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COPYLEFT LICENSING AND LITERARY WORKS **UNDER INDIAN COPYRIGHT LAW AND A** **COMPARATIVE STUDY WITH THE U.S. REGIME**

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ABSTRACT

This research paper analyzes the notion of copyleft licenses applicable to literary works under Indian copyright legislation with reference to the United States regime. Modern society operates in an age characterized by technological advancement where information and data are readily accessible in electronic formats. Consequently, there is a need to provide greater access to literary works, and copyright law has been used to create copyleft licenses to ensure that literary works are shared and modified freely by other people.

The study employs a doctrinal and comparative approach to investigate the legal and operational aspects of copyleft licenses in India. The research will evaluate how the Copyright Act, 1957 recognizes open licenses in literary works and the gaps that exist in the legislation in this regard. The paper will analyze the Copyright Act of 1976 in the United States and the ease with which literary works can be licensed in the country. This will be achieved using cases such as *Jacobsen v. Katzer*.

The results indicate that copyleft licenses have been widely accepted in the United States compared to India. There are several reasons why the acceptance of copyleft licenses in India is low, including legal issues, lack of awareness among the public, and institutional challenges. Furthermore, copyleft licenses conflict with the moral right of authors, and this raises concerns about the applicability of the license in India.

In conclusion, the study recommends that legislators and courts adopt open licenses as they have significant advantages in terms of facilitating access to information and fostering innovations.

Keywords: Copyleft Licensing; Copyright Law; Literary Works; Open Access; Creative Commons; India; United States; Intellectual Property Rights; Open Licensing; Digital Knowledge Sharing.

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CHAPTER 1

INTRODUCTION AND RESEARCH FRAMEWORK

1.1 Background and Evolution of Copyright and Open Access

Copyright has traditionally evolved through history as a way of regulating the process of creation and publication of creative products. The roots of the institution go back to early forms of print regulation in the form of the Statute of Anne that was issued in 1710 and is considered to be the first act providing for the regulation of the rights of authors. Copyright, in its present state, is a complex legal institution providing for the exclusive rights of the author over his/her creations for a certain period of time.

Traditionally, copyright has had the property of being exclusive. The 'all rights reserved' principle presupposes the necessity of protecting authors' interests in order to make them create. In other words, the copyright paradigm suggests that the only way authors will have incentives to generate information is by granting them strong proprietary rights. Traditionally, this system functioned in accordance with the limits imposed by technology. Today, when digitalization allows for quick copying and distribution of works, these assumptions have become obsolete. It turns out that copyright, in its current state, cannot provide for the effective functioning of the information society since it creates obstacles for the distribution of knowledge. Digitalization has revealed the inefficiency of the existing system as far as balancing the interests of creators of information and the population's needs are concerned. Alternative solutions have arisen because of the growing gap between control and distribution.

One of such ways of managing information is the open access initiative. The idea is quite simple: all the creative products should be freely available, not because people do not want to pay for the information but because it should be distributed freely in order to serve as public good.²

Moreover, copyleft licensing has become one of the most significant models within this movement. Copyleft involves a reinterpretation of the copyright legislation, which uses all the tools of copyright protection not to prevent others from accessing the work but to guarantee that the product remains free. For example, derivative works are required to carry out the same obligations of being free of any restrictions when redistributing them.

This tendency of making copyright more flexible and inclusive reveals the changes that occur in society regarding its attitude to knowledge. In the modern world, the importance of sharing and collaboration is much higher than the idea of exclusive control over creative work. That is

² Peter Suber, *Open Access* 1–10 (MIT Press 2012)

why more and more authors consider copyleft licensing a better solution for their work.

1.2 Emergence of Copyleft in Literary Works

Initially, copyleft appeared in the domain of computer programming and software development. However, gradually the notion became popular in many other spheres of life. In particular, the authors of literary works are interested in adopting copyleft policies because it allows them to make sure that other people are free to modify and redistribute their creations. Moreover, the origin of the word copyleft makes it clear how the idea of free usage developed. As a combination of the words "copy" and "left," the term emphasizes the reverse role of the license compared to a copyright license.

Copyleft licensing appeared relatively recently due to the activities of Richard Stallman. Being an advocate of software freedom, he started the Free Software Movement in the 1980s to promote the idea that the code should be free of charge for anyone willing to use it. To implement his idea, Stallman introduced the concept of share-alike licensing and developed the GNU General Public License.

