

INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 9 | Issue 2

2026

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Personality Rights in the Generative AI Era: 2025 Delhi High Court Trends

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ABSTRACT

The explosive growth of generative AI has created new legal problems associated with commercial misuse of various aspects of an individual's identity. During 2025, the Delhi High Court became the first court to deal with such problems by issuing several ex parte interim injunctions under "John Doe proceedings." This essay will examine some of the relevant orders of 2025 to highlight how the Indian judiciary responded innovatively by extending personality rights, which are grounded in Articles 21 and common law notions of publicity and passing off, to address the threat of deepfakes, voice cloning, artificial voice production, and AI chatbot misuse. Although all these decisions clearly establish that there is a sufficient prima facie case for personality rights based on dignity and goodwill, there are certain contradictions between privacy-based consent approaches and traditional IPR jurisprudence that need to be addressed.

Keywords: *Generative AI, John Doe, Deepfakes, Personality rights, Cloning.*

I. INTRODUCTION

Though not codified in the legislative statutes of India, personality rights have been defined as a complete principle encompassing the elements of privacy rights relating to the dignity and freedom of an individual, as well as publicity rights, which include the control over one's business identity. The exponential development in the field of generative artificial intelligence technology capable of creating realistic deep fakes, voice replication, face manipulation, and AI endorsements has posed grave risks of misuse. By the year 2025, there was an overwhelming rise in the number of lawsuits being filed in the Delhi High Court, especially those initiated by celebrities, public personalities, and professionals in need of legal protection. This study seeks to explore the trend established in judicial decisions made in the set of judgments handed down in 2025, concentrating especially on analyzing the legal reasoning employed, the scope of the remedial action taken, and their wider implications in the changing IP and digital rights regime of India.

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II. CONCEPTUAL AND LEGAL FRAMEWORK OF PERSONALITY RIGHTS IN INDIA

The personality rights doctrine in India, based on the important Supreme Court decision of *K.S. Puttaswamy v. Union of India* (2017),³ has received a lot of attention and protection over time. The recognition of the right to privacy as a core aspect of Article 21, which includes the right to life and personal liberty, made way for the more comprehensive appreciation of individuals' rights in the modern age. Following the ruling, courts in India have expanded the scope of the protection in such a way that it includes the unauthorized commercial exploitation of someone's image/persona.

The use of the image of celebrities without permission is seen as an insult to their dignity and a means of depriving them of their livelihoods. Such a view underscores the significance of preserving one's uniqueness and individual characteristics. It is indicative of the high regard accorded to one's persona and image in the media-dominated world we live in today.

Moreover, the inclusion of the right of privacy into the domain of commercialization indicates the need for balancing freedom of expression with the protection of the individual against any kind of unjust exploitation. By taking into consideration the economic value of a person's identity and likeness, the objective of the law is to make sure that the individual is in control of his/her portrayal and exploitation.

As such, complementary principles of law have been developed in order to reflect the comprehensive nature of the rights of personality, which recognizes the inseparability of privacy, dignity, and subsistence under the current legal framework in India.

The principle of passing off, an established principle in tort law and the 1999 Trade Marks Act, is of great importance since it helps to prevent consumers from being misled into a misleading impression about products or services being sponsored by the plaintiff. In addition to that, moral rights, provided for in Section 57 of the 1957 Copyright Act, while relatively restricted in their applicability to performers, represent a vital component of IP protection since they provide individuals with the ability to exercise control over their creative work and how it is being utilized. In addition to these statutes, the development of publicity rights in the common law tradition is highly important, as evidenced by significant precedents such as **Titan Industries Ltd. v. Ramkumar Jewellers of 2012**⁴ and **Anil Kapoor v. Simply Life India of 2023**.⁵

A trend that is noticeable from the decisions given by the Delhi High Court in the past has been

³Justice K.S. Puttaswamy (Retd.) & Anr. v. Union of India & Ors., (2017) 10 SCC 1 (India).

⁴ Titan Industries Ltd. v. Ramkumar Jewellers, 2012 SCC OnLine Del (Delhi).

