



The Right to Be Me: Legal Framework for Protecting Personality Rights in India

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Personality rights (also known as the rights of publicity or image rights) are crucial in the protection of an individual's personal and social identity. The framework of personality rights law in India, as described in the research paper, is spread across constitutional provisions, statutory laws and landmark cases. The paper analyzes how the technological advancements and international practices challenge the statutory system in India. The paper ends with a few recommendations to strengthen protection of personality rights in India.

Keywords: Personality Rights, Right to Privacy, Moral Rights, Right to Publicity, Indian Legal Framework

The personality rights are varying degree of rights that protect an individual's personal and social identity. They are best known as the right of privacy, the right of publicity and some moral rights between them ensure that people have control and can restrict the commercial use of their identity (name, image, likeness, etc.).¹ In a global snapshot of culture, society, and law, personality rights have evolved. The development of personality rights in India has been guided by a combination of constitutional provisions, statutory laws, and judicial decisions.

Methodology

In this research, a qualitative design, involving an extensive study of constitutional provisions, statutory laws, judicial precedents, and scholarly articles, will be used to explore personality rights protection in India. The study seeks to analyze the legal regime of India, the difficulties in enforcement, and to evaluate it against the international best practices. Analytical methods such as content analysis, comparative analysis, and case study analysis, which allow for any level of objectivity and confidentiality, have been used. Relatedly, it recognizes the limitations of (data access and) scope and provides various recommendations towards legislative reforms, public awareness and judicial consistency to strengthen the protection of personality rights in India.

Meaning and Scope of Personality Rights

Personality rights, or rights of publicity, shield a person's identity from commercial exploitation by

others without their consent. These rights enable individuals to regulate the commercial use of their name, image, likeness, voice and other distinctive personal attributes.² Broadly speaking, personality rights could be classified into three broad categories.

(i) Right to Privacy: It safeguards a person's private life from unwarranted interference.

(ii) Right to Publicity: This is the right to control the commercial use of one's identity.

(iii) Moral Rights: This type protects the artist's or author's personal and reputational interests.

Evolution of Personality Rights

The ancient world did not view personal identity as a legal right. Societies were founded on a collectivist basis where the identity and rights of the individual were often subservient to that of the community or state. It was about the greater good, not individual rights. The individual's identity, for example, was largely derived from their social roles and status in the community in ancient Greece and Rome. Beginning with the Renaissance and Enlightenment in Europe They were periods of transition where humanism and individualism began to take root, emphasizing the importance and worth of the individual. Many philosophers from this time, for example, John Locke and Jean-Jacques Rousseau arguing on natural rights; rights to such things as life, liberty, and property. This philosophical change helped construct the foundation of personality rights.

With the 20th century came mass media, which posed both new challenges and new opportunities for personality rights. With the arrival of newspapers, radio and television, personal data could now be transmitted to

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large audiences. It was during this era that the need to protect people's personal identities and reputations became apparent. For example, there was a major problem with the use of personal likenesses in marketing without permission, which highlighted the need for legal protection. The recognition of personality rights legally started in early 20th century, most notably in the US and Europe. In the United States, the right to privacy was articulated in an article in the Harvard Law Review in 1890 by Samuel D. Warren and Louis D. Brandeis. He and his colleagues spoke of "the right to be let alone," and said it was past time for the courts to protect us against unwanted interferences into our personal lives. This piece served as a catalyst for the expansion of various privacy laws across the U.S. The idea of personality rights in Europe was influenced by the German legal philosopher Rudolf von Jhering, who emphasized the importance of protecting personal honor and dignity. His legal theory influenced the evolution of German civil law in a manner that included protections for personality rights.

