

# EXPLORATION OF TECHNOLOGY GLOBALLY AND ITS LEGAL DIMENSIONS

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<b>Chapter 20—Perplexity of Data Protection in the Epoch of Digital Megatrends .....</b>	<b>225</b>
<i>Ms. Swati Kaushal and Mr. S. Ravi</i>	
<b>Chapter 21—Artificial Intelligence: A Study in Relation to Banking Transactions in India .....</b>	<b>241</b>
<i>Prof. (Dr.) R.L. Koul and Dr. Meenakshi Kaul</i>	
<b>Chapter 22—Artificial Intelligence: A New Board Member for an Effective Corporate Governance.....</b>	<b>253</b>
<i>Dr. Anuj Kumar Vaksha and Mr. Rituraj Sinha</i>	
<b>Chapter 23—Detecting Financial Frauds Through Machine Learning: Has India Missed the Bus?.....</b>	<b>265</b>
<i>Mr. Bhumesh Verma and Mr. Utkarsh Kr. Mishra</i>	
<b>Chapter 24—Contemporary Scenario of Banking Frauds in India in the Facet of Cyber Age.....</b>	<b>273</b>
<i>Ms. Kritika Ishwar and Ms. Nivedita Rawat</i>	
<b>Chapter 25—Personhood and Ownership of Artificial Intelligence under the Patent Regime.....</b>	<b>285</b>
<i>Ms. Palka Rishi and Mr. Devesh Saxena</i>	
<b>Chapter 26—Convergence of Artificial Intelligence and Its Impact on Intellectual Property Rights and Information Technology Act, 2000: Indian Perspective .....</b>	<b>296</b>
<i>Dr. Prachi V. Motiyani and Mr. Siddhant R. Shah</i>	
<b>Chapter 27—Artificial Intelligence and Intellectual Property Rights: Challenges and Opportunities .....</b>	<b>308</b>
<i>Mr. Mayank Kapila</i>	

CHAPTER 26  
CONVERGENCE OF ARTIFICIAL INTELLIGENCE  
AND ITS IMPACT ON INTELLECTUAL  
PROPERTY RIGHTS AND THE INFORMATION  
TECHNOLOGY ACT, 2000  
INDIAN PERSPECTIVE

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ABSTRACT

*In today's world Artificial Intelligence has substituted most of the works done by humans which in a way help the people at large, but at some point it also creates new problems for humans. As we say, that there are two sides of the same coin in the same way there are two sides for AI, that is, it has its advantages along with its own disadvantages. When Artificial Intelligence is seen through the microscopic view of law one could understand its repercussions as well as its usefulness in the legal system. On one side AI is a new way of correcting one's own mistake through various technical advancements which at times humans cannot recognise. So far as convergence of AI and its impact on Intellectual Property Rights and Information Technology Act, 2000, is concerned the IT Act of 2008 do not take care of Internet and Internet telephony because the intention of the Act was to grant similar legal status as paper records for digital signatures and electronic records. Therefore, the only technological Act of India does not go parallel to the development of AI and on the other hand none of the IP laws grants protection to the innovative/creative work done by AI; hence, even today there is no much improvement in the field. In spite of the fact that the Internet is an occurrence of the latter part of twentieth century, the concerned regime at present is of the nineteenth-century colonial times. Man-made intelligence has gained incredible ground with improvements in cloud-based foundation, which permits machines to gain from the information that breaks down. This chapter focuses on the convergence of AI and its impact on Intellectual Property Rights and the Information Technology Act, 2000, as per the Indian perspective.*

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## INTRODUCTION TO ARTIFICIAL INTELLIGENCE

It is very important to understand the concept of Artificial Intelligence first and then explore its potentials. Let us first appreciate the concept of AI. We can define AI best by scrutinising two parts of the words i.e. artificial and intelligence. Describing 'artificial' will be an uncomplicated task, whereas description of 'intelligence' is what is manifested as a complicated thing. It was in the year 1956 that John McCarthy<sup>1</sup> introduced the term 'Artificial Intelligence'<sup>2</sup> for the first time. Though the term was coined in the year 1956, much before that the intelligence of a machine was debated. This is evident in Alan Turing, eminent scientist, British mathematician and logician's<sup>3</sup> article 'Computing Machinery and Intelligence'<sup>4</sup> where he contends with the condition that if in case a machine can clear the 'Turing Test'<sup>5</sup> there will then be probable grounds to state that computer was intelligent.<sup>6</sup> The Turing Test involved a human being (referred as 'judge') asking questions through computer terminal to two other entities, one of which is a human being and the other of which is a computer.<sup>7</sup> If the judge regularly failed to correctly distinguish the computer from the human, then the computer was said to have passed the test.<sup>8</sup> It was after this that the inclination of human intelligence began to be seen as scale to evaluate AI. The act is similar to that of using machines to perceive intelligence of humans, wherein AI is not restricted to the ways that are bionomically recognised. AI is now grown in a similar manner as humans and hence the debate of giving recognition to AI as there are almost very negligible things that Artificial Intelligence cannot perform when compared to humans. Hence, identification and recognition of AI is now a fundamental question that needs to be answered.

