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# Celebrity Personality Rights Entail a Huge Social Cost: An Analysis

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## ABSTRACT

*The aim of this paper is to critically analyse the concept of celebrity rights. The law on celebrity rights is still at the developing stage at India as there's no legislation dealing with it. Judicial pronouncements have become the guiding source for the same. This lacuna has raised several questions such as: what is the scope of protection of these rights? whether they fall under privacy or should they also be linked with property rights? etc. The aim of this paper is not to argue that celebrities should not be given this right but to assess the social impacts if these rights are strictly enforced against people.*

*An evident effect of excessive celebrity right enforcement would be restricted freedom on speech and expression in the entertainment industry which deals with celebrities, while also restricting freedom to do business to an extent. It would also lead to litigious environment which would worsen the inequalities as celebrities hold more power and resources*

*In the end there's a need to balance the celebrity rights (often linked with privacy) and freedom of speech and expression which is protected under the Indian constitution. Celebrity rights would entail huge social costs depending on the different contexts. As long as there are exceptions to celebrity rights such as fair use or transformative use, public information etc granting these rights may not turn out to be burdensome and problematic.*

**Keywords:** *Intellectual property, celebrity rights, right to privacy, freedom of speech and expression, legislation and policy.*

## I. INTRODUCTION

In several countries around the world, there exists a plethora of legislations which protect the celebrity rights. In several cases, these rights are generally brought under the purview of trademark or copyright law. However, while celebrity rights have little to do with copyright law, they are closely connected to trademark law.<sup>2</sup> The 'right of publicity', first recognized by Nimmer, is a form of intellectual property right that protects against the misappropriation of a person's name, likeness and perhaps other indicia of personal identity for commercial benefit.<sup>3</sup>

Celebrity endorsements are often used to promote a product. It creates awareness for the product

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<sup>2</sup> Shreyasi Bhattacharya et al, An Overview of Celebrity Rights in India, RFMLR (2018) 30, 32-41 (2018).

<sup>3</sup> Ibid.

and attracts people to buy it. Celebrities have also become aware of the power they hold when it comes to marketing.<sup>4</sup> This has led various celebrities to also develop their own brands for example: Kylie cosmetics by Kylie Jenner, Fenty beauty by Rihanna, etc. Developments in the entertainment industry have led to celebrities becoming extremely conscious of their personality rights.<sup>5</sup> Since celebrities are always under the public eye, their images, sound etc can be misused in advertisements by advertisements by different companies to boost sales. This can also have a negative affect on their own businesses.

The right of publicity, or personality right, empowers individuals to control commercial use of their identity in common law countries, often seen as a property right. India lacks specific legislation for celebrity publicity rights, but such rights encompass personal, privacy, and commercial aspects.<sup>6</sup> Recent Supreme Court cases affirmed the inviolate personality of individuals under the right to privacy. Although statutes like the Copyright Act and Trade Marks Act touch upon celebrity rights to a little extent, comprehensive legislation is needed to regulate their growing commercialization.<sup>7</sup>

Passing off remedies are provided in cases where an injury is caused by misrepresentation to reputation or goodwill of a person. This is in cases where there is unauthorised misuse of a celebrity's fame by falsely indicating endorsement of products by the celebrity. Article 6 of the WIPO Performances and Phonograms Treaty (WPPT) talks about the economic rights of performers.<sup>8</sup> It also covers right of reproduction, distribution, rental etc.<sup>9</sup>

USA and Canada recognise publicity rights. In *Athans v Canadian Adventure Camps*, the court held that the personality right included both image and name.<sup>10</sup> whereas in UK this concept of publicity rights is treated with scepticism. This is primarily due to importance given to the right of freedom of speech and expression.<sup>11</sup> Eventually, the *Irvine v. Talksport* decision resolved the idea of publicity rights in UK. Edmund Irvine, a successful Formula I driver, had his photograph used in a radio station advertisement without his permission.<sup>12</sup> The court determined that he was entitled to payment based on a reasonable endorsement fee and that he

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<sup>4</sup> Okorie Nelson, *Celebrity Endorsement Influence on Brand Credibility: A Critical Review of Previous*, Online Journal of Communication and Media Technologies Volume: 7, Issue 1. 15-32 (2017).

<sup>5</sup> Ibid.