Although the origin of the word copyleft suggests that the notion is related only to computer programming, it has proved to be useful in other domains. Currently, many authors choose copyleft licensing in order to make sure that their creations are widely distributed. It applies to books, articles, blogs, etc. The sphere where copyleft licensing is applied extensively includes academic publishing. Many initiatives promoting open access use copyleft licensing as a tool for maximizing the visibility of research and spreading it globally.

Nevertheless, literary works represent a unique domain where copyleft licensing can face specific challenges. While it is easy to modify and improve software codes, the issue of changing literary works becomes problematic. They often contain subjective elements, and any modifications can change the meaning of the text dramatically. That is why it is important to create a legal framework for copyleft licensing in this domain.

1.3 Research Problem and Objectives

The main issue which this research investigates exists because there is no established legal framework which enables companies to recognize and enforce copyleft licenses through literary works in India. Worldwide copyleft has become a popular licensing model, but different countries apply it to their domestic legal systems with different degrees of acceptance and use.

The Copyright Act of 1957 establishes complete protection measures for literary works through

Indian copyright laws, but the law does not specifically recognize copyleft or open licensing systems.³ The legal status of these licenses remains uncertain because courts base their decisions on fundamental principles of contract law. The framework face difficulties because authors and users need to implement copyleft licensing to meet their needs. The research aims to address this problem by examining the conceptual and legal foundations of copyleft licensing, analyzing its application in literary works, and comparing the Indian framework with the more developed approach in the United States. The objective is to identify the challenges and opportunities associated with copyleft licensing and to propose measures for strengthening its implementation in India.

1.4 Research Methodology and Scope

The research employs a doctrinal and comparative approach which examines statutory laws and court rulings and academic publications about the subject matter. The doctrinal approach enables a detailed examination of the legal framework governing copyright and licensing, while the comparative approach provides insights into the differences and similarities between the Indian and United States systems. The research investigates only literary works while it excludes all other types of intellectual property which include patents and trademarks. The primary focus remains on written works and their dissemination through copyleft licensing although references to software and other domains are made when needed.

CHAPTER 2

CONCEPTUAL FOUNDATIONS OF COPYLEFT LICENSING

2.1 Meaning and Nature of Copyleft

Indeed, it appears that copyleft licenses represent an entirely new paradigm of understanding the essence of intellectual property, and that this type of license is revolutionary because it opposes the very idea of exclusivity in copyright law. Copyleft can be viewed as a specific kind of licensing agreement according to which authors have the right to distribute, modify, copy, or perform their works in the absence of restrictions as long as some conditions are observed. First, it should be noted that all the derivatives of the original work should be distributed under the license terms as well.

Unlike traditional copyright licenses in which only "all rights reserved" was the rule of the day, copyleft is "some rights reserved." This licensing form enables the author of the work to retain

³ Copyright Act, No. 14 of 1957, INDIA CODE (1957)

his/her basic rights, which include the possibility of getting acknowledged as the creator of the work. Thus, copyleft aims to find a compromise between the rights of the author and promotion of open access to information.

It is important to understand that copyleft is still based on copyright law; however, the license itself represents a tool that enforces the condition stipulated by the license. In this context, copyleft can be understood as an intelligent use of copyright.

2.2 Differences from Traditional Copyright

It is obvious that there are considerable differences between traditional copyright and copyleft licensing models. First of all, the former model presupposes the exclusive character of copyright protection whereas copyleft implies free use and reproduction of copyrighted material as well as distribution of any derived materials. Therefore, these two approaches differ in terms of their goals and priorities.

The main objective of traditional copyright is to give authors the exclusive rights and ensure their ability to benefit from their creative achievements through regulating the use of copyrighted works.

However, this objective does not characterize copyleft because it views creativity differently and sees it as a collaborative process. Another major difference between the two licensing models is associated with the licensing procedure since in case of traditional copyright licenses, the latter ones were created as a way to prevent any use of the copyrighted work without the permission of the author.

2.3 Philosophical Foundations of Copyleft

The philosophical foundations of copyleft are rooted in the ideals of freedom, collaboration, and the democratization of knowledge. The open knowledge movement which seeks to eliminate access barriers and create opportunities for communal learning has established these principles as its fundamental values. The utilitarian perspective serves as a primary philosophical framework that supports copyleft because it demonstrates how public advantages arise from sharing knowledge.