Looking at the above introduction of Artificial Intelligence it is now very much important to know the various definitions of AI by eminent personalities as well as the definition given in various textbooks or a dictionary. Some are listed as follows:

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1. See <https://www.britannica.com/biography/John-McCarthy>.
  2. *Ibid.*
  3. See <https://www.britannica.com/biography/Alan-Turing>.
  4. *Mind*, Volume LIX, Issue 236, October 1950, pp 433–460, <https://doi.org/10.1093/mind/LIX.236.433>.
  5. In 1950, Alan Turing evolved the concept of 'Turing Test', for identifying intelligence of machine ability when compared to human.
  6. See [www.nishithdesai.com](http://www.nishithdesai.com).
  7. *Ibid.*
  8. *Ibid.*





In the *Oxford Dictionary* (Lexico, 2019) AI is defined as: “the theory and development of computer systems that can perform tasks normally requiring human intelligence, such as visual perception, speech recognition, decision-making, and translation and interpretation.”<sup>9</sup>

Professor B.J. Copeland defines Artificial Intelligence as “Artificial intelligence (AI), the ability of a digital computer or computer-controlled robot to perform tasks commonly associated with intelligent beings.”<sup>10</sup>

Marshal S. Willick defines Artificial Intelligence as “the capability of a device to perform functions that are normally associated with human intelligence, such as reasoning, learning and self-improvement.”<sup>11</sup>

From the above few definitions as well as Turing Test by Alan Turing, and if we have a glance at all the definitions altogether, it would be fair to say that there can be no certain definition of AI and instead, there can be merely an interpretation of AI because as the world moves on the phase of technology changes, along with that the requirement as well as the usefulness of technology will also change. Therefore, there can be no straight-jacket formula to define AI, but surely there can be different interpretations and the interpretation will depend on the workplace of the individual, for example, scientist and mathematician will never have the same interpretation of AI. They both will try to define or interpret AI in different terms and in different ways as their perspective is different the same will be with those individuals associated with the legal profession. Therefore, it can be said that the concept will remain the same but interpretation will change. Hence, we cannot say that we are having the perfect definition of AI.

## **STATUS OF ARTIFICIAL INTELLIGENCE UNDER THE INDIAN LAW**

Starting now, no law in power perceives AI to be a lawful individual and there are no AI-related laws or enactments not only in India but around the globe the situation is identical. Be that as it may, with episodes, for example, the lethal mishap brought about by Uber’s self-driving vehicle in this way murdering a passer-by in Tempe, Arizona, and Sophia, a robot being granted citizenship by Saudi Arabia has gotten imperative to address the legitimate character of AI. India has not gone to the extent of giving citizenship rights to a robot, yet what occurs on the off chance that it does? Further, who might be answerable for their activities? In the event that it carries out a wrongdoing, what

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9. Lexico, 2019, extracted from [https://www.lexico.com/en/definition/artificial\\_intelligence](https://www.lexico.com/en/definition/artificial_intelligence).

10. See <https://www.britannica.com/technology/artificial-intelligence>.

11. Marshal S. Willick ‘Artificial Intelligence: Some Legal Approaches and Implications’, *AI Magazine*, Volume 4 (1983), p 2.

discipline would be granted? Such difficulties will be tended to if the administration makes a pre-emptive move and address the legitimate character of an AI. Further, AI is completely founded on information created and is assembled from different sources and henceforth a one-sided informational index could prompt a one-sided choice by the framework. There is no question to the way AI is setting down deep roots for the long stretch that we, despite everything, don't have the foggiest idea about. All the dangers associated with it and subsequently is occupant to have laws to control the activities of AI just as for the responsibility of mistakes. With the shortage of clear arrangements in law, responsibility may endure a shot.

Further, the Constitution is the essential legitimate structure that doles out rights and commitments to people or residents of the nation. Lamentably, the courts till date have not recognised the legality of independence of AI devices. Nevertheless, the Ministry of Industry and Commerce in India did identify the need for AI for the nation as a whole. Therefore, all attention and focus for once were shifted to the challenges and concerns posed by and from AI-based technologies and systems. Hence, the intention for smoothening the road for growth and development of AI in India had constituted an 18-member task force, comprising ministries like 'NITI Aayog', 'Ministry of Electronics and Information Technology', 'Department of Science & Technology', 'UIDAI' and 'DRDO' in August 2017, titled 'Task force on AI for India's Economic Transformation', presided by 'V. Kamakoti'.<sup>12</sup> Further, a report of task force has been published recently,<sup>13</sup> where comprehensive suggestions along with subsequent stages have been given to the Ministry of Commerce so that brief policy or regulation can be enacted on AI in India.<sup>14</sup>

### ***Protection of Intellectual Property in the Era of Artificial Intelligence***

At the point when the surprising degree of innovativeness and information displayed by AI is unmistakably noticeable, concerns relating to IP insurance might be present in the psyches of the ones implementing the remedy related with protected innovation. There is an extensive assortment of licensed innovation enactments which might influence the working of AI in India as well as around the globe. Legislations concerning India are discussed in detail below with some of the important comments received by WIPO in its Draft Issue Paper dated 14 February 2020 and probable answers given by the WIPO.