The development of personality rights has also been heavily informed by international legal standards. In 1948, the United Nations passed the *Universal Declaration of Human Rights (UDHR)*, which recognized the right to privacy as an inalienable human right. Article 12 of the UDHR declares that "no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation." This acknowledgment impacted the creation of multiple national laws safeguarding personality rights internationally. Judicial interpretations have played an important role in the development of personality rights. The role of courts has been critical, they have widened the sunrise of these rights, adapted to new societal and technological actors. From the U.S. side, *Griswold v Connecticut* (381 US 479, 1965) was a landmark case in which the United States Supreme Court recognized the right to privacy as a constitutional right. In Europe as well, the European Court of Human Rights issued several judgments affirming the right to privacy and personal dignity.

In India, the development of personality rights has been gradual. The Indian Constitution, enacted in 1950, did not, at the outset, specifically mention the right to privacy. On the contrary, the Indian judiciary has played a vital role in the interpretation of fundamental rights where the ambit of personality rights has been broadened. International legal standards and domestic judicial interpretations have shaped the recognition of these rights.

Legal Framework in India

Constitutional Provisions

Personality rights are not explicitly referenced in the Indian Constitution; however, a few provisions within the Constitution provide a foundation for the legal protection of personality rights. The Indian judiciary has determined that the right to life and personal liberty, as articulated in Article 21, include the right to privacy.³ The ruling in *Justice K S Puttaswamy (Retd.) v Union of India* established that the right to privacy is safeguarded as a basic right under Article 21.³ Moreover, the right to freedom of speech and expression guaranteed under Article 19 (1) (a) encompasses aspects of personality rights, including the right to publicity.⁴

Article 21 of the Indian Constitution provides that "No person shall be deprived of his life or personal liberty except according to the procedure established by law".⁵ Article 21 has been interpreted by the Supreme Court of India to include the right to privacy and to be an inseparable part of the right to life and liberty of the individual. The pivotal ruling in *Puttaswamy* affirmed the right to privacy as a fundamental right, underscoring its significance in safeguarding an individual's dignity and autonomy.³

Similarly, article 19(1)(a) of the Indian Constitution guarantees the right to freedom of speech and expression.⁵ Although this right is mainly focused on safeguarding a person's capacity to articulate their feelings and concepts, it also covers components of personality rights. The right of publicity, which allows individuals to regulate the economic utilisation of their persona, may be considered an extension of the right to freedom of speech and expression.⁶

Statutory Provisions

Numerous statutes within Indian law delineate the safeguarding of personality rights. The *Indian Copyright Act of 1957* establishes moral rights for authors, safeguarding the integrity and reputation of their work.⁷ Section 57 of the *Indian Copyright Act* grants the author the right to assert authorship of the work and to prohibit any distortion, mutilation, or change that may harm their honour or reputation. Section 14 of the *Indian Contract Act, 1872*, which addresses free consent, is essential in assessing the legitimacy of commercial use, thereby enabling personality right holders to seek protection in instances of unauthorised commercial exploitation of their rights.⁸

The *Indian Copyright Act, 1957* is a critical statute as it provides for the protection of personality rights specifically through moral rights. According to Section 57 of the Act, an author possesses the right to assert authorship of their work and to prohibit any distortion, mutilation, or change that could potentially affect their reputation. This protection aims to ensure that creators and authors maintain the integrity and honour of their work, encompassing the safeguarding of personal and reputational interests.⁹

Likewise, the *Indian Contract Act, 1872* is the governing law of contracts and agreements in India. In cases of commercial misuse when personality rights may be violated claims for protection could be made by way of the provisions of *Indian Contract Act*. For instance, whenever an individual image is used for commercial purposes without permission, the person in the image can use the clauses of the *Indian Contract Act* to file a claim for damage due to breach of contract. This may involve an injunction prohibiting the commercial use of the photograph without the individual's consent.¹⁰

Judicial Precedents

Personality rights are an interesting area of law globally. In the landmark case of *R. Rajagopal v State of Tamil Nadu*, the Supreme Court found an implicit right to privacy inherent in the right to life and personal liberty under Article 21.¹¹ Such information should therefore be left alone, in order to allow people to enjoy and protect their privacy, and any unauthorized dissemination of personally identifiable information will likely violate this right. Another landmark case for the right to publicity was *ICC Development (International) Ltd. v Arvee Enterprises* where in the Delhi High Court had recognized the right to publicity as a commercial right.¹² The Delhi High Court held the right of publicity, acknowledging it as a commercial right that would vest in an individual who has a claim over their name or image. The Court found that any unauthorized commercial use of an individual's persona infringes the right to publicity.¹³ Such recognition has now opened the gateway for individuals, in particular, the celebrities to safeguard their commercial interests and prevent unauthorized appropriation of his/her identity.

