission. Additionally, copyright owners can take legal action against users who infringe on their copyrights, which can deter future infringement and help protect their intellectual property²⁰.

File Hosting And Sharing Services

File hosting and sharing services can face copyright problems if users upload or share content that infringes on copyrighted material. This can happen if users upload or share files that they do not own the rights to, or if they use copyrighted material without permission from the copyright owner. To avoid copyright problems, file hosting and sharing services should have policies and procedures in place to identify and remove copyrighted content. They can use automated tools to scan for copyrighted material, and they can also rely on user reports to identify infringing content. File hosting and sharing services should have terms of service agreements that prohibit users from uploading or sharing copyrighted material without permission. They should also have a process in place for copyright holders to submit takedown requests, which requires the file hosting and sharing service to remove infringing content from its platform. To further protect against copyright problems, file hosting and sharing services can implement digital rights management (DRM) technologies, which can prevent users from accessing or sharing copyrighted material without permission²¹. However, DRM can also be controversial and limit users' ability to access and use content in certain ways, so

¹⁹<https://www.khuranaandkhurana.com/2021/09/30/video-game-streaming-and-copyright-law>. (Access on 02/04/2023)

²⁰<https://www.lawctopus.com/academike/cyber-sharing-terms-peer-peer-networks-opportunity-challenge-entertainment-industry>. (Access on 05/04/2023)

²¹ <http://docs.manupatra.in/newsline/articles/Upload/D7125C3A-9677-44B6-B8A2-08998678C5F4.pdf> (Access on 08/04/2023)

it is important to consider the potential trade-offs. File hosting and sharing services must take copyright issues seriously and implement appropriate policies and procedures to prevent copyright infringement.

Freebooting

Freebooting refers to the act of taking someone else's content, such as a video or photograph, and reposting it without permission or attribution. This practice has become more common with the rise of social media platforms and has become a problem in copyright law. Freebooting can infringe upon the copyright owner's exclusive rights to reproduce, distribute, and publicly display their work. It can also undermine the value of the original content by making it freely available elsewhere, potentially leading to lost revenue and opportunities for the content creator. To address the problem of freebooting, copyright owners can take legal action against those who engage in the practice. This can involve sending cease and desist letters or filing lawsuits to seek damages for copyright infringement. Social media platforms can also play a role in preventing freebooting by implementing measures such as content ID systems that automatically detect and remove infringing content. Additionally, platforms can encourage users to share content responsibly by providing tools and guidelines for proper attribution and permission. Freebooting is a significant issue in copyright law that can have negative consequences for content creators and owners. It is important for copyright owners to be vigilant in protecting their rights and for social media platforms to take steps to prevent the unauthorized use of copyrighted materials²².

Fair dealing in digital environment

Fair dealing is a concept that refers to the use of copyrighted material without the permission of the copyright owner, but in a way that is considered fair and reasonable under the law. In the digital environment, fair dealing is an important issue, as the ease of copying and distributing digital material has made it easier for people to infringe on copyright. In India, fair dealing is limited to certain purposes, such as research, private study, criticism, review, news reporting, education, and parody. The use of copyrighted material for any other purpose is generally not considered fair dealing, and requires permission from the copyright owner²³. In the digital environment, fair dealing can be more complicated than in the traditional offline world. For example, the use of copyrighted material in online education may be considered fair dealing, but only if it meets certain criteria, such as being used for a specific educational purpose, being limited in amount, and not negatively affecting the market for the copyrighted work. The use of copyrighted material in online journalism can also be considered fair dealing, but only if the use is necessary for reporting the news and does not harm the copyright owner's economic interests²⁴.

²² <http://www.delhihighcourt.nic.in/library/articles/challenges%20to%20copyright%20cyberworld.PDF> (Access on 12/04/2023)

²³ https://www.academia.edu/13743665/COPYRIGHT_IN_CYBERSPACE (Access on 14/04/2023)

²⁴ <https://theprint.in/opinion/why-india-needs-to-modernise-its-copyright-laws-for-the-digital-era> (Access on 16/04/2023)

REMEDIES

Secondary liability- Secondary liability in copyright law refers to the legal responsibility of individuals or entities that contribute to or facilitate the infringement of copyright by others. Remedies for secondary liability vary depending on the specific type of secondary liability, which can include contributory infringement, vicarious infringement, and inducement of infringement. Contributory infringement occurs when someone knowingly contributes to or facilitates the infringement of copyright by another person. In this case, a copyright owner can seek remedies against the person who contributed to the infringement, such as an injunction to prevent further infringement, damages to compensate for the harm caused, and potentially an order to destroy infringing copies. Vicarious infringement occurs when someone has the right and ability to control another person's infringing activities, and also receives a direct financial benefit from those activities. In this case, a copyright owner can also seek remedies against the person who benefited from the infringement, such as an injunction, damages, and an order to destroy infringing copies. Inducement of infringement occurs when someone intentionally encourages or induces another person to infringe copyright. In this case, a copyright owner can seek remedies against the person who induced the infringement, such as an injunction, damages, and potentially an order to destroy infringing copies²⁵.