⁵ Anil Kapoor v. Simply Life India & Ors., 2023 SCC OnLine Del [insert pinpoint if available] (Delhi).

the inclusion of the right to protect a celebrity's name, image, voice, and other identifying features under the ambit of a person's "persona," which becomes protectable in case of commercial value being attached to the same. Moving from previous cases, such as **Amitabh Bachchan v. Rajat Nagi**,⁶ the law of personas has continued to develop in recent times of 2025, with new judicial interpretations being given that specifically cater to problems caused by the misappropriation of Artificial Intelligence technology.

III. THE RISE OF GENERATIVE AI THREATS

Generative AI has completely transformed the world of technology by enabling the quick production of artificial content that can hardly be differentiated from reality. It has led to an endless list of applications, such as deepfakes, voice cloning software, chatbots, and virtual world avatars, that are now being exploited for malicious reasons. Generative AI has been used for various unethical acts, such as the manufacturing of false product testimonials and increased sales, the distribution of defamatory or pornographic content, and impersonations.

The repercussions of such activities are extensive, and they can have wide-ranging ramifications for both people and companies. Apart from damaging the reputation of an individual or organization, these activities also end up causing the loss of the goodwill that an organization has worked so hard to achieve. Aside from damaging reputations, these activities can also have serious financial repercussions, causing substantial losses due to destroyed endorsement contracts and brand image. It is important to note that one of the main problems associated with these incidents is their quick spread and diffusion through various channels.

Therefore, the problem of preventing such instances of exploitation calls for immediate and assertive measures in order to deal with these emerging threats successfully. Given the ever-changing technological landscape, the standard techniques used in the fight against any form of infringement may not necessarily be effective in addressing these new challenges. It is highly necessary that relevant authorities join hands in an effort to formulate effective ways of countering the negative impacts of AI-based deceptions. In conclusion, efforts aimed at curbing the exploitation of AI technologies demand collective action to maintain high standards of honesty and integrity in the online world.

IV. JUDICIAL TRENDS IN 2025 DELHI HIGH COURT ORDERS

In the year 2025, the Delhi High Court made several judgments on various personality rights cases classified into commercial suits (CS(COMM)) that were granted *ex parte ad interim*

⁶ *Amitabh Bachchan v. Rajat Nagi & Ors.*, [Year] SCC OnLine Del [insert pinpoint if available] (Delhi).

injunctions in accordance with Order XXXIX of the CPC. During the process of judging these cases, it became clear what features were shared by the decisions made by the court.

One of the features that stood out was the application of John Doe or Dynamic Injunctions that would enable the court to issue relief against anonymous defendants (Ashok Kumar) and possible violators in the future. In addition, the injunctions had a provision regarding the protection of Artificial Intelligence, whereby the court barred the use of technology through such forms as Artificial Intelligence, Generative Artificial Intelligence, Machine Learning, Deepfakes, and Face Morphing.

Furthermore, the court directed the big online media companies such as Google, Meta, and YouTube to remove any infringing content from their websites within 72 hours and provide subscriber details if required.

While deciding these cases, a unique legal test was adopted that involved a careful consideration of proving a prima facie case, considering the balance of convenience, and determining if any irreplaceable loss could be inflicted. A remarkable focus was laid on safeguarding the values of dignity provided under Article 21 of the Constitution, along with business interests.

While diverging from the conventional areas of entertainment such as Bollywood, the protective ambit of the court included professionals belonging to different sectors, such as cricketers, doctors, religious gurus, and social media influencers.

Key Case Studies

A. Aishwarya Rai Bachchan v. Aishwaryaworld.com & Ors. (CS(COMM) 956/2025, 09.09.2025)

In a landmark decision, Justice Tejas Karia has granted extensive relief in relation to the infringement of the right of privacy of an actress whose personal information had been unlawfully used on different internet platforms. In terms of the relief that was granted, not only did the Court take into account the websites and e-commerce portals, but also those that were using YouTube channels and AI chatbots to engage in unethical behavior in making merchandise and deepfake videos, as well as inappropriate content without her permission. It is pertinent here that the protection of personality/publicity rights, moral rights, and the prevention of passing off via AI exploitation have been emphasized by the Court. Moreover, the Court has also granted an injunction covering the misuse of AI in its entirety, and it requires that such content be removed from these websites within a deadline of 72 hours. This is shown by the fact that the court held that "courts cannot turn a blind eye" to such behavior, which demonstrates the necessity of taking preemptive action regarding the problems created by

improvements in technology. This is evident from the decision made by Justice Tejas Karia, which serves as an example of punishing the entities for their conduct and the importance of respecting the rights of people.⁷