Constituents of Personality Rights

Right to Privacy

In India, the right to privacy constitutes a fundamental element of personality rights. Although there is no express constitutional provision that guarantees this

freedom, the judiciary has interpreted it as encompassed within Article 21. This right has progressively evolved via judicial interpretation and significant rulings. The *Justice K S Puttaswamy (Retd.) v Union of India* case was a pivotal occasion, affirming the right to privacy as fundamental to Article 21.¹⁴ The judgment noted that the right to privacy is an integral part of the right to life and personal liberty and also emphasized the necessity of having some sphere where the individual can plan for and control his destiny, free from interference by the state and the private sphere. A comparable perspective was articulated in *Govind v State of Madhya Pradesh*, when the Supreme Court determined that the right to privacy constitutes an element of the right to life and personal liberty as enshrined in Article 21.¹⁵ The court underscored that the appropriate development of an individual's personality and the exercise of autonomy necessitate privacy.

The Right to Publicity

The right of publicity allows an individual to regulate the commercial use of their name, image, and likeness.¹ In India, this right has been established through judicial pronouncements and statute. In *ICC Development (International) v Arvee Enterprises*, the Delhi High Court recognized the right to publicity as a commercial right that vests in an individual. The court concluded that unauthorized use of a person's persona for commercial profit is an infringement of that right. It was then that this right was recognized and has since opened the space for individuals, particularly celebrities, to defend their commercial aspects and guard against unauthorized use of their identity. Similar views were expressed in *DM Entertainment Pvt. Ltd. v Baby Gift House and Others*, wherein the court observed that unauthorized appropriation of the image and persona of a renowned singer by the defendants in their business amounted to violation of right to publicity.¹⁶ The court ordered that the defendants no longer use the singer's image and awarded damages to the plaintiff. Also, in *Titan Industries Ltd. v M/S Ramkumar Jewellers*, an interim injunction was issued against the defendant for using the image of the well-known actor and model as part of their promotional campaign after the Delhi High Court held that they had not obtained authorization for doing so.¹⁷ It affirmed the right of publicity, inviting any variety of unauthorized commercial exploitation. Thereafter, in *Gautam Gambhir v D A P & A CO. Ltd.*, the court granted a temporary injunction to the plaintiff, a famous cricketer, against

the defendants who had, without the plaintiff's consent, used the plaintiff's name and image to promote the defendants' business.¹⁸ The court found that it constitutes infringement the right to publicity.

Moral Rights

In this context, it is important to discuss moral rights which are personal rights that protect the personal and reputational interest of creators and authors. Moral rights are conferred upon authors under the *Indian Copyright Act, 1957*, as a preventive measure to protect the virtue and honour of the authorisation.¹⁰ Authors has the right to assert authorship over their work and prohibit any distortion, mutilation, or change that could be detrimental to their honour or reputation¹⁰, as delineated in section 57 of the Act.

Moral rights, like copyright, is not a single right. It consisting of the following rights:

- (i) Right to Paternity: The right to paternity of an author refers to the moral right of the author to claim authorship of his/her work.
- (ii) Right to Integrity: The right to integrity of an author refers to the moral right of the author to seek damages or compensation in the event of any unauthorised alterations, distortions or mutilations to his/her work.

In *Amar Nath Sehgal v Union of India*, the esteemed artist Amar Nath Sehgal faced removal and destruction of his sculpture by quasigovernmental forces.¹⁹ The Delhi High Court held that the artist had moral rights and directed the government to restore the sculpture, and compensate damages to the artist due to the destruction of the sculpture. This emphasized the significance of moral rights to safeguard the honour and reputation of the artist's work.

