



The Role of Intellectual Property Rights in The Entertainment Industry: A Case Study of Copyrights and Trademarks

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Abstract:

This research looks into the intellectual property rights (IPR) of the entertainment industry with regards to copyright and trademark protection. Drawing on examples of case studies such as the "Blurred Lines" court case and the Marvel-DC trademark conflict, the study emphasizes pitfalls including erratic enforcement of copyright law, loopholes in law, piracy, and AI influence on ownership. The research makes recommendations such as increased international coordination, revised licence agreements, higher anti-piracy levels, and adjusting legislation to better defend creators in today's digital landscape.

Keywords: Intellectual Property Rights (IPR), Copyright, Trademark, Entertainment Industry, Digital Piracy

Introduction:

Intellectual property rights (IPR) are a key pillar in the entertainment sector through the protection of the creative products and innovations that drive its expansion and prosperity. Specifically, copyrights and trademarks are key legal instruments that protect the original material created by artists, musicians, filmmakers, and other creative people, to ensure that they are compensated fairly for their efforts. Copyrights safeguard original works of authorship, including music, movies, and books, against unauthorized copying and distribution, while trademarks protect brand names, logos, and symbols of entertainment commodities. As digital technologies have rapidly developed and online piracy has gained widespread acceptance, intellectual property protection has never been more important.

Research Objectives:

1. To examine the role of intellectual property rights (IPR) in protecting creative works within the entertainment industry, focusing on copyright and trademark laws.
2. To analyze key challenges and propose solutions for improving the enforcement of digital copyrights, combating piracy, and addressing the impact of AI on intellectual property.

Literature Review:

Drott (2021) probed the intricacies of protecting copyrights in music, especially against AI-generated materials. The research highlighted how innovations in artificial intelligence had amplified the threat of reproducing and disseminating original materials without authorization. Drott noted the necessity for new copyright paradigms that guarantee equitable payment to creators alongside ensuring public access to creative works.

Saraswat and Kumar (2024) analyzed the long-standing issue of digital piracy in the entertainment sector. The research explored the weaknesses of current copyright protection measures and stressed the importance of more effective legal policies and technological measures to counter content theft. The authors underscored the significance of proactive enforcement measures to protect creative property in digital media platforms.

Piergiorgio (2022) examined the function of trademarks in the creative and cultural industries, with a focus on their role in building brand identity and market positioning. The research identified how successful trademark registration strategies helped new companies in the entertainment industry safeguard their intellectual property, thus promoting innovation and local economic development.

Research Methodology:

This research is based on qualitative research with the case study strategy. Data was collected from the primary sources that include legal case files, cases of copyright infringements, trademark disputes in the entertainment industry. Secondary sources entail journals, reports from the industries, and interviews with experts.

Case Studies:

1. Case Study on Copyright Infringement:

Pharrell Williams' and Robin Thicke's "Blurred Lines" suit was a telling instance of music industry copyright infringement. Williams and Thicke were

sued by Marvin Gaye's estate when it accused Blurred Lines, Williams' and Thicke's hit record, of borrowing the melody and harmony from Marvin Gaye's 1977 hit Got to Give It Up. The court decided in Gaye's estate's favor, granting enormous damages and emphasizing the need to protect original musical compositions. The case brought out the intricacies involved in creative ownership in the entertainment sector and created a legal precedent for copyright claims in the future.

2. Case Study on Trademark Disputes:

The longstanding battle between Marvel Comics and DC Comics over the word "superhero" was a prime example of the intricacies of trademark protection in the entertainment sector. The two companies each asserted joint ownership of the word, which had become inextricably linked with their popular characters and franchises. This conflict highlighted the important role trademarks play in defining brand identity, determining consumer perception, and creating market dominance. The case showed how trademarks are not only legal protections but also potent instruments in sustaining competitive edge in the entertainment industry.

Analysis and Discussion:

This section examines the role of Intellectual Property Rights (IPR) in the entertainment industry, highlighting key challenges and proposed solutions. The table below summarizes the critical issues and potential strategies for addressing them:

Table 1: Key challenges and solutions

Challenge	Description	Proposed Solution
Enforcement of Digital Copyrights Across Borders	Inconsistent enforcement of copyright laws internationally, especially with digital content.	Strengthen international cooperation and harmonize copyright laws.
Legal Loopholes in Licensing Agreements	Ambiguities in content licensing agreements that fail to account for modern distribution methods like streaming.	Update licensing agreements to address emerging digital platforms and AI-generated content.
Growing Threat of Piracy and Counterfeiting	Increasing digital piracy and counterfeiting threaten intellectual property.	Implement stronger enforcement measures, real-time monitoring, and advanced anti-piracy technologies.
Trademark Protection and Brand Identity	Trademark disputes can undermine brand identity, as seen in the Marvel vs. DC Comics "superhero" dispute.	Improve trademark registration and enforcement to protect brand value and prevent consumer confusion.
Impact of AI on Intellectual Property	AI-generated content creates ownership challenges and complicates the attribution of rights.	Adapt legal frameworks to fairly address AI-generated content and ensure fair compensation for creators.

Table 1 illustrates the most significant intellectual property right challenges the entertainment sector faces and also presents solutions in line with each of these issues. They include varying levels of digital copyright enforcement across national boundaries, loopholes in licensing legislation, increased pirate and counterfeiting threats, trademark protection and brand issues, and AI content and ownership challenges. Proposed solutions include strengthening international cooperation, modernizing license agreements, enhancing anti-piracy measures, trademark enforcement, and adjusting legal frameworks to equitably handle AI-related challenges in a manner that better protects creators and intellectual property.

Implementing digital copyrights around the world is difficult because copyright laws differ in different countries, even with international agreements such as the Berne

Convention. Increased digital piracy and emerging distribution channels such as streaming expose legal loopholes in content licensing deals, which usually end up in under compensation or illegal use of content, particularly in AI-generated works. Digital piracy and counterfeiting are major threats that need active enforcement and real-time surveillance. Trademarks serve a crucial purpose in guarding against brand identity and market position, as is evidenced in the Marvel vs. DC Comics "superhero" rivalry. Also, AI-produced content poses fresh copyright protection challenges, requiring reforms in legal codes to provide reasonable attribution and payment to creators.

Conclusion:

Intellectual property rights (IPR) are essential in protecting the creative content of the entertainment sector. The research points to the continued challenge of enforcing

digital copyrights, legal vagueness in licensing contracts, piracy, and trademark protection of brand identity. The increasing power of AI-generated content makes ownership and rights assignment even more complex, and the legal systems need to adjust accordingly. To remedy these challenges, the study suggests enhancing global cooperation, refining licensing frameworks, enhancing enforcement provisions, and updating laws to catch up with advancements in technology. Ultimately, effective IPR protection is critical for encouraging innovation, guaranteeing adequate compensation for creators, and upholding the integrity of the entertainment industry.

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