The copyleft system enables information to move freely throughout society which leads to advancements in both education and cultural progress. The system uses natural rights principles to establish the vital role of attribution for authorship when people use their work. The work of scholars such as Lawrence Lessig has been instrumental in articulating the philosophical basis of copyleft and open licensing. Lessig argues that copyright laws which impose excessive

restrictions will limit creative expression while reducing the capabilities of digital technologies.⁴ Thus, copyleft, in the current situation, can be regarded as an attempt to restore this equilibrium via implementing a more flexible and broad concept.

2.4 The Suitability for Literary Works

As noted earlier, one of the main advantages of using copyleft licensing for literary works is based on the necessity to introduce more flexible approaches to intellectual property in the digital era. It should be pointed out that literary works, which include different types of books, articles, and even Internet-based content, are ideally adapted for applying the principles of copyleft licensing. One of the major fields, where copyleft is applied, relates to scientific and academic activities, which allows promoting the concept of open access to various academic publications. At the same time, copyleft can be effectively implemented within educational institutions and other educational initiatives to create more open educational resources.

However, the issue related to applying the principles of copyleft to literary works requires paying attention to the issues associated with the protection of authorship, originality, and integrity of works.

In summary, as follows from the discussion of copyleft licensing in the previous sections, there are sufficient reasons to consider this licensing mechanism from the perspective of its potential impact on intellectual property protection and management.

CHAPTER 3

LEGAL FRAMEWORK OF COPYLEFT IN INDIA

3.1 Overview of Copyright Law and Licensing Structure in India

The Indian copyright legislation regime includes the Copyright Act, 1957, which regulates and protects literary, artistic, musical and dramatic works. Developed after India gained its independence, the Copyright Act balances intellectual property protection and the availability of works for the benefit of society. Over time, due to the development of new technologies that affect the way people use copyrighted works, two major amendments have been adopted to update the current legislation in 1994 and 2012.

Copyrights in India are defined as an exclusive set of rights that the creator of a work possesses. Among the rights that can be recognized in the case of literary works are the rights to

⁴ Lawrence Lessig, *Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity* 180–190 (2004)

reproduction, publishing, distribution, translation, adaptation and communication of works to the public. In other words, these rights enable authors to protect their creations from unauthorized exploitation. At the same time, the exercise of these rights is limited and may be restricted through the use of fair dealing provisions and statutory licensing schemes.

Since licensing enables authors to permit others to make use of their creations without assigning any intellectual property rights, licensing plays a pivotal role in copyright laws of India. According to the provisions of the Copyright Act, licensing relations can be both voluntary (governed by contractual rules) and compulsory (or statutory). Therefore, it is possible to develop alternative licensing models such as copyleft licensing.

In spite of the wide spectrum of licensing possibilities provided for in the Act, copyleft licenses are not mentioned or discussed. In other words, there are no specific provisions regarding copyleft and thus its application in practice will be determined by general licensing provisions. It should be noted that copyleft provisions are interpreted as regular licensing clauses in India.⁵

3.2 Copyleft Licensing within the Indian Legal Framework

Indian copyleft licensing functions through existing copyright and contract laws without creating separate legal recognition for this licensing system. The Act supports the fundamental premise of copyleft which allows authors to assign permissions with the requirement of share-alike distribution. In practice, copyleft licenses function as contractual agreements between the author and the user.

The author grants permission to use, modify, and distribute the work, subject to compliance with specified conditions. The conditions become enforceable under contract law when all essential contract elements including offer acceptance and consideration have been met. The digital context establishes acceptance through conduct which includes downloading and using the work according to contemporary contract formation principles.⁶

The use of contract law in business transactions creates certain difficulties for companies. The enforcement of contract violations requires different methods because the legal system treats copyright violations through established laws which provide fixed solutions. The handling of share-alike obligations by authors who enforce their rights through copyright licensing creates different results for copyleft licensing according to this distinction.

The moral rights of Indian artists create another critical component that affects the Indian

⁵ Copyright Act, No. 14 of 1957, INDIA CODE (1957)

⁶ Avtar Singh, *Law of Contract and Specific Relief* 45–50 (11th ed. 2013)

system of copyleft licensing. Section 57 of the Copyright Act establishes the author's right to protect their work through authorship declaration and right to refuse any alterations that damage their personal reputation. The right to modify copyleft licensed works creates a conflict with the need to protect the personal artistic rights of authors. The solution to this conflict needs both a detailed examination of license requirements and a complete understanding of licensing requirements.

The legal system becomes more difficult to navigate because there are no court decisions that specifically deal with copyleft licensing issues. Indian courts have reached decisions about licensing and contract law but they lack sufficient information to determine how copyleft licenses should be applied and understood. Authors who want to use such licenses face barriers due to the existing uncertainty which also reduces the licenses actual usefulness.