Challenges and Issues

Infringement and Enforcement

Violation of personality rights is a major issue in India. These include use of an individual's identity for commercial purposes without authorization, invasion of privacy, and distortion of creative works. Often enforcement is convoluted due to the limited awareness, inadequate legal rights, and the slow-moving judicial process.¹² Moreover, there is the absence of specific comprehensive legislation designed to govern personality rights, which has complicated their enforcement. However, when it

comes to personality rights of celebrities, the judiciary is proactively on the forefront protecting personality rights. The same can be seen in *Mr. Shivaji Rao Gaikwad alias Rajnikanth v M/S Varsha Production*,²⁰ the famous actor Rajinikanth, popularly known as 'Thalaivar' or 'Superstar Rajni' filed a case against a production company for using his name and image without taking his permission, in a movie. Ultimately, the Madras High Court, noting public interest in protecting a person's identity from unauthorized third parties using that information for commercial purposes, ruled in favour of the actor.

Technological Advancements

The extensive use of social media platforms, online content sharing and digital advertising, results in significant risks of unauthorised use of identity and exploitation of individuals. The further spread of deepfake technology, which produces realistic fakes in terms of visual/verbal content, becomes an even bigger threat to personality rights. With rapid technological advancements, Indian law needs to be upgraded accordingly and provide new solutions to dilemmas faced by a digitised society.

For instance, in the year 2024, actress Deepika Padukone became victim of unbounded circulation of digitally manipulated photographs on Internet.²¹ The inability to trace those behind the abovementioned action is indicative of the challenge that digital technology poses in protecting personality rights. Interestingly, in the year 2023, the veteran cricketer Sachin Tendulkar filed a complaint against unauthorized use of his image in connection with misleading advertisements.²² Likewise, there are many instances where celebrities voice, image or videos are used²³ without authorization to commit various fraud or to extort money.²⁴ A 2023 report by McAfee shows that about 69% of Indians think that they cannot distinguish between an AI generated voice and a real voice.²⁵

Comparative Analysis

Different legal systems would adopt different approaches in protecting personality rights because initial protection of personality rights varies from jurisdiction to jurisdiction. Personality rights in the U.S. are a subset of the right to publicity, a legal doctrine that allows individuals to control the commercial use of their identity.²⁶ The scope and degree of protection for this right varies between States, with some States providing statutory protection of this right and others protecting the right under common law. Data protection laws in the

European Union protect personality rights so that citizens have control over the processing and use of their personal data.²⁷

In the United States of America, the right of publicity, a separate dimension of the legal right of privacy, allows individuals to prevent the unauthorized commercial use of their name or image.²⁸ The right is primarily subject to state law, with large variation in the extent and scope of protection between states.²⁹ For example, California³⁰ and New York³¹ have enacted special statutes that grant a full-fledged right to publicity. Other states protect individual publicity rights under common law principles. The *Zacchini v Scripps – Howard Broadcasting Co.* was a landmark U.S. Supreme Court case that set the right of publicity as an independent legal right.³² It was not enough to establish that the broadcast did not cover the ultimate rights of the entertainer in question — the Court determined that the airing of the entire performance of the entertainer, without their permission, was harmful to their right to publicity, stating that it was important to protect individuals' economic interests in their personas. The case highlighted that unauthorized commercial use of one's identity might reduce its commercial value and remove the incentive for creative labour, setting an important precedent for the concept of personality rights.

In the EU, personality rights are protected as data under EU Law, directly by the General Data Protection Regulation (GDPR). The GDPR gives individuals a degree of control over the handling and utilisation of their personal data, and helps limit the use of an individual's identity without permission.³³ The regulation establishes certain rights, among other things rights to privacy, data portability, and the right to be forgotten. That includes commercial use of personal data that can be used to exploit individuals without their consent.