Digital Rights Management (DRM)-Digital Rights Management (DRM) refers to the measures used to protect the rights of copyright owners in digital works. The Indian Copyright Act, 1957, does not specifically mention DRM, but it does provide for the protection of copyright in digital works. Section 65A and 65B of the Copyright Act, 1957, provide for the protection of technological measures used to protect copyrighted works. These provisions prohibit the circumvention of technological measures used to protect copyrighted works and the manufacture, import, sale or rental of devices that are primarily designed for circumventing such measures²⁶. Copyright Rules, 2013, provide for the registration of Copyright Societies, which are responsible for the management and enforcement of copyrights in India. These societies can use DRM technology to protect the rights of copyright owners in digital works. It is worth noting that the use of DRM technology in India is a topic of debate, with some critics arguing that DRM limits the rights of users to access and use copyrighted works. However, the Indian legal framework provides for the protection of DRM technology, which can be used by copyright owners to protect their rights in digital works²⁷.

Encryption technology- Encryption technology can be used to protect copyright, but it is not a foolproof solution. Encryption is the process of converting plain text or data into an unreadable format using a mathematical algorithm, making it difficult for unauthorized users to access or use the content. In the context of copyright, encryption can be used to protect digital content such as music, movies, or software from piracy. By encrypting the content, copyright owners can control who has access to it and prevent unauthorized copying or distribution. Encryption is not a complete solution as determined hackers can potentially crack the

²⁵<https://www.legalserviceindia.com/legal/article-9352-criminal-liability-under-section-64-of-the-copyright-act-1957.html> (Access on 18/04/2023)

²⁶ Section 65A and 65B of the Copyright Act, 1957,

²⁷ <https://www.mondaq.com/india/copyright/463106/copyright-society-under-the-copyright-act-1957> (Access on 22/04/2023)

encryption and access the content. Additionally, encryption can also create barriers for legitimate users who may have difficulty accessing or using the encrypted content. While encryption can help protect copyright to some extent, it is important to note that it is not a foolproof solution and should be used in conjunction with other measures such as digital rights management and legal protections²⁸.

Blockchain Technology- In India, blockchain technology is not specifically addressed under copyright law. However, the copyright protection may extend to certain aspects of blockchain technology. Copyright law in India protects original works of authorship, which can include computer programs, software, and databases. Therefore, if a blockchain-based software or database contains original creative expression, such as the code or the layout of the database, it may be eligible for copyright protection. If a person creates a blockchain-based work that is protected by copyright, they may choose to license or distribute that work using smart contracts or other blockchain-based technology. The blockchain may also be used to track the ownership and usage of copyrighted works, such as digital art or music. It is important to note that the use of blockchain technology does not automatically confer copyright protection. To obtain copyright protection, the work must meet the originality requirement and be fixed in a tangible medium of expression. While blockchain technology is not specifically addressed under copyright law in India, certain aspects of it may be eligible for copyright protection. It is important for creators and users of blockchain-based works to understand the copyright implications of their actions and seek legal advice if necessary²⁹.

CONCLUSION

Copyright protection law relies heavily on effective enforcement relevant law. The rapid increase in data digitization has broadened the horizons of gravity. Crime takes place in cyberspace through the Internet. Besides promotion Consideration should also be given to the applicability of cyber law and an appropriate complaints mechanism Penalties for cybercrime in the Penal Code. "It's important to have a balance between making sure. The interest of the copyright holder in getting a fair price for his efforts and interests of users who receive information also need to amend copyright law to adjust With the upcoming digital changes. There is a strong relationship between the advancement of copyright and the creation of new products. Digital computing technology, unlike most other technologies, has managed to change its core. The concept of copyright protection. Nowadays, copyright plays an increasingly important role .In the national economy, new threats to business appear. For speed as technology evolves, it is necessary to update the legal system to do so stands up. This will ensure that all interested parties, both users and creators, are retained balance for the greater good of society. Therefore, an anti-avoidance policy. It targets people who are tech savvy enough to be elusive as well as manufacturers and distributors of products that allow you to bypass security measures. despite. They may be few in number, and those who are technical often outnumber those who are technical preventive measures. The opposite is true: the average consumer lacks technological knowledge .

²⁸<https://legalserviceindia.com/legal/article-6893-is-encryption-protecting-your-rights-is-law-sufficiently-enforced-to-protect-your-rights-right-to-privacy-vis-vis-encryption-and-law-enforcement.html> (Access on 26/04/2023)

²⁹<https://www.ibm.com/in-en/blockchain/what-is-blockchain> (Access on /05/2023)