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**CHAT GPT: HOW TO PROTECT YOUR COPYRIGHTS**

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**Introduction**

In today's digital age, protecting your intellectual property is more important than ever. With the rise of artificial intelligence and chatbots, it's crucial to understand how to safeguard your copyrights. In this article, we'll explore the potential risks of using chat GPT (Generative Pre-trained Transformer) models and how you can protect your copyrights.

**What is a Copyright?**

A copyright is a legal right that grants the creator of an original work exclusive rights to its use and distribution. This includes literary, artistic, musical, and dramatic works, as well as software, films, and sound recordings.

In India, copyrights are governed by the Copyright Act of 1957, which was amended in 2012<sup>1</sup> to align with international standards and technological advancements.

**What Does a Copyright Protect?**

A copyright protects the expression of an idea, not the idea itself. This means that the creator has the exclusive right to reproduce, distribute, perform, and display their work, as well as create derivative works based on it.<sup>2</sup>

For example, if you write a book, you have the exclusive right to publish and sell copies of that book, as well as create a movie adaptation or a sequel.

**How Long Does a Copyright Last?**

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<sup>1</sup> The Copyright (Amendment) Act, 2012 (Act 27 of 2012).

<sup>2</sup> The Copyright Act, 1957 (Act 14 of 1957), s. 13.

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In India, a copyright lasts for the lifetime of the creator plus 60 years after their death. After this period, the work enters the public domain and can be used by anyone without permission.<sup>3</sup>

### **How to Obtain a Copyright in India?**

To obtain a copyright in India, you must register your work with the Copyright Office. This can be done online or by submitting a physical application.

- **Online Registration:** Online registration is the most convenient and efficient way to obtain a copyright in India. The Copyright Office has a dedicated portal for online registration, where you can submit your application and make the necessary payments.

To register online, you must first create an account on the portal and then fill out the application form. You will also need to upload a digital copy of your work and pay the registration fee.

- **Physical Application:** If you prefer to submit a physical application, you can do so by sending a hard copy of your work, along with the application form and the registration fee, to the Copyright Office.

The application form can be downloaded from the Copyright Office's website and must be filled out completely and accurately. You will also need to include a physical copy of your work, as well as a self-addressed envelope with sufficient postage for the return of your documents.

### **Benefits of Copyright Registration**

While copyright registration is not mandatory in India, there are several benefits to registering your work with the Copyright Office.

- **Legal Protection**

Registering your work with the Copyright Office provides legal evidence of your ownership and can be used as proof in court if someone infringes on your copyright.

- **Statutory Damages**

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<sup>3</sup>*Id.*, ss. 22-29.

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If your work is registered, you are entitled to statutory damages in case of copyright infringement. This means that you can claim a predetermined amount of damages without having to prove the actual loss or damage caused by the infringement.

- **International Protection**

India is a member of the Berne Convention, an international agreement that protects the rights of creators in member countries. By registering your work with the Copyright Office, you can ensure that your copyright is recognized and protected in other countries as well.

### **What is Chat GPT?**

Chat GPT is a type of artificial intelligence that uses deep learning to generate human-like text responses. It is trained on a large dataset of text and can generate responses based on the context of a conversation. This technology has been used to create chatbots, virtual assistants, and even automated customer service agents.<sup>4</sup>

### **The Risks of Using Chat GPT**

While chat GPT can be a useful tool for businesses, it also poses potential risks for copyright infringement. Since the technology is trained on a large dataset of text, there is a possibility that it could generate responses that infringe on someone else's copyrighted material.<sup>5</sup>

For example, if a chatbot is trained on a dataset that includes copyrighted material, it could potentially generate responses that use that material without permission. This could result in legal action being taken against the business using the chatbot.

### **How to Protect Your Copyrights**

As a business owner, it's important to take steps to protect your copyrights when using chat GPT technology. Here are some tips to help safeguard your intellectual property.