However, other jurisdictions and their experiences hold useful lessons for India to consider to fortify the safeguarding of personality rights. India can take inspiration from the fact that the right to publicity was recognised as an independent class of commercial property in the United States and, as such, may also consider implementing dedicated legislation in the field of personality rights. The potential legal frameworks presented by the enthusiasm of the European Union to protect data and privacy provide examples that demonstrate the necessity of safeguarding personal data of the individuals and the need to provide control to the individuals over the usage of his data. By adopting these best practices India can fortify the existing legal

structure and confer detailed remedies for protecting personality rights in the country. Through the Srikrishna Committee Report which established the foundation of India's data protection regime³⁴, India is treating the protection of personal data as one of the components of the respect for individual autonomy and personality. Noting the need for a comprehensive legal structure to govern data processing and the powers of individuals to control their data, the report recommends of data localization and accountability measures, among others, to bolster privacy protections and align with global best practices such as that of the EU's GDPR. However, even after the commencement of the Digital Personal Data Protection Act, 2023, the questions pertaining to personality rights and the right of publicity remains unaddressed through express provisions of law.

Recommendations

Indian law should accommodate personality rights either by:

a) A comprehensive legislation dealing with personality rights. This legislation should provide for specific definitions and scope of personality rights, legal remedies for violations of personality rights, and duties of parties and organizations to protect personality rights. Such new legislation should ensure a well-structured and detailed framework for recognition, enforcement and adjudication of personality rights, in India. Additionally, it must establish a statutory body or authority to oversee and enforce compliance, providing individuals with a designated avenue for redress in the event of violations. In addition, the law should consider new technologies like artificial intelligence and deepfake technologies as well as evolving digital platforms which present potential threats to personality rights. In doing so, one can assure that the protective devices remain relevant and adaptable to the challenges of the present day.

OR

b) Amending existing laws, such as the Indian Copyright Act, 1957, and the Digital Personal Data Protection Act, 2023, to include within its ambit, provisions pertaining to personality rights. The Indian Copyright Act, 1957 could be amended to specifically classify personality rights as a new category of rights and its provisions would then protect the commercial use of the personality owner's likeness, voice, name or other identifiers from unlicensed use. Similarly, Digital Personal Data Protection Act, 2023, should be enhanced to cover cases of digital misappropriation of personality rights through legal remedies to halt

unauthorized collection, manipulation of data and usage and distribution of personal identifiers. Such approach would have the advantage of allowing the personality rights to be assimilated into the already existing hegemonic regulations, consequently, making them easier to enforce and circumventing the danger of unnecessary legislation on the subject.

The state of California has adopted the first approach by passing the California Celebrity Rights Act, 1985 granting broad protection over the right to publicity that empowers individuals to prevent commercial use of his/her identity during life and beyond.³⁰ The Act states that no person may use, without the prior consent of the person that possesses such right, a person's name, voice, signature, photograph, or likeness for commercial purposes.³⁰ This model gives power to the people and prevents misuse of their personal to personify content attributes without their consent.

This gives a solid basis to India to come up with its own comprehensive personality rights protection framework. Indeed, it is important to note that personality rights should not only be for celebrities. Although celebrities and public figures bear the greatest risk of misappropriation, personality rights should apply to the whole of society, without respect to public stature. Provisions should also be in place in the legal framework to protect ordinary people who might be victimised by identity fraud, non-consensual deepfake content and the exploitation of their likeness for commercial purposes.

In the landmark case of *Carson v Here's Johnny Portable Toilet, Inc.*³⁶, the United States Court of Appeals for the Sixth Circuit held that a famous television personality has a protectable right to control the commercial use of his catchphrase. The host of "The Tonight Show," Johnny Carson, won a case that challenged the unauthorized use of his signature catchphrase "Here's Johnny!" in commercial branding. This constituted an infringement of his right of publicity and set a precedent in favour of protecting personality rights in the US. The case highlighted the principle that an individual's unique personal identifiers, such as catchphrases, names and other signature characteristics, deserve legal protection from unauthorized commercial use. Claims before Indian courts should also take a similar course of action in order to provide robust protection of personality rights.