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12. See *supra* note 5.

13. See *supra* note 5.

14. See *supra* note 5.



90

## I. Copyright

Copyright is the rights granted to the creator/author of the original work and is the only intellectual property which does not mandatorily need registration. The only requirement for acquiring the copyright is originality but, the question that arises here is what if the original work is prepared by a robot or with the help of any other Artificial Intelligence. Can rights be granted to a device having Artificial Intelligence? The same is still unanswered as there is no recognition yet for AI in Indian laws as well as in foreign laws and neither are there polices. Further, in certain nations, we can see a prominent necessity of creativity and innovativeness, with regards to the responsibility for works. Indeed, even Copyright legislation in the nation requires that all together for an 'attempt' to fit the Bill for copyright assurance, it will be priory to match 'degree of creativity/imagination' the ratio is laid down by Hon'ble Apex Court in case of *Eastern Book Company and Ors. v. D.B. Modak and Anr.*<sup>15</sup> Wherein it was quoted that at least 'minimal degree of creativity' was required, and "there must be some substantive variation and not merely a trivial variation".<sup>16</sup> After perusing the ratio laid down in the above mentioned case, there seems that, there is nothing like complete end, which can look up at could and express that AI can't be linked up with 'small portion of imagination' as required. Notwithstanding the above mentioned, the subsequent necessity to be fulfilled by AI with regards to the responsibility for work is prerequisite step under the umbrella of 'author' according to characteristics enunciated in the Copyrights Act and the same could be dangerous because AI had by and large been respected for not having a lawful character and giving that legal recognition to AI might affect the respect of AI. Further, Section 2(d) of the Copyright Act, 1957, defines 'author'.

The principal concern in the definition is sub-clause (iv) which utilises the term 'the person who causes the work to be created'.<sup>17</sup> Figuring out who 'causes' a work to be made is an issue of the nearness of a characteristic or legitimate individual to the production of the 'articulation' in the substance being referred to – the more intently or straightforwardly an individual is associated with making the 'articulation', the more the person in question gets added in, has most likely chance of the individual to get qualified as person according to the definition. Further, according to the reasons enumerated, the present lawful structure as per the Copyright Act, 1957, might not be adequately managed/recommended for production of works where the genuine creator or a supporter of the 'articulation' is certifiably not a lawful individual. Along these lines, with regards to works that are made by computer-based intelligence, their creation would be quarrelsome as per the copyrights regime in the nation. There can be

15. *Eastern Book Company and Ors. v. D.B. Modak and Anr* (2008) 1 SCC 1 (India).

16. *Ibid*, para 34.

17. Section 2(d)(iv) of the Indian Copyrights Act, 1957.

no uncertainty that a human's contribution is always needed in launching computer-based intelligence's innovative endeavour. Anyways the procedure to figure out who the creator/proprietor is the point at which the simulated intelligence steps in to assume a critical job in the making of the work, that still is a hazy area.

## II. Patents

The connection between laws relating to the patent and AI is expanding in the present innovative world. As it is understood, AI has been utilised widely so as to improve the execution of essential capacities and fundamentally decrease human exertion. At a brisk look, AI-empowered frameworks appear to be working in a manner much the same as basic adding machines and such devices. Be that as it may, it works in a substantially more confounded way. Today, AI-empowered frameworks are prepared to perform errands dependent on their own key knowledge, creativity and learning making the chance of them imagining something. While this is a colossal improvement from an innovative angle, it suggests new testing conversation starters from a lawful viewpoint, i.e., from the point of view of patent law.

### Present Regime for Patent Law and Prospected Space for AI in the Said Regime

Patent as per the WIPO means "A patent is an exclusive right granted for an invention, which is a product or a process that provides, in general, a new way of doing something, or offers a new technical solution to a problem. To get a patent, technical information about the invention must be disclosed to the public in a patent application."<sup>18</sup> Now so far as the protection of the patent is concerned there also the owner of the patent has exclusive right to restrain wrongdoers from exploiting patented invention commercially. Speaking distinctly, "protection of patent means that invention cannot be commercially used, distributed, imported or sold by others without consent of patent owner".<sup>19</sup>

As discussed above, AI is used for minimising human efforts. Therefore, it is absolutely possible that when human efforts are taken away and everything is totally dependent on machine then in such cases the problem will arise when that machine created by human invents something innovative and there would be no recognition for the machine. It is to be understood that machine is capable enough for invention and there absolutely cannot be a question as such to the capacity of machine coming out with invention. Therefore, in such a case it will be tremendous amount of dilemma that

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18. See <https://www.wipo.int/patents/en/>.