3.3 Role of Open Licensing Frameworks in India

In India, one of the reasons behind the successful application of copyleft licensing lies in the implementation of standardized open licenses, most notable being those offered by Creative Commons. Through these licenses, an author can easily grant certain permissions for the use and distribution of the work created while retaining some other rights to it. These licenses have been widely used by the academia across India in the past several years.

The implementation of Creative Commons licenses has contributed greatly to the development of open access initiatives within India. These licenses make it possible to create an environment in which different works could be openly shared, used, and modified by anyone who might want to benefit from such opportunities. With the use of this licensing scheme, it is easy to set the required limits for the use of any copyrighted work.

Despite all the advantages associated with the implementation of Creative Commons licenses in India, they do face certain obstacles that may hinder their effectiveness in ensuring effective sharing and use of intellectual property. The lack of statutory regulations and judicial precedents may lead to numerous legal uncertainties concerning copyleft licensing. In the absence of appropriate statutory provisions, the interpretation of these licenses is left at discretion, thus, leaving much room for doubt and controversy.

Moreover, there is the problem of limited awareness of the licensing scheme in question. Not all authors may fully realize the consequences of adopting copyleft licensing for their intellectual property. It should be noted that some people may fail to fully understand the licensing conditions when using copyrighted works that have been licensed accordingly.

3.4 Challenges and Limitations in the Indian Context

The application of copyleft licensing in India faces many obstacles due to a number of different factors. Firstly, the lack of statutory regulations governing the use and interpretation of such licenses makes the process quite uncertain. In the absence of appropriate statutory provisions, the use of copyleft licensing remains quite challenging. In case any dispute emerges, it will be difficult to determine the terms to be applied.

Secondly, there is a possibility of conflict between the terms provided in copyleft licenses and moral rights of the author in relation to the work he/she has created. This problem is closely related to the possibility of modification and adaptation of a copyrighted work.

The implementation of copyleft licensing will also be faced with many difficulties arising from the necessity to monitor its compliance. Given that works are published in the electronic form, monitoring compliance may prove to be quite complicated.

Finally, there is the problem of enforcing copyleft licensing. Without proper institutions to monitor compliance, there is no chance that copyleft licenses can work. Economic considerations may also affect the application of such licensing system to copyrighted works.

CHAPTER 4

U.S. APPROACH TO COPYLEFT AND OPEN LICENSING

4.1 Structure of Copyright Law in the United States

The United States system of copyright protection is regulated by the Copyright Act of 1976. The main feature of this system is its flexible nature that can accommodate various needs of creators and society as a whole. As opposed to India where elements of natural rights approach to copyright protection can be observed, in the United States copyright system is based on utilitarianism as its core principle.

According to the Copyright Act of 1976, copyright subsists automatically in any original work of authorship that is fixed in a tangible form. Literary works, both paper-based and electronic ones are subject to copyright protection even without the process of registration, although registration adds additional benefits for copyright owners. The copyright owner has a set of exclusive rights, including reproduction, distribution, creation of derivative works.

Another important element of flexible approach to copyright is the existence of fair use doctrine according to which some uses of copyrighted works are possible without authorization of the copyright holder.

4.2 Development of Copyleft and Open Licensing in the U.S.

The emergence of copyleft concept and copyleft licensing is connected with the activities of Free Software Movement and Richard Stallman in particular. In his GNU Public License, Stallman showed that copyright is not an obligatory tool to prevent people from accessing and using the works but could also be employed to promote openness.

As for copyleft for literary works, the principles created by Stallman have been expanded by developing appropriate licenses for all sorts of works under Creative Commons licenses, which offer different levels of freedom to authors and copyright holders.

4.3 Judicial Recognition and Enforcement

An essential factor of the success of open licensing in the United States is the attitude of the judiciary to copyleft licenses. An important precedent in the sphere was set in the *Jacobsen v. Katzer* lawsuit.⁷

The decision creates important consequences for copyleft licensing because it lets authors file copyright infringement lawsuits when their work is used without permission. The recognition of license conditions as enforceable rights establishes a solid legal basis for open licensing which improves its trustworthiness.

4.4 Strengths of the U.S. Approach

The U.S. system for copyleft licensing combines three main features which include flexible licensing options together with effective contract enforcement and clear judicial standards. The system gives authors complete control to select their preferred licensing solutions because the judicial system will uphold their chosen licensing arrangements.⁸

The United States has seen open licensing become widely accepted because of various institutional and technological elements that back its usage. Academic institutions, government agencies, and digital platforms have played a significant role in promoting open access and facilitating the use of copyleft licenses.