#### **1. Use Original Content**

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<sup>4</sup> Xiaoming Zhai, *ChatGPT User Experience: Implications for Education*, 2022, available at <<http://dx.doi.org/10.2139/ssrn.4312418> > (last visited on Mar. 05, 2023).

<sup>5</sup>Raja, Darryl & Loh, *Risks and Issues in using AI chatbot, Chat GPT*, 2023, available at <<https://rajadarrylloh.com/risks-and-issues-in-using-ai-chatbot-chat-gpt/>>(last visited on Mar. 05, 2023).

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The best way to protect your copyrights is to use original content when training your chat GPT model. This means creating your own dataset of text that does not include any copyrighted material. By using original content, you can ensure that your chatbot will not generate responses that infringe on someone else's copyrights.

## **2. Obtain Permission**

If you do need to use copyrighted material in your chat GPT model, it's important to obtain permission from the copyright holder. This could involve purchasing a license or obtaining written consent to use the material. By obtaining permission, you can avoid any potential legal issues.

## **3. Monitor and Update**

It's important to regularly monitor and update your chat GPT model to ensure that it is not generating responses that infringe on someone else's copyrights. This could involve reviewing the dataset and removing any copyrighted material, as well as updating the model with new, original content.

## **4. Include Disclaimers**

To further protect your copyrights, it's a good idea to include disclaimers in your chatbot's responses. This could include a statement that the responses are generated by artificial intelligence and may not reflect the views or opinions of the business. This can help protect you from any potential legal action.<sup>6</sup>

## **5. Consult with Legal Professionals**

If you have any concerns about potential copyright infringement with your chat GPT model, it's always best to consult with legal professionals. They can review your dataset and guide how to protect your intellectual property.

## **6. Real-World Examples**

One example of a company using chat GPT technology to protect its copyrights is OpenAI. They have developed a chatbot called "GPT-3" that is trained on a dataset of text that does

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<sup>6</sup> Joe McKendrick, "Who Ultimately Owns Content Generated By ChatGPT And Other AI Platforms?", *Forbes*, Dec 21, 2022, available at < <https://www.forbes.com/sites/joemckendrick/2022/12/21/who-ultimately-owns-content-generated-by-chatgpt-and-other-ai-platforms/?sh=5563846f5423> > (last visited on Mar. 05, 2023).

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not include any copyrighted material. This ensures that the responses generated by the chatbot do not infringe on anyone else's copyrights.

Another example is the chatbot "DoNotPay" which uses chat GPT technology to help users fight parking tickets. The creators of DoNotPay have taken steps to ensure that the chatbot does not generate responses that infringe on anyone's copyrights. They have also included disclaimers in the chatbot's responses to further protect themselves from legal action.<sup>7</sup>

### **7. Who is Responsible for Protecting Copyrights?**

When it comes to protecting copyrights with chat GPT technology, both businesses and developers need to take responsibility. Businesses should ensure that they are using original content and obtaining permission when necessary. Developers should also take steps to train their models on original content and regularly monitor and update them.

### **8. Conclusion**

In conclusion, understanding copyrights and how they work in India is crucial for protecting your intellectual property. By registering your work with the Copyright Office and taking necessary precautions, you can ensure that your creations are protected and that you have legal recourse in case of infringement.

Chat GPT technology can be a valuable tool for businesses, but it's important to understand the potential risks and how to protect your copyrights. By using original content, obtaining permission, regularly monitoring and updating your chatbot, including disclaimers, and consulting with legal professionals, you can safeguard your intellectual property and avoid any potential legal issues. Remember, it's always better to be proactive and take steps to protect your copyrights before any issues arise.

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<sup>7</sup>European Commission, *Intellectual Property in ChatGPT*, 2023, available at <[https://intellectual-property-helpdesk.ec.europa.eu/news-events/news/intellectual-property-chatgpt-2023-02-20\\_en](https://intellectual-property-helpdesk.ec.europa.eu/news-events/news/intellectual-property-chatgpt-2023-02-20_en)> (last visited on Mar. 05, 2023).

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