19. *Ibid.*



who can be the patent owner and what sort of patent protection can be granted and to whom, which is serious concern in the field of IP.

Further, under Section 6 of the Indian Patents Act, 1970, talks about a person's entitlement to apply for patent protection. Section 6 exactly states as below:

Persons entitled to apply for patents. -

- (1) Subject to the provisions contained in section 134, an application for a patent for an invention may be made by any of the following persons, that is to say,-
  - (a) by any person claiming to be the true and first inventor of the invention;
  - (b) by any person being the assignee of the person claiming to be the true and first inventor in respect of the right to make such an application;
  - (c) by the legal representative of any deceased person who immediately before his death was entitled to make such an application.<sup>20</sup>

Here, sub-clause (a) talks about 'true and first inventor' and definition for the same is given under Section 2(1)(y) which reads as below:

(y) "true and first inventor" do not include neither the "original importer of an invention into India, nor a person to whom an invention is initially communicated from outside India."<sup>21</sup>

Both the above-cited provisions do not explicitly force the necessity for 'inventor' elected as natural person. In this manner, perusing provisions cited through microscopic view, it might be deciphered such that, AI could perhaps fall within the meaning of 'inventor' as enumerated under Section 2(1)(y) of the Act. However, practically speaking 'true and first inventor' will be constantly thought as natural person. Therefore, it might be fascinating to follow statute vide this front. Predominantly, stand of the patent office wherein 'true and first inventor' as per the patent application certainly could not be 'AI'. Be that as it may, AI will positively assume a significant job towards development of patent regime. Refined utilisation of NLP i.e. 'Natural Language Processing' is embraced for producing variations in the present claims for the growth of scope of invention. The generation of these patent claims utilising such technology would be helpful in blocking the evident ideas from being under patent protection, since they would frame body of 'prior art' which is accessible publicly.<sup>22</sup> Also, the original patentee could expand his imposing business model by documenting these claims as new or divisional patent applications, especially where the first particular would bolster them. On the other

20. See <http://www.bareactslive.com/ACA/ACT829.HTM>.

21. *Ibid.*

22. Erica Fraser, 'Computers as Inventors - Legal and Policy Implications of Artificial Intelligence on Patent Law'.

hand, contenders or patent trolls could produce and record claims to upset the originator and blocking usage of the seed invention.<sup>23</sup> It will also be interesting to see up to what extent AI will have an impact on the patent regime.

Further, in most of the instances, AI will be an instrument that helps inventors in the development procedure or comprises a component of an innovation. In these regards, AI doesn't contrast fundamentally from other PC-helped developments. As in such cases, the AI application will be filed by human as inventor. However, the scenario is changed now and it would now appear to be evident that developments can be self-sufficiently produced by AI, and there are a few exceptional instances of utilisations for protection of patent wherein applicant had labelled an AI device as the inventor.<sup>24</sup>

### III. Industrial Designs

To understand the Industrial Design in India we need to first understand the concept of design as per the Designs Act, 2000. Wherein under Section 2(d) of the Act, the term 'design' is elaborated which can be divided into two parts for better understanding the conceptuality. Firstly, it states that "design means only the features of shape, configuration, pattern, ornament or composition of lines or colours applied to any article whether in two dimensional or three dimensional or in both forms, by any industrial process or means, whether manual, mechanical or chemical, separate or combined, which in the finished article appeal to and are judged solely by the eye".<sup>25</sup> The second part will be the exclusion part which states that what cannot be a design, i.e. "but does not include any mode or principle of construction or anything which is in substance a mere mechanical device, and does not include any trade mark as defined in clause (v) of sub-section (1) of Section 2 of the Trade and Merchandise Marks Act, 1958 (43 of 1958) or property mark as defined in Section 479 of the Indian Penal Code (45 of 1860) or any artistic work as defined in clause (c) of Section 2 of the Copyright Act, 1957 (14 of 1957)".<sup>26</sup>

Therefore, looking at the above-cited definition of 'design' it becomes crystal clear that what will be protected under the head of 'design' and what is excluded from the design now we shall see who can be the proprietor of the design which is answered under Section 2(j) of the Act.<sup>27</sup>

23. *Ibid.*

24. Draft Issues Paper on Intellectual Property Policy and Artificial Intelligence, WIPO/IP/AI/2/GE/20/1 prepared by the WIPO Secretariat on 13 December 2019.