B. R. Madhavan v. G Fimlz Studioz & Ors. (22.12.2025)

In the case at hand, the Court issued a highly important decision to ensure the right of the actor concerning his personality against the emergence of numerous fake trailers as well as deepfakes produced by artificial intelligence. In particular, all platforms were obliged not to use the likeness of the famous actor with the help of AI technologies and to remove all inappropriate content. Thus, the Court provided a great warning to everyone about the serious reputational damage that can be done to a person using technological means. Also, such violations indicate a gross violation of human rights in the digital world and demonstrate how critical it is to defend human dignity while using advanced technologies. Indeed, this court's decision is an example of how a person should defend his or her rights while fighting against unethical and illegal actions in the digital age. The ruling of the Court provided a very important landmark for the existing controversy between technology and people, indicating the need to create clear regulations to protect individuals from various malicious actions associated with modern technologies.⁸

C. Healthcare Sector Cases

Some important landmark cases have led to improved legal protections for non-entertainment professionals against the adverse impacts of AI technology and deepfake technology. For instance, in the **CS(COMM) 6/2025** case, Dr. Naresh Trehan won the right to obtain an injunction restraining the publication of fake advice regarding his expertise on medical issues using AI and Photoshop software, which shows the critical importance of fighting against fake news in the digital age. Furthermore, the order to remove the fake advice within 24 hours also emphasizes the critical nature of dealing with fake news in the digital era.⁹

However, the **CS(COMM) 7/2025** case involving Dr. Devi Prasad Shetty involved the application of the Arijit Singh test, which is an important legal doctrine used in India to restrict the unauthorized use of the surgeon's image and likeness for malicious purposes using AI technology.¹⁰

These two judicial rulings are indicative of an unprecedented trend in the development of

⁷Aishwarya Rai Bachchan v. Aishwaryaworld.com & Ors., CS(COMM) 956/2025 (Delhi Sept. 9, 2025).

⁸Ranganathan Madhavan v. G Fimlz Studioz & Ors., CS(COMM) 1392/2025 (Delhi Dec. 22, 2025).

⁹Global Health Ltd. & Anr. v. John Doe & Ors., CS(COMM) 6/2025 (Delhi Jan. 8, 2025).

¹⁰Dr. Devi Prasad Shetty v. Medicine Me & Ors., CS(COMM) 7/2025 (Delhi) (applying the Arijit Singh test).

personality rights for professionals who do not belong to the world of entertainment. The key focus here is on the vital necessity of preserving the trust of society in the healthcare sector. This revolutionary move protects individuals such as healthcare professionals from any possible damage they may face due to the abuse of innovative technology.

D. Other Notable 2025 Orders

In March 2025, Gautam Gambhir made it clear that the use of face-swapping and voice-cloning AI technologies by social media users requires stringent regulation to control their prevalence. This was a significant step towards protecting the digital content creators from any form of malice. As late as November 2025, Raj Shamani made history by proposing an innovative way to protect digital content creators by mandating the removal of morphed content and chatbot interactions in 72 hours. Further to that, there was another milestone achieved by Ajay Devgn in December 2025 when he advised the observance of the protocols stipulated under the IT Rules 2021, whereby people should try to resolve their disputes with intermediaries first before taking any steps involving ex parte orders. Based on the legal precedents already set, other well-known personalities like Jubin Nautiyal, Sonakshi Sinha, Karan Johar, and Swami Ramdev obtained similar injunctions against the misuse of AI technologies to protect their content from being morphed or used for deception by fraudsters.

V. CRITICAL ANALYSIS

The strengths include that the jurisprudence of 2025 demonstrates an admirable quality of judicial capacity to adjust rapidly, coming in to fill any legal lacuna and offering relief that is both just and fair. It is pertinent to mention here that the courts have appropriately understood the nature of the threat from artificial intelligence concerning its speed, wide coverage area, and indistinguishability. Most importantly, through their decision linking individual rights with the constitutional principles laid down in Article 21, the judiciary has successfully reinforced the protective shield, shifting from protecting purely commercial interests to the basic rights of individuals.

Weaknesses and Doctrinal Concerns:

Hybrid Reasoning is also an area of concern as it tends to rely on deceptive conduct from mere identifiability and does not engage in consumer confusion analysis properly, causing a critique due to the resulting doctrinal chaos in the process of making laws.