<sup>6</sup> Shreyasi Bhattacharya et al, *An Overview of Celebrity Rights in India*, RFMLR (2018) 30, 32-41 (2018).

<sup>7</sup> Ibid.

<sup>8</sup> Tabrez Ahmad et al, *Celebrity Rights: Protection under IP Laws*, J Intellec prop rights vol 16, 7-16 (2011).

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

had a property right in the goodwill associated with his picture.<sup>13</sup> A question which emerges in people's minds is that If celebrities are now getting all these rights then why do we call them 'public figures'?

However, at the same time it should be acknowledged that advancements in animation make it feasible to produce human-like computer-generated images of actors or performers, including deceased movie stars, that are convincing.<sup>14</sup> Unauthorized celebrity photography and the digital alteration that follows to produce fresh photos and film footage of the star present a serious risk. One persistent source of confusion and defamation has been the usage of altered photographs of celebrities on unsuitable websites.<sup>15</sup> This also presents a valid reason so as to provide them protection.

## II. INDIAN LEGAL SCENARIO

USA has the most developed law with regard to publicity rights. However, UK and India have also started catching up and undertaken development of both privacy as well as publicity rights. In India right to publicity is often understood in the terms of right to privacy.<sup>16</sup> The Supreme Court of India unanimously ruled in the 2017 case of *K.S. Puttaswamy v. Union of India* that the right to privacy is protected by the Constitution.<sup>17</sup> It was held that "*Every individual should have a right to be able to exercise control over his/her own life and image as portrayed to the world and to control commercial use of his/her identity. This also means that an individual may be permitted to prevent others from using his image, name and other aspects of his/her personal life and identity for commercial purposes without his/her consent*".<sup>18</sup> The court acknowledged that privacy is necessary to shield people from interference by both State and non-State actors and to allow them to make their own decisions. The decision established a noteworthy legal precedent and upheld India's constitution's protection of private rights. The concurring opinion of justice Sanjay Kishan Kaul also recognised the right to publicity.<sup>19</sup>

In an effort to stop others from stealing their names and likenesses, several celebrities have begun to register themselves as trademarks. Many well-known people have registered their names as trademarks, including Mallika Sherawat, Baba Ramdev, Sachin Tendulkar, Nareesh

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<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> *K. Ganeshan v. Film Certification Appellate Tribunal*, 2016 SCC OnLine Mad 9355 : (2016) 4 LW 961.

<sup>17</sup> Samarth Krishan Luthra et al, publicity rights and the right to privacy in India, *National Law School of India Review*, Vol. 31, No. 1 (2019), pp. 125-148.

<sup>18</sup> *K.S. Puttaswamy v. Union of India*, 2019 (1) SCC 1.

<sup>19</sup> *K. Ganeshan v. Film Certification Appellate Tribunal*, 2016 SCC OnLine Mad 9355 : (2016) 4 LW 961.

<sup>19</sup> Samarth Krishan Luthra et al, publicity rights and the right to privacy in India, *National Law School of India Review*, Vol. 31, No. 1 (2019), pp. 125-148.

Trehan, Kajol, Shahrukh Khan, A.R. Rehman, and Sanjeev Kapoor.<sup>20</sup>

In ICC Development (International) Ltd v Arvee Enterprises, the Delhi High Court held gave discussion of publicity rights in Indian legal jurisprudence highlighting only the constitutional approach.<sup>21</sup> It was underlined that publicity rights are derived from the right to privacy and are exclusive to specific people or facets of their identities.<sup>22</sup> Articles 19 and 21 of the Indian Constitution guarantee these rights, which organizations planning events cannot restrict. Indian copyright act only defines “performer” i.e. singers, dancers, musicians etc and “right to publicity” is not a copyright.<sup>23</sup>

### **(A) Undermines freedom of speech**

The rights of a celebrity are sometimes restricted in light of the freedom of speech and expression guaranteed under Article 19 of the Constitution of India.<sup>24</sup> This is quite appropriately synonymous with the conflict observed between the publicity rights and the freedom of speech guaranteed under the First Amendment in the U.S. Constitution.<sup>25</sup> The primary concern is whether both of these are complimentary or incompatible to each other

If photographs are made property than it would be difficult for new journals to publish articles, magazines and movies as freely as they do.<sup>26</sup> This would have an indirect affect their business as well. This directly hampers the freedom of speech of media. There will be a very thin line to draw in the cases of infringement, the use of the name of a celebrity in a poem or a well-researched biography could also be called infringement.<sup>27</sup> The right to publicity for the above-mentioned reasons must be construed narrowly.