25. Section 2(d) of the Designs Act, 2000, extracted from <http://www.bareactslive.com/ACA/ACT430.HTM>.

26. *Ibid.*

27. See <https://indiankanoon.org/doc/931654/>.



94

Section 2(j) of the Act strikingly characterises 'Proprietor of a new or original design' as 'creator of design', wherein design is regressed through the first owner to the other person. All in all, how would we effectively decide the original proprietorship if AI has originated design? Likewise, further, what will be the chances of an Artificial Intelligence recognising proprietorship of design? Notwithstanding that, what could be the chance of proprietorship of the design being lapsed from the Artificial Intelligence to a person, when the man-made intelligence itself doesn't have the rudimentary comprehension regarding what an ownership/proprietorship means in severe legitimate sense? The said inquiries remain unreciprocated. However, equivalent legislation is not away.

Further, with the advancement of AI in computerised reasoning headways like Siri, Alexa, Bixby, Watson, etc. it tends to be seen that numerous organisations are taking a shot at various types of AI savvy machines at present that could help in its by and large comprehensive turn of events. During the time spent in making of 'Industrial Designs' where various parts meet up at a compelling level to develop to the final stage.

The designs can also be produced with the help of AI in a similar fashion like inventions are made by AI. Whereas in CAD, that is, 'Computer-Aided Design' which has been used since a long period of time with no particular issues for design policy and AI-based designs could also be recognised as a model of CAD. Hence, it should be treated in a similar manner. The issues that arise in 'AI designs' are very much similar to the issues that are faced in 'AI invention' and 'AI creative works'.<sup>28</sup>

#### IV. Data Protection and E-contracts in the Information Technology Act, 2000

It is very much necessary to amend the IT Act, 2000, from the AI perspective as it is the only technological law India has. Therefore, before amending the IP policies it will be the need of the hour to recognise AI as natural person or as separate individual and also to define the same along with the bifurcation that, what will be the consequences if AI is at fault? What penalty or punishment or procedure will be followed? Will AI be prosecuted? All these questions are to be answered by the point of view of the IT Act, 2000, and after getting the said answers only it will be possible for IP regime to recognise the AI inventions, creations etc. But if the IT Act, 2000, which is the only technological Act of India, will not give recognition to AI then it will be one of the biggest setbacks in the field of technology as everything that is probable of doing something which humans can do then that technology ought to be given the recognition so that, it can be curbed and can be controlled and as such there are no laws in the world at present which can curb the use of technology or can recognise the AI. Therefore, there will be need of *sui*

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28. See *Supra* note 20.

*generis* policy, regulation or rules that can be implemented and that will have to be part of the IT Act, 2000, and it should be done as early as possible so that India can be the model for other countries for giving recognition to AI and accordingly there can be necessary changes in IP laws.

Further, at present IT Act is the only legislation which governs the Protection and Recognition of Data and E-contracts. So far as understanding of data is there the term is defined under Section 2(o) of the IT Act, 2000 and protection of data is granted under Section 43A which states as follows:

43A Compensation for failure to protect data. -Where a body corporate, possessing, dealing or handling any sensitive personal data or information in a computer resource which it owns, controls or operates, is negligent in implementing and maintaining reasonable security practices and procedures and thereby causes wrongful loss or wrongful gain to any person, such body corporate shall be liable to pay damages by way of compensation to the person so affected.<sup>29</sup>

Section 43A talks about the 'body corporate' but what terms can be included in 'body corporate' is not clarified by the Act. Therefore, it is very much difficult to assess the status of AI under the IT Act, 2000, because the data will be created by means or by assistance of AI and AI is potential enough to maintain the data as well as it can spoil the same.

Innovation is pervading the general public at a consistently expanding pace. Ordinarily, an ever-increasing number of gadgets are being associated with the web. Moreover, with AI frameworks being progressively engaged with capacities, for example, information investigation, human services, training, work, web of things, transportation and so on has brought about AI having the option to get to a tremendous storehouse of 'PII' i.e. 'Personally Identifiable Information'. Amid the capacity of AI frameworks, for example, Bixby, Alexa, Cortana, etc. flow to utilise such PII to distinguish standards of conduct of people and in like manner set forward a focus on publicising which is desirable over the concerned person, features the degree of the effect that AI frameworks may have by means of utilising PII. Be that as it may, it must be noticed that data, while significant for creating sharp investigation as indicated above would likewise prompt bigger inquiries relating to protection and resultantly it is essential to have a current/refreshed structure that satisfactorily address such concerns.

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29. Section 43A (Ins. by Act 10 of 2009) of the Information Technology Act, 2000.



### ***E-Contracts and IT Act, 2000, in Era of AI***

The validity of e-contracts is recognised under Section 10A of the IT Act, 2000 which states as under:

10A Validity of contracts formed through electronic means.

