

Evolving Dimensions of Celebrity Rights: An IPR Perspective on Personality, Publicity and Digital Identity

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Abstract: The accelerated development of the media, technology, and digital platforms has radically transformed the contemporary perception of celebrity and legal protection of the interest of celebrities. The personality rights and the right of publicity were traditionally used to protect celebrity rights, which relied majorly on privacy principles, tort law, and intellectual property law. These legal systems were geared towards stopping the unlicensed commercial use of the name, image, likeness and reputation of a celebrity. However, the advent of digital identities has made the definition as well as the implementation of these rights extremely difficult.

Social media influencers, artificial intelligence-based content, deepFake technologies, virtual avatars, and non-fungible tokens (NFTs) have dismantled the demarcation between offline and online identity, generating new types of economic values alongside legal susceptibility. It has exposed celebrities to dangers of identity theft, digital misuse and unauthorized and unlicensed digital reproduction like never before, usually across multiple jurisdictions. The current legal frameworks which are mostly created with respect to the traditional media are unable to cope with these technological induced predicaments.

This research article is a critical discussion of how the concept of celebrity rights has been changing in terms of Intellectual Property Rights (IPR), specifically, personality rights, publicity rights, and digital identity. By analyzing the judicial trends, the statutory frameworks, and the global practices, the paper is able to evaluate the sufficiency of the existing legal safeguards, and identify the emerging gaps. It also suggests legal and policy changes to guarantee a fair shield of the celebrity interests and maintain freedom of speech, creativity and the interest of the people in the digital era..

Keywords: Celebrity Rights, Personality rights, Right of Publicity, Digital identity, Intellectual Property Rights, deep fakes, Social Media, Artificial Intelligence