Giving personality rights too much protection would be tantamount to restricting media freedom of expression and the basic right of citizens to free information and entertainment under Article 19(1)(a) of the Constitution.<sup>28</sup>

On April 26th, 2023, the Hon’ble High Court of Delhi (hereinafter referred to as the “Hon’ble Court”) in its decision Digital Collectibles v. Galactus denied the Plaintiffs' request for an

<sup>20</sup> Prakash Sharma et al, Celebrities agony : locating the publicity rights in the existing IPR framework.

<sup>21</sup> Tabrez Ahmad et al, Celebrity Rights: Protection under IP Laws, J Intellec prop rights vol 16, 7-16 (2011).

<sup>22</sup> Ibid.

<sup>23</sup> Vinay Ganesh Sitapati. “Conferring ‘Moral Rights’ on Actors: Copyright Act and Manisha Koirala Case.” *Economic and Political Weekly*, vol. 38, no. 14, 2003, pp. 1359–61. *JSTOR*, <http://www.jstor.org/stable/4413397>. Accessed 8 Apr. 2024.

<sup>24</sup> Shreyasi Bhattacharya et al, An Overview of Celebrity Rights in India, RFMLR (2018) 30, 32-41 (2018).

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Nina R. Nariman, A Cause Célèbre : Publicity Rights in India, SCC (January 24, 2022). <https://www.sconline.com/blog/post/2022/01/24/a-cause-celebre-publicity-rights-in-india/>

interim injunction, ruling that the use of celebrity names and images for parodies, satire, lampooning, art, scholarship, music, academics, news, and other similar uses would be protected speech and expression under Article 19(1)(a) of the Indian Constitution and would not violate their right to publicity.<sup>29</sup> Additionally, the same protection would apply to the use of such information about athletes and cricket players by "online fantasy sports" (hence referred to as the "OFS") platforms.

An additional concern arising from the enclosure of image rights is that it can hinder the efficient reporting of celebrities and broader facets of popular culture.<sup>30</sup> The authority over commercial images of celebrities is being eroded by laws governing privacy, which implies that press freedom is in jeopardy. The balance between press freedom and privacy is called into question due to attempts to monopolize identities and photos.<sup>31</sup>

### III. THE NEED FOR A LEGISLATION TO GOVERN CELEBRITY RIGHTS

In various cases courts prohibited the authorized commercial use of an individual's identity, emphasizing that no one can dominate their persona. In the case of *Sourav Ganguly v. Tata Tea Ltd.*, for instance, Tata Tea was held accountable for utilizing Sourav Ganguly's notoriety to advertise their product without getting his permission, underscoring the need for permission before leveraging someone else's image for financial gain.<sup>32</sup>

It is important to keep in mind that celebrity publicity comes with a significant financial cost and a highly valuable public image, indicating that there is an economic motive at play. This implies that the government may also get revenue from these rights in the form of taxes if they are appropriately regulated.<sup>33</sup> Litigation has been the sole means of resolving the matter at hand when it comes to celebrity rights. It is often argued that there is a need for legislation to regulate celebrity rights.<sup>34</sup> This is also argued because it is said that giving celebrities this right through a case law remedy would be a substantial change in the law and should not be introduced by judiciary without legislative enactment.<sup>35</sup>

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<sup>29</sup> *Digital Collectibles v. Galactus Funware* 2023 SCC Online Del 2306.

<sup>30</sup> Richard Haynes, *Celebrity and image rights*, Edinburgh University Press, 100-112.

<sup>31</sup> *Ibid.*

<sup>32</sup> *Sourav Ganguly v. Tata Tea Ltd.* (2008) 1 CS 361.

<sup>33</sup> Shreyasi Bhattacharya et al, *An Overview of Celebrity Rights in India*, RFMLR (2018) 30, 32-41 (2018).

<sup>34</sup> Vijayalakshmi Suresh, *Scope of personality, celebrity or image rights in India in the light of landmark judgement of Justice Puttaswamy's case* (2017).