Where in a contract formation, the communication of proposals, the acceptance of proposals, the revocation of proposals and acceptances, as the case may be, are expressed in electronic form or by means of an electronic record, such contract shall not be deemed to be unenforceable solely on the ground that such electronic form or means was used for that purpose.<sup>30</sup>

Hence, it would not be wrong to say that e-contracts can be treated similarly as regular paper contracts, only if they fulfil the requisite basic necessities in implementation of a legal contract. Further, enactment gives recognition to 'digital signatures' and 'electronic signatures' and approval thereof, by utilising 'digital signatures' and 'electronic signatures'. Substance of the said e-records could likewise be demonstrated as proof through gatherings as per the arrangements of the Evidence Act of 1872. Through enforcing brilliant agreements like contracts fit for implementing an agreement all alone, an extra discussion has emerged with regards to applicability in case of AI, which needs to be resolved and question arises as to how the issue will be settled. It won't generally be feasible for e-contracts to catch all pertinent data from this present reality to sufficiently evaluate the circumstance. The e-contracts will implement terms and conditions based on their arrangements that might have drawbacks and can cause hurt to sentiments of gathering. Given a case, a wronged gathering may confront functional troubles in authorising the equivalent in an alternate nation. Moreover, alongside development and improvement of Artificial Intelligence, chances of contract violation via AI independently has a high amount of possibility. To evaluate concerning whether such an e-contract might be viewed as legitimate as per Indian laws, we must cite the Indian Contract Act, 1872, for deciding whether an AI can be respected as a 'person' capable to enforce e-contracts alongside deciding even if the particular fundamentals of a substantial contract, for example, offer, acceptance, consideration, and so forth, are being fulfilled. As Act of 1872 conceives that lone 'legal person' is skilful for executing substantial contract, the common guidelines hitherto are that since robots and machines can't qualify as legal or natural person, any contract done independently will not be similar with respect to legitimate contract underneath pertinent regime of India. Accordingly, courts will also need to create appraisal of terms and conditions that are consented to have been appropriately trained to the AI. Another significant worry with respect to

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30. Section 10A, IT Act, 2000.

AI is absence of soul, which can be said because there is particularly no law at present which can restrain or curb AI. Therefore, it should be guaranteed that such innovation gauges are created and can restrain the illegal contracts from getting executed.

## CONCLUSION

Overall looking at the prevailing circumstances it would be not wrong to say that legislation with regards to AI is yet not evolved around the world and for sure there will be difficulties in giving recognition to AI devices if there is any invention or creation by AI device for a few aspects. Firstly, what can be the punishment or penalty that can be imposed on AI? Secondly, what will be the liabilities of AI? Thirdly, what will be the governing legislation? Fourthly, even if everything is penned down what will be the scope of enforceability? These are the few sets of question which will have to be answered, if not today then certainly in near future. Further, the primary change that legislation needs are to be in the IT Act, 2000, of India because that is the Act which will have to recognise the AI. Only then can there be amendments in the Patent Act, Copyright Act, Designs Act, Semi-conductor and Integrated Circuits Layout Act for granting the protection to AI as the later Acts will only grant protection to the invention/creation of AI and will prescribe the procedure for punishment and penalty in case of violation of the invention but so far as recognition of AI is concerned it will have to be through IT Act, 2000, or through a *sui generis* legislation specifically for AI so that there can be set limitation of the purposes for which AI can get recognition as 'person'. Therefore, all the IP legislations as well as other concerned Act will have to be in synchronisation to the IT Act, 2000, and at present, this can be the only way through which AI can be recognised and there can be protection granted to AI.

The necessity for recognition of AI has arisen because we all are aware that in present era of the twenty-first century technology has advanced tremendously and we are at a point where technology is superseding humans and the irony is that though humans are the creators of technology, still it is not within the control of humans. Therefore, this is the right time to recognise technology in the form of AI for the invention/creations that are possible by the technology itself without any human efforts. So, through strong legislation, we can at least try to curb the misuse of the technology and accordingly there can be proper utilisation of technology via a correct channel which can probably decrease misuse of technology as there will also be penalty and punishment for AI itself. Hence this is not possible within a day or two, but at least there can be some sort of initiative either by any country or any international organisation such as WIPO. Thus, that process of legislation could be started because the sooner we create legislation sooner we will know the flaws and accordingly at the earliest possible time we could make changes to it, or there can be a dummy legislation only for the purpose of experiment which will let us know the possible flaws or challenges that we need to overcome.



98

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**To Whom So Ever It May Concern**

This is to certify that **Dr Prachi Motiyani, Assistant Professor, Department of Law, Gujarat University, Ahmedabad** . rendered his/her valuable services as a resource person in the **UGC Sponsored 9th Online Guru-dakshta, Faculty Induction Programme (FIP) (19/05/2022 to 17/06/2022)** for University and College Professors. S/he has developed an e-content in 4-quadrants.