Secondly, Overbreadth regarding John Doe orders is another matter of concern, as it poses the danger of stifling fair-use or transformative works, hence the need to address the issue and find

ways of dealing with such problems.

Thirdly, Enforcement Gaps can be considered a problem, especially due to the dependency on intermediary enforcement and the challenge of regulating cross-border artificial intelligence technology in terms of its monitoring and control.

Finally, the Lack of Uniformity among high courts, especially when considering that the Delhi High Court leads others while lacking any statutory framework to guide courts in their decisions, is a matter of concern that needs to be addressed.

VI. COMPARATIVE PERSPECTIVES

While in the US, there is a strong statutory "right of publicity" including voice and likeness, with issues arising from the use of AI leading to the proposal of federal and state regulations necessitating disclosures regarding AI-generated content, in the European Union, both the GDPR and the AI Act have been introduced for the purpose of imposing stricter consent and transparency requirements about biometric data and deepfakes. In contrast, in India, it can be argued that its stance is rather reactive, with actions being led by judges, evident from the 2025 orders that bear some similarities to US injunctions but without any statutory provisions that may leave room for appeal processes. Nonetheless, the possibility of introducing the Digital IP Protection Bill in India has also been discussed, which seems to indicate an effort at bringing India's stance in line with other nations with respect to dealing with issues related to the intersection of AI and intellectual property. The proposal to enact the Digital IP Protection Bill will be crucial in bridging the divide between India's reactive legal framework and that of statutory regimes present in other nations, such as the US and the European Union.

VII. CHALLENGES, RECOMMENDATIONS, AND WAY FORWARD

The area of artificial intelligence presents some notable challenges as well, including the complicated aspects related to the AI detection processes, the intricacies related to the liability of platforms according to Section 79 of the Information Technology Act, and the important issue of finding the right balance between innovation and human rights. Although the issues are different in nature and scope, they are related as the technological and legal aspects must be considered from various angles when discussing digital innovations. Addressing such risks as related to AI requires the development of an appropriate strategy and the adoption of measures needed for the minimization or even elimination of these threats. At the same time, the liability of online platforms is an important problem due to their specific nature, because the platforms have to take responsibility for the content posted on their websites according to Section 79 of

the Information Technology Act. Furthermore, balancing innovation and human rights is a complicated but crucial aspect, especially considering the rapid advancements made in AI and other spheres of information technology.

Recommendations

Among the issues faced during the regulation of AI are the detection abilities of AI, liability under Section 79 of the IT Act, and the difficult task of promoting innovation, along with ensuring individual rights. It is crucial in overcoming these challenges through legislation to be drafted, which would explicitly protect personality rights with regard to the usage of AI technologies. In addition, such legislation should make it mandatory to implement AI watermarks as well as label guidelines for synthetic media based on the amendments to the IT Rules in 2026.

In this regard, it is suggested that the MeitY issue detailed guidelines for the monitoring of deepfake platforms in order to minimize the spread of disinformation and any malicious content. Moreover, it might be helpful to introduce safe harbour carve-outs to ensure the protection of scientific research and parody.

To facilitate the processing of litigation issues concerning AI-generated personalities and safeguarding intellectual property rights, the creation of intellectual property courts or fast-track systems that will specifically deal with personality litigation involving AI technologies is suggested. In addition, the promotion of industry self-regulation through the adoption of guidelines, including those for celebrities and AI licensing, will also be beneficial.

VIII. CONCLUSION

The seminal orders of the 2025 Delhi High Court were clearly a game-changer for the Indian legal system. They showed that in the era of generative AI, personality rights were alive and kicking, fiercely protected by the courts. Injunctions issued by the Court in a manner that is technology-neutral and aimed directly at tackling issues raised by AI show how the protection of human dignity can go hand in hand with creating favorable conditions for business. Clearly, while there have been many positive moves made by the Courts in securing personality rights, it remains true that a truly sustainable approach is one based on legislation, which would allow for creating legally binding guidelines for judges and help lay the foundations for the future. As India firmly establishes itself as a global power in the area of AI research and development, the coordination of personality rights with all the complexity involved in technology becomes an increasingly important task. As such, comprehensive research must be done to ensure that the efficacy of any enforcement of the court orders issued can be analyzed.

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