<sup>35</sup> Vinay Ganesh Sitapati. "Conferring 'Moral Rights' on Actors: Copyright Act and Manisha Koirala Case." *Economic and Political Weekly*, vol. 38, no. 14, 2003, pp. 1359-61. *JSTOR*, <http://www.jstor.org/stable/4413397>. Accessed 8 Apr. 2024.

#### **IV. SOCIAL DILEMMA - PUBLICITY RIGHTS TO BE GROUNDED IN PROPERTY RIGHTS OR NOT ?**

It is usually argued that the tort of publicity ought to be grounded in a property-rights framework, as this would provide a foundation for enacting reasonable restrictions by applying the test of confusion can be applied.<sup>36</sup> In a case involving Amitabh and Jaya Bachchan's publicity rights, the Delhi High Court ruled that "the right to publicity is the right to control commercial use of human identity".<sup>37</sup> It is argued that this case demonstrates how the very roots and rationales of the tort of publicity are derived from property rights rather than privacy, as they are predicated on the commercial exploitation of identity rather than the actual acquisition of identity.<sup>38</sup>

Another case that highlights the extent to which celebrity rights are recognised in India is of RajniKanth. In this case the release of a film "main hoo Rajnikanth" which had nothing to do with the private life of Rajnikanth was injuncted as it was not authorised by the famous actor Rajnikanth.<sup>39</sup> Just because the actors stage name "Rajnikanth" was used in the title. This is also indicative how the property value of the name "Rajnikanth" gets protection and not the privacy.<sup>40</sup>

Professors Dogan and Lemley criticized the American system's expanding interpretation of the freedom of publicity, saying that it now almost qualifies as a breach "whenever there is any reference to an individual that brings financial benefit to someone else. "The professors concluded that the best course of action was to firmly establish trademark law, a property-based system, as the theoretical foundation for the right.<sup>41</sup> However, if celebrity rights are viewed in terms of property rights, then it would become inheritable and will also be asserted by future generations which can further curtail the freedom of expression.

Another potential repercussion that celebrity rights enforcement charges hefty amount for infringement .Singer Sonu Nigam won a case against Mika Singh for defamation and infringement of personality rights in Sonu Nigam v. Amrik Singh (alias Mika Singh), 87. The Bombay High Court penalized the defendant heavily and made it clear that no third party should be make money off of utilizing celebrities' photos without their permission and abusing their

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<sup>36</sup> Nina R. Nariman, *A Cause Célèbre : Publicity Rights in India*, SCC (January 24, 2022). <https://www.sconline.com/blog/post/2022/01/24/a-cause-celebre-publicity-rights-in-india/>

<sup>37</sup> *Ibid.*

<sup>38</sup> *Ibid.*

<sup>39</sup> Shivaji Rao Gaikwad Vs MS. Varsha Productions 2015 SCC OnLine Mad 158.

<sup>40</sup> *Ibid.*

<sup>41</sup> Nina R. Nariman, *A Cause Célèbre : Publicity Rights in India*, SCC (January 24, 2022). <https://www.sconline.com/blog/post/2022/01/24/a-cause-celebre-publicity-rights-in-india/>

celebrity rights; they also noted that the hefty amount levied will discourage others from planning to do similar crimes.<sup>42</sup> The claim is again made that right to publicity should not be equated with property as it would undermine larger public interest.<sup>43</sup>

## V. ANALYSIS OF THE SOCIAL COSTS

A shift is visible in the Indian context as most judgements have started upholding celebrity rights. However, it is important to note the judgement that strictly construed and imposed limitations on celebrity rights. In the case of *Krishna Kishore Singh V Sarla A Saraogi*, Krishna Kishore Singh is the father and legal representative of the late actor Sushant Singh Rajput.<sup>44</sup> He filed a suit before Delhi High court to protect privacy and reputation of his late son.<sup>45</sup> His claim was that without his prior consent, no movies, book or series should be made on his sons life. The court dismissed this petition and did not grant a restraining order.<sup>46</sup> The court reasoned that the defendant's film included fictitious dramatizations derived from actual events that happened and were extensively covered by the media, becoming part of the public domain or knowledge.<sup>47</sup>

Enquiries like this would first require evidence to be led by the Plaintiff to prove that the persona of SSR is still surviving as a commercial property, which is alleged to be exploited by the Defendants for profit.<sup>48</sup> The foundational facts have to be established and proved and mere status of a celebrity is not enough. Even in a passing off action - a remedy available under common law - the Plaintiff is required to satisfy the Classical Trinity test.<sup>49</sup> The artistic freedom to create fictional works cannot be controlled, limited, or confined within set boundaries.