Importantly, with India's growing media that includes the internet, the growing threat of personality

rights being undermined by deepfake videos, unauthorized AI-based visual object replication of persons, and misuse of biometric data must be countered against. The social media platforms have also indeed increased concerns about identity thefts, such as when unauthorized users create fake identities impersonating the real individual in a plagiarized manner promoting the individual for unscrupulous and defaming agendas. A legislative framework that provides clear definitions, enforceable penalties and appropriate remedies for victims is necessary to address these concerns.

Conclusion

In the information age, the protection of personality rights still serves as an important armament for protecting individuals in their personal and social identity. In a world where technological advancements are continuously altering the way people communicate and express themselves, the challenge of safeguarding someone's identity from unauthorized, commercial usage has never been greater. In India, the evolution of personality rights has been progressive and is defended vigorously through both constitutional provisions, statutory laws, and judicial precedents. However, there remain both unreconciled challenges within the processes of implementing those rights and new challenges in the forms of new means of media-sharing, artificial intelligence, and policies surrounding both the blurred lines of our personal identities and the dissemination of that information publicly. By fortifying the legal backdrop, incorporating best practices adopted by other jurisdictions, and taking a uniform approach in deciding such matters, India can better situate itself to safeguard individuals' personality rights and provide redressal to the aggrieved.

Personality rights is a broad concept that includes the right to privacy, right to publicity, and moral rights, and is crucial because they protect one's identity and dignity. Although Indian courts have proactively recognized these rights, legislation that exclusively governs personality rights is still lacking in India, resulting in inconsistencies in their application. As the world becomes more and more digital, personal data is distributed easily and used in unauthorised ways (such as likenesses), deepfake technology develops and social media platforms exploit individuals' assets, it is clear that there is a need to put in place a more structured legal framework to enable people to keep control of their

persona. Legal reforms will have to be accompanied by awareness, adaptation of technology, consistent judgments and engagement with international mechanisms to put in place a holistic protection regime.

With India being more progressive in protecting personality rights, there are various steps that we can take care of in order to continue protecting them:

Legislative Reforms

The most urgent need for the protection of personality rights in India is to enact legislative provisions that deal specifically with personality rights in a clear manner. Although courts have interpreted current laws to ensure protection, the lack of a dedicated legal framework is hurting clarity and preventing ambiguity. They could do so in one of two ways:

(i) **The enactment of a standalone legislation:** The most effective means of protecting personality rights would be the enactment of a separate statute detailing, for example, the nature and extent of personality rights, the means of enforcement and effective remedies in the case of an infringement. Because it could cover the right to privacy, right to publicity, and moral rights.

(ii) **Incorporation of Personality Rights into Existing Legal Framework:** The second approach involves integrating the concept of personality rights into existing legal frameworks by modifying the Indian Copyright Act, 1957, to include personality rights in its provisions, specifying protections for a person's name, likeness, voice, and other recognizable traits. Likewise, the Information Technology Act, 2000, could be amended to include digital misappropriation of personality traits.

Regardless, the legal framework must include a clear mechanism to protect personality rights and provide legal certainty to people and businesses.

Educating the Public

The protection of personality rights relies on the realization. Yet many people are not aware of their rights and what recourse the law offers them in the event of violation. Educating the public on this issue might come in many forms:

(i) **Educational Campaigns:** Raising awareness by the means of digital media, print media and television can inform people about their rights and legal obligations.

(ii) **Workshops and Seminars:** Organising workshops and seminars for legal professionals, content creators, media houses and the public will

promote better understanding of personality rights and the need for consent prior to using a person's identity.

(iii) **Incorporating Personality Rights as a part of legal education:** Personality rights should be a separate subject by itself and being a significant subject in research and analysis perspective must be proposed on the table of law schools and institutions, so they can aware the future legal practitioner if they ever face with a case involving the protection of identity.