The detail of the e-content(s) module is as below:

Date	Title of the E-content Module
11/06/2022	International Env law and SD

I, on behalf of UGC- Human Resource Development Centre of Gujarat University, thank you for your valuable contribution in the national level online UGC sponsored course.

*J. Joshi*



**Dr. Jagdish S. Joshi**  
**Professor- Director,**  
**UGC-HRDC, Gujarat University, Ahmedabad**

99

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Tel.No : 079-26302962, 079-26305010



**GUJARAT UNIVERSITY**  
**UGC-Human Resource Development Centre**

**School of Social Sciences Building, Gujarat University Campus,  
Navrangpura, Ahmedabad - 380 009, Gujarat (INDIA)**  
<https://hrdc.gujaratuniversity.ac.in/>



Ref. HRDCGU/STCNEP/2122/02

Dt. 05/01/2022

### To Whom So Ever It May Concern

This is to certify that **Dr. Prachi V Motiyani, Assistant Professor, University School of Law, Gujarat University, Ahmedabad.** rendered his/her valuable services as a resource person in the **UGC Sponsored 1st Online Short Term Course on National Education Policy (18/10/2021 to 24/10/2021)** for University and College Professors. S/he has developed an e-content in 4-quadrants.

The detail of the e-content(s) module is as below:

Date	Title of the E-content Module
18/10/2021	Impact of National Education Policy On Legal Education

I, on behalf of UGC- Human Resource Development Centre of Gujarat University, thank you for your valuable contribution in the national level online UGC sponsored course.



**Dr. Jagdish S. Joshi**  
**Professor- Director,**  
**UGC-HRDC, Gujarat University, Ahmedabad**



## LL.M Dissertation ( Semester – 4)

2021- 2022

Sr. No	Dissertation	Notification No. & Date	Name of the Guide
1.	<b>Name of the Student :</b> Jain Aditi Ajay <b>Title of the Dissertation :</b> An Analytical Study Federalizing with Special Reference to Co- Operative Federalism in India	June 2022	Dr. Prachi Motiyani
2.	<b>Name of the Student :</b> Shraddha Bhide <b>Title of the Dissertation :</b> Evaluating Changing Scenario of Socio Economic Policy With Special reference to finance	June 2022	Dr. Prachi Motiyani
3.	<b>Name of the Student :</b> Parmar Boni Dipakbhai <b>Title of the Dissertation :</b> Study on Right to health with Special reference National Polices in India	June 2022	Dr. Prachi Motiyani
4.	<b>Name of the Student :</b> Mitra Diya Debasis <b>Title of the Dissertation :</b> Constitutional aspects of Right to equality with Special Reference to gender.	June 2022	Dr. Prachi Motiyani
5.	<b>Name of the Student :</b> Kayastha Hardi Mineshbhai <b>Title of the Dissertation :</b> Dharma : Foundation of legal Ordering in India	June 2022	Dr. Prachi Motiyani
6.	<b>Name of the Student :</b> Shah Kripa Kanakkumar <b>Title of the Dissertation :</b> Evolution of New Labour Jurisprudence in India Study of new Labour Law	June 2022	Dr. Prachi Motiyani
7.	<b>Name of the Student :</b> Shivangi Lakhara <b>Title of the Dissertation :</b> Evolution & Revolution of Compensatory Jurisprudence in India	June 2022	Dr. Prachi Motiyani
8.	<b>Name of the Student :</b> Mali Miteshkumar Ashokbhai <b>Title of the Dissertation :</b> Golden Rules of Interpretation, Special reference with service Jurisprudence	June 2022	Dr. Prachi Motiyani
9.	<b>Name of the Student :</b> Senva Rajeshbhai Baddevbhai	June 2022	Dr. Prachi Motiyani



Director  
School of Law,  
Gujarat University,  
Ahmedabad-380009.

School of Law

101

LL.M Dissertation ( Semester – 4)

2021- 2022

	<b>Title of the Dissertation :</b> Operation of doctrine of pleasure under the Indian Constitution		
10.	<b>Name of the Student :</b> Disha Raman <b>Title of the Dissertation :</b> 'A Study on Right to Water with Special Reference to Groundwater Pollution'.	June 2022	Dr. Prachi Motiyani
11.	<b>Name of the Student :</b> Rawat Ravindersingh Udaysingh <b>Title of the Dissertation :</b> A Critical analysis of New Education Policy with Special reference to legal education	June 2022	Dr. Prachi Motiyani
12.	<b>Name of the Student :</b> Kheskani Siddharth Ravikumar <b>Title of the Dissertation :</b> A study Sustainable Democracy : Issues and Challenges with special reference to Anti – Defection	June 2022	Dr. Prachi Motiyani
13.	<b>Name of the Student :</b> Jagat Singh <b>Title of the Dissertation :</b> A Study of religious rights in relation to other Fundamental Rights	June 2022	Dr. Prachi Motiyani