Similarly, in *Matthews v. Wozencraft* also carved out an “public record” exception to enforcement of celebrity rights.<sup>50</sup> Applying Texas law, the Fifth Circuit U.S. Court of Appeals ruled that the ex-husband's rights to privacy and publicity were not violated by the book that described her and her husband's experiences as undercover agents.<sup>51</sup> News coverage included information about their convictions and activities. As a result, it was a matter of public record and regarded as newsworthy events.<sup>52</sup>

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<sup>42</sup> Prakash Sharma et al, *Celebrities agony : locating the publicity rights in the existing IPR framework*.

<sup>43</sup> *Ibid*.

<sup>44</sup> *Krishna Kishore Singh V Sarla A Saraogi CS(COMM)187/2021,IA 10551/2021*.

<sup>45</sup> *Ibid*.

<sup>46</sup> *Ibid*.

<sup>47</sup> *Ibid*.

<sup>48</sup> Prateek, *Celebrity Rights vs Privacy: Where to draw the line?*, *Celebrity Rights vs Privacy: Where to draw the line? – The IP Press*.

<sup>49</sup> *Ibid*.

<sup>50</sup> Samarth Krishan Luthra et al, *publicity rights and the right to privacy in India*, *National Law School of India Review*, Vol. 31, No. 1 (2019), pp. 125-148.

<sup>51</sup> *Ibid*.

<sup>52</sup> *Ibid*.



Due to technology, it has become possible to commercially use dead celebrities by bring them back to life using digital images and sound.<sup>53</sup> It is commonly used for television advertising. It is said that as long as these advertisements are not deceiving, they should be allowed. The need to restrict the scope of right to publicity has also been acknowledged by the American courts and statutes as they allow transformative use and permit non-commercial uses such as news reporting.<sup>54</sup>

The perspective of general public and fans is also important to consider when it comes to forming laws regarding the same.<sup>55</sup> The celebrities gain their status as a “celebrity” because of these fans. It would seem that the fact that almost all states set a time limit on the continuation of publicity rights acknowledge that after a point the personality should eventually enter the public domain. The statutes should be designed in a way that allows certain postmortem uses of celebrity personae as long as it doesn’t cause consumer deception.<sup>56</sup> A number of analysts (Madow, 1993, for example) and early rulings from US courts have questioned whether the government should award celebrities, who usually make a lot of money, the ability to legally control their names, likenesses, and identities in order to make even more money.<sup>57</sup>

The defendants in *Puttaswamy* argued that “the ‘right to publicity’ is derived from the ‘right to privacy’ and the two are not completely independent of each other, as the former cannot exist without the latter.”<sup>58</sup> It has then been argued that, in the context of the arguments made in *Puttaswamy*, if the right to privacy extinguishes with the human being, the only necessary corollary is that right to publicity would also extinguish and would not survive after the death of the person.<sup>59</sup> The court in *Puttaswamy* did not determine the question of extinguishment of celebrity rights and said that it requires a deeper investigation as there is no legislation yet which protects these rights.<sup>60</sup>

Therefore, when it comes to India certain question regarding the extent and scope of celebrity rights still remain unsettled. Celebrity rights should not be treated as property as the harms of it would outweigh the benefits. Excessive celebrity rights can result in a litigious environment wherein celebrities could threaten businesses and individuals for legal action. This could hinder

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<sup>53</sup> Ross D. Petty et al, *The Use of Dead Celebrities in Advertising and Marketing: Balancing Interests in the Right of Publicity*, *Journal of Advertising*, Winter, 2009, Vol. 38, No. 4, Advertising Regulation and Self-Regulation (Winter, 2009), pp. 37-49.

<sup>54</sup> *Ibid.*

<sup>55</sup> *Ibid.*

<sup>56</sup> *Ibid.*

<sup>57</sup> *Ibid.*

<sup>58</sup> *K.S. Puttaswamy v. Union of India*, 2019 (1) SCC 1.