An informed public is less prone to misusing the personality traits of other people and is better trained to pursue the legal remedies if they are violated.

Adapting with Technology

The advent of digital media and new technologies pose further threats to personality rights, necessitating a more up-to-date legal framework. The rise of social media, artificial intelligence, deepfake technology and biometric data collection, for example, have broadened the range of violations that can occur. Here are some measures that can be taken to address these challenges:

(i) **Regulating the Use of Deepfakes and AI Manipulations:** Concerns about identity theft and manipulation with the usage of deepfake technology, especially in social media and communication applications are serious. Hence, Indian laws should specifically prohibit the unauthorized use of deepfake technology for commercial or deceptive purposes³⁷.

(ii) **Improving Data Protection Laws:** Although the Digital Personal Data Protection Act, 2023 is intended to protect personal data, it is imperative to add safeguard mechanisms so that biometric and identity-related data are not misused for unauthorized commercial and public use.

(iii) **Make Social Media Platforms Accountable:** Social media platforms like Instagram, Facebook and YouTube have been at the center of content distribution. Regulations might require these platforms to make it impossible to use a person's identity without permission and establish a quick route of redressal of grievances.

Through adapting to the rapid pace of the technology, India can ensure that personality rights continue to be safeguarded in a rapidly evolving digital environment.

Judicial Interpretation Consistency

Case law is key in the application of personality rights. Mismatched verdicts, however, could lead to

uncertainty and make uniform enforcement of such rights harder. To fix this problem, the judiciary needs to:

- (i) Establish Precedents: A well-established body of precedents clarifying personality rights and their enforcement should be developed by the courts.
- (ii) Adhere to Global Best Practices: Just as Indian courts would do well to refer to the laws of other jurisdictions, such as the US (Right of Publicity) or Europe (GDPR), they can also ensure that their decrees are not domestic in nature, but in alignment with the best practices around the world.
- (iii) Appreciate Personality Rights Beyond Celebrities: Although personality rights are often used in high-profile case involving celebrities, personality rights should not be confined to public figures. All people are entitled to defend their identity and the courts must ensure that legal protections apply to all persons regardless of their social or professional situation.

Well-laid down judicial approach will assist with legal predictability and will strengthen the enforcement of personality rights in India.

Collaboration with the International Organizations

India cannot be isolated where personality rights protection is concerned; its active involvement with the various international organisations dealing in this field will be mutually beneficial. India can seek assistance from international organisations like the World Intellectual Property Organization (WIPO), the United Nations, international human rights organizations, etc. to facilitate cooperation between stakeholders. In addition, the following also may help:

- (i) Implement Global Best Practices: Studying and learning from frameworks adopted in other nations can enable India to implement policies that have proven effective to protect personality rights.
- (ii) Contribute to Global Evolution of Norms: By taking part in international dialogues, India can also play an important role in the evolution of global laws surrounding personality rights, and will also be able to ensure that its domestic laws do not lag behind international norms.
- (iii) Enable Protection Across Borders: As globalization and our digital lives rise, infringements on personality rights are often cross-border. India must have international cooperation of strong nature to defeat cross-border infringements.

India must act actively to ensure that the individuals must have control over their identity. The

key pillars in this effort include legislative reforms, public awareness, technological adaptability, judicial consistency, and international collaboration. But personality rights are not just for celebrities and public figures. Similar to the California Celebrities Act, 1985 in that personality rights are meant to apply to everyone and protect the right to control the use of the individual's name, likeness, voice, and other aspects of an individual's identity.

In the end, personality rights are about upholding moral integrity and personal agency. They bolster the core tenant that no individual should have to hide who they are from the world to avoid being exploited or misquoted. With advancements in technology, India also needs to move ahead with time but at a careful pace, so that it continues to be stable enough to serve and safeguard the individuality and the identity of every person in India and external forces are not able to break India in any way. It is not about profiting or being in the public eye, it is simply my right to just be!

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