4.5 Comparative Insights

The comparison between India and the United States shows that both countries approach copyleft licensing through different methods. The United States system offers a complete

⁷ *Jacobsen v. Katzer*, 535 F.3d 1373 (Fed. Cir. 2008)

⁸ Copyright Act of 1976, 17 U.S.C. §§ 101–810 (1976)

supportive structure while the Indian system exists in its initial development stage which suffers from operational uncertainties and inadequate institutional backing.

The differences between the two systems demonstrate how legal understanding and judicial participation together with institutional help work to advance copyleft licensing adoption. India can create an efficient system that protects author rights and improves knowledge access by adopting the U.S. system advantages.

CHAPTER 5

COMPARATIVE ANALYSIS AND CRITICAL ISSUES

5.1 Conceptual and Structural Differences Between India and the United States

Moreover, it should be noted that, from a theoretical standpoint, there are significant differences between the approaches to copyleft licensing in India and the USA that do not solely pertain to legal but also conceptual and even structural levels. Such distinctions can be traced back to fundamental differences in philosophies underlying copyright legislation, the role of judicial interpretation, and socio-economic contexts in which copyright law functions. Firstly, the copyright legislation in India is based on a mixed philosophy combining both the natural rights approach and utilitarianism. The introduction of moral rights under Section 57 of the Copyright Act, 1957, is indicative of the priority placed on authorial integrity in India. Although such a philosophy emphasizes the importance of protecting the author's personal relationship with his/her creation, it may become a source of contradictions between the freedoms provided under copyleft licensing and moral rights of authors to prohibit mutilation of works. Thus, copyleft licensing may contradict provisions of Section 57.

Secondly, the copyright legislation in the USA is guided by a strictly utilitarian philosophy as expressed in Article I of the US Constitution concerning the promotion of scientific and technical development. As stipulated by the Copyright Act of 1976, the legislative framework of copyright in the USA is highly adaptable and flexible. This makes possible the integration of copyleft licensing and allows for an extended interpretation of permissions granted to recipients of works.

Thirdly, although licensing agreements are regulated by provisions of the Copyright Act, 1957, in India, the practice in the USA is governed by the well-developed contractual law. Thus, copyleft licensing is much easier to implement in the USA owing to its legal nature and the extensive body of case law. Moreover, licensing agreements in India are regulated by statutory provisions only, whereas in the USA, they are based on general contract law.

The above-mentioned differences in philosophies underlying copyright legislation and licensing practices significantly affect the possibilities of introducing copyleft licensing in India.

5.2 Legal Recognition and Enforcement: A Comparative Perspective

The effectiveness of copyleft licensing depends on the legal recognition and enforcement of its licenses. The United States legal system recognizes open licenses as enforceable through court rulings which include the case *Jacobsen v. Katzer* as its most important decision. The case established that open license terms have the same authority as copyright conditions which can be enforced through legal means. The court established a solid legal basis for enforcing copyleft licenses by treating license term violations as copyright infringement.⁹

The judicial system established clear guidelines which became the primary reason people started using copyleft licenses throughout the United States. The enforceability of license conditions provides authors and institutions with a dependable basis to trust open licensing systems. The enforcement system receives additional strength from statutory remedies which include both injunctions and damages.

In India, however, the legal recognition of copyleft licensing remains largely implicit. The Copyright Act permits licensing arrangements but it fails to specifically mention open or copyleft licenses. The general principles of contract law serve as the basis for their enforceability which does not match the protective power of copyright enforcement.¹⁰

The lack of judicial precedents which specifically deal with copyleft licensing creates additional legal uncertainty. Indian courts have not yet had the opportunity to interpret the conditions of open licenses or to determine the appropriate remedies for their violation. Authors will avoid using copyleft licensing because of this unclear situation which makes it hard to use the licensing system.

The study demonstrates how judicial participation develops the legal framework which governs copyleft licensing. The U.S. system provides advantages through its consistent judicial rulings but India needs to develop similar judicial practices which will bring about better legal certainty and enforcement.

5.3 Practical Challenges in Literary Works

In addition to that, the application of copyleft licensing in literature is different from software

⁹ *Jacobsen v. Katzer*, 535 F.3d 1373 (Fed. Cir. 2008)

¹⁰ Copyright Act, No. 14 of 1957, INDIA CODE (1957)

since the former has a lot of features. First, it must be noted that literary works tend to reflect personal styles of an author as well as the ideas he/she wanted to convey. It makes one wonder to what extent the work can be altered without compromising its authenticity.