<sup>59</sup> *Ibid.*

<sup>60</sup> *Ibid.*

innovation and entrepreneurship in industries that majorly rely on celebrity endorsements and cultural references.

This can further result in an unequal battleground as wealthy/powerful celebrities have greater resources will further exacerbate socio-economic inequalities. Regardless of whether trademarks are for products or celebrity rights. They undermine the principles of equal treatment. More well-known celebrities like Amitabh Bachan would get more protection than lesser-known actors/ non actors. This can also be used as a harassment weapon against the weak.<sup>61</sup> Unlike Canada where ordinary people possess the right of personality and the tort is thus correctly grounded in the privacy concerns of the ordinary citizen, the tort of publicity in India is limited only to celebrities.<sup>62</sup> The courts often equate right to publicity of popular celebrities with well-known trademarks.<sup>63</sup> Additionally there is also no clarity with regard to the criteria determining phrases like “well-known” and “famous” when it comes to celebrities.<sup>64</sup> However, certain exceptions such as transformative use can be applicable to celebrity rights as well wherein the artwork is transformative as in “It should be perceived as artists own expression rather than the subjects likeness.”<sup>65</sup>

## VI. CONCLUSION

On one hand we have the right to privacy of celebrities and on the other we have the right to freedom of speech and expression of public. There is a need to balance celebrity right along with the creative interests of the public and not curb speech.

Image rights relate to a celebrity's full attributes, such as name, signature, style, attire, voice, likeness, and any other aspects related to his personality, are known as image rights. With the development in laws, people as well as Indian courts are advocating for stronger enforcement of these rights. Concepts such as “right to be alone” in Harvard law review are coming to the forefront.<sup>66</sup> This concept was first coined by Thomas Cooley in his ‘treaties on the law of torts’ and has emerged in response to the technological developments and media constantly intruding

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<sup>61</sup> David Vaver, Unconventional and well known trademarks, *Singapore Journal of Legal Studies*, July 2005, (July 2005), pp. 1-19.

<sup>62</sup> Nina R. Nariman, A Cause Célèbre : Publicity Rights in India, SCC (January 24, 2022). <https://www.sconline.com/blog/post/2022/01/24/a-cause-celebre-publicity-rights-in-india/>

<sup>63</sup> Salmath K P, Personality rights – An Examination of Amitabh Bachchan v. Rajat Nagi and Ors, Khurana and Khurana (14<sup>th</sup> January 2023, 6:39 AM). Amitabh Bachchan Case The Jurisprudence Of Personality Right (khuranaandkhurana.com).

<sup>64</sup> Ibid.

<sup>65</sup> Legalties 7: Issues Regarding the Use of Someone’s Likeness, Legalties 7: Issues Regarding the Use of Someone's Likeness | Owen, Wickersham & Erickson, P.C..

<sup>66</sup> Vijayalakshmi Suresh, Scope of personality, celebrity or image rights in India in the light of landmark judgement of Justice Puttaswamy’s case (2017).

privacy.<sup>67</sup> The Rajagopal and Puttaswamy case adequately highlight the importance of privacy and it is not denied that this is true.<sup>68</sup> However, it is important to at the same time be mindful of the social costs that would entail if celebrity personality right develop excessively. However here the question again arises whether everyone can avail the right to publicity which basically means protection against commercial exploitation of ones image.

The strengthening of celebrity rights must be controlled for it may hamper creativity. Celebrities inspire people and people idealise them in various ways. If this “inspiration” gives them ideas to dress a certain way or speak a certain way then it should not be strictly construed to be a celebrity right infringement. This may lead to an abuse of power among as celebrities will be the stronger force in such a conflict.

While it is acknowledged that protecting celebrities from unauthorized commercial exploitation is important, the paper also examines the potential conflicts between celebrity rights and freedom of speech and expression. Additionally, it is crucial to analyse the economic and societal impacts of strengthening celebrity rights and advocate for a balanced approach that safeguards both individual privacy and creative freedoms. In the end there’s a need for nuanced legislation that respects both celebrity rights and public interests to foster a dynamic and fair legal environment.

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<sup>67</sup> Ibid.

<sup>68</sup> Shreyasi Bhattacharya et al, An Overview of Celebrity Rights in India, RFMLR (2018) 30, 32-41 (2018).