*Staise*  
Director  
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AMITY LAW SCHOOL  
 AMITY UNIVERSITY, NOIDA  
 organises



TRANSDISCIPLINARY INTERNATIONAL CONFERENCE

ON

“NEOTERIC VISION OF CULTURE, ETHICS AND HERITAGE TOWARDS HUMAN DYNAMICS”

09<sup>th</sup>-10<sup>th</sup> September, 2021

CERTIFICATE OF PARTICIPATION

This is to certify that Dr. Prachi Motiyani has presented the paper titled Intellectual Property Rights and Protection of Traditional Knowledge in the International Conference on “Neoteric Vision of Culture, Ethics and Heritage Towards Human Dynamics” held at Amity Law School, Amity University, Noida, Uttar Pradesh on 09<sup>th</sup> & 10<sup>th</sup> September, 2021.

*Swati Kaushal*

Ms. Swati Kaushal  
 Faculty Convener  
 Amity Law School, Noida  
 Amity University, U.P.

*Shefali Raizada*

Prof. (Dr.) Shefali Raizada  
 Addl. Director/ Joint Head  
 Amity Law School, Noida  
 Amity University, U.P.

*Aditya Tomer*

Prof. (Dr.) Aditya Tomer  
 Addl. Director/ Joint Head  
 Amity Law School, Noida  
 Amity University, U.P.

*D.K. Bandyopadhyay*

Prof. (Dr.) D.K. Bandyopadhyay  
 Chairman  
 Amity Law Schools  
 Amity University, U.P.



# CERTIFICATE OF APPRECIATION

NUMBER: 04/UJM-VICMUR.SPS/IV/2022

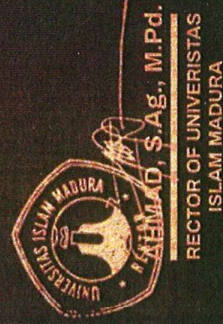
THIS CERTIFICATE IS PROUDLY AWARDED TO:

**Dr. Prachi Motiyani**

**University School of Law, Gujarat University**

as **SPEAKER of PARALLEL SESSION** in the 1st Virtual International Conference on Multidisciplinary Research (VICMUR) by the theme "Establishing Connection Among Science, Education, Technology and Society to Encourage Students' Skill Development in 21st Century". The conference is organized by Universitas Islam Madura (UIM) Pamekasan, East Java - Indonesia, in collaboration with Indonesian Education Share-to-Care Volunteers (IES2CV). It is held on Saturday, April 02, 2022 via Zoom Meeting and live streaming on Youtube.

PAMEKASAN, APRIL 02 2022



**FAHMIAD, S.Ag., M.Pd.**  
RECTOR OF UNIVERSITAS  
ISLAM MADURA



**ABD. GHOFUR**  
PRESIDENT OF IES2CV



**SUPRIANTO, S.Pd., M.Si.**  
CHIEF OF COMMITTEE



103

103

103





CONFERENCE

## LAW AND DIGITAL TECHNOLOGIES: THE WAY FORWARD

# CERTIFICATE OF PARTICIPATION

This is certified that

**Prachi Motiyani**

**Gujarat Univesity**

Has Successfully Participated in the  
Conference "Law and Digital Technologies: The Way Forward"  
(10-11th of November 2021) and Presented the Paper "A Study on Technological Convergence:  
Threat to Data Protection and Security of Intellectual Property".

*Daniel Brantes Ferreira*

Universidade Candido Mendes/ Ambra University

*Elizaveta A. Gromova*

South Ural State University /Ambra University

December 7, 2021

Certificate: 45725897

104





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Azadi Ka  
Amrit Mahotsav



UGC Sponsored National Seminar  
**Gender Equality Today for a Sustainable Tomorrow**  
*Celebrating International Women's Day-2022*

ORGANIZED BY  
**SCHOOL OF LAW, CENTRE OF EXCELLENCE, GUJARAT UNIVERSITY**  
&  
**FACULTY OF GANDHIAN STUDIES, GUJARAT VIDYAPITH (KNOWLEDGE PARTNER)**


**Certificate**


This is to certify that Mr./Ms. Dr. Teachi Motiyaw  
has participated / ~~presented a paper~~ on X

chaired one Technical session

at National Seminar on '**Gender Equality Today for a Sustainable Tomorrow**' held on  
08 March, 2022 at School of Law, Gujarat University, Ahmedabad.

  
Prof. (Dr.) S. P. Rathor  
Convener  
School of Law  
Gujarat University  
Ahmedabad-380009

  
Prof. (Dr.) Premchand Mishra  
Faculty of Gandhian Studies  
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102