As mentioned above, copyleft licensing in literary works poses several problems in India. Namely, the authors in India have moral rights, meaning that they may feel threatened if anyone changes their work despite the availability of such options in copyleft licensing. As a result, authors may prefer to choose alternative licenses that provide more security in terms of copyright protection.

Unlike the case of India, the USA does not guarantee strong moral rights to the authors. As a consequence, they do not have anything to worry about when it comes to copyleft licensing and the possibility of alterations to their work. However, it creates another problem because license conditions require specific interpretations in the case of derivative works.

Apart from that, authors and people who use works need to be aware of license conditions in order not to violate any provisions of copyleft licenses. In addition, people who are unfamiliar with the intricacies of licensing tend to make mistakes. Consequently, the success of the licensing depends on how comprehensively the condition can be explained.

Finally, authors of literary works need money. As a result, they will not choose licenses that guarantee free access and use to all people interested. They should develop some models of copyleft licensing that would allow them to receive financial compensation.

5.4 Critical Issues and Theoretical Tensions

Comparative analysis reveals a range of crucial issues and contradictions which should be discussed in relation to the topic at hand. First, it is necessary to point out the fundamental contradiction between exclusivity on the one hand and openness on the other hand. It can be observed that the essence of the traditional copyright system is based on the exclusivity of rights whereas the essence of copyleft licenses is opposite.

In the Indian case, the principle of moral rights increases the significance of exclusivity even more because the recognition of moral rights means that the author should be protected against any modifications made by the third party without his or her consent.

Thus, the main problem consists in combining two opposite aspects – exclusivity on the one hand and openness on the other hand. Contract law is another issue which should be mentioned in the context under consideration.

Although it allows implementing open licensing agreements quite easily, it does not provide as much protection as copyright law.

Finally, it is important to mention globalization as the phenomenon affecting the process of applying the provisions of copyleft licenses to digital content. Since many licenses are created for use across borders, harmonization is needed here.

CHAPTER 6

CONCLUSION AND RECOMMENDATIONS

6.1 Conclusion

The current research has explored the use of copyleft licensing in the literary domain with emphasis on the legal regime prevailing in India compared to that of United States. In doing so, the research has found out that copyleft licensing presents an important departure from the conventional methods of copyright licensing being flexible and inclusive.

According to the findings of the research, it is evident that despite having great support in the United States in terms of institutional mechanisms and law, copyleft licensing is not extensively used in India because of the legal uncertainties associated with the process. Lack of clarity on the legality of the process discourages many from adopting the open licensing model.

At the same time, the potential of copyleft licensing to increase accessibility and facilitate innovation and collaboration cannot be undermined. Especially in relation to literary works, the benefits of using this kind of license have been identified to be significant as they enhance the exchange of ideas.

6.2 Recommendations

Based on the findings of the current research, there are several recommendations that may be made. To begin with, the Copyright Act, 1957 should be amended to make specific references to copyleft licensing. This will create necessary legal certainty in regard to the use of the licensing approach.

In addition, the judiciary should get involved in developing case laws related to copyleft licensing. It is recommended that courts interpret laws in regard to copyleft licensing in a way similar to that in the United States.

Thirdly, it is essential to conduct awareness campaigns and educate all participants of the author-user-publisher relationship about copyleft licenses. This may involve conducting workshops or creating training programs related to copyleft licensing. The issue of using open licenses can be considered at university level and introduced into academic curricula.

Fourthly, the development and adoption of copyleft licenses will require the establishment of

certain policies by universities, research institutions, and government organizations in favor of open licenses, especially when dealing with public funding for educational projects.

Lastly, attempts should be made towards aligning Indian copyright legislation with international standards in order to facilitate the adoption and enforcement of copyleft licenses across countries. This will improve India's contribution to the world knowledge community.

6.3 Final Observations

The future of the copyleft license movement in India will greatly depend on how the legal system of the country will adjust to the emerging trends in information dissemination and intellectual property laws in the digital age. If this movement is to succeed, India must adopt the principles of openness and collaboration and develop an intellectual property system that works in favor of authors as well as users.

The comparative study of copyleft licenses in India and in the United States gives numerous lessons to be learned and implemented in order to ensure the success of this innovative approach to licensing in India.¹¹

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