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## From deepfakes to dignity: what Bollywood's personality rights battle with AI tells us

*LSE's Dr Ruhi Khan reflects on the ongoing debates around personality rights in India that reveal how artificial intelligence is forcing courts, platforms, and the public to rethink what it means to possess and protect one's identity in digital spaces. As AI-generated media increasingly destabilise the boundaries between the 'real' and the 'synthetic,' she argues, the law is being compelled to respond to new modes of harm and representation, and set precedents that open new possibilities.*

In recent weeks, a plethora of newsprint has been dedicated to high-profile lawsuits in India on 'personality rights' – the legal claims over one's name, image, voice or likeness – at the centre of discussions about AI, deepfakes, and online abuse. Bollywood **celebrities** Aishwarya Rai Bachchan, Abhishek Bachchan, Karan Johar, and veteran singers Asha Bhosle and **Kumar Sanu** filed cases against content creators and platforms that host unauthorised deepfake content, AI-voice cloning, false endorsements, impersonation, and the sale of unlicensed merchandise.

These ongoing debates around *personality rights* reveal how artificial intelligence is forcing courts, platforms, and publics alike to rethink what it means to possess and protect one's identity in digital spaces. As AI-generated media increasingly destabilise the boundaries between the 'real' and the 'synthetic,' the law is being compelled to respond to new modes of harm and representation. In 2023, a Delhi court restrained the misuse of actor **Anil Kapoor's image**, voice and even a catchphrase he famously used.

As someone working at the intersection of media, gender, and AI, these developments are fascinating and important – but also raise troubling questions about who gets heard, what kinds of harms are recognised, and whether legal protection tends to privilege elite identities over more ordinary, vulnerable individuals.

Below are some reflections on what is promising, what is worrying, and what the road ahead might be.

## Recognition of digital identity as legal asset

AI-generated content has begun to erode long-standing assumptions about the fixity of identity. A manipulated video or cloned voice has now become a pervasive threat to autonomy and dignity. Indian courts are starting to recognise this. The misuse of one's likeness, image, or voice through generative AI is no longer viewed as a random inconvenience but as *a violation of the constitutional right to dignity and privacy*, a matter deeply tied to the self.

**Recent judicial interventions** mark a shift toward recognising that digital identity is as integral to personhood as the physical body. Interim **injunctions** restraining the misuse of celebrity voices, AI-fabricated endorsements, and sexualised deepfakes signal that *identity is now being read as a legal asset* – one that deserves protection against technological manipulation.

## Navigating a legal vacuum

India lacks a dedicated statute on personality or publicity rights. In the absence of a codified framework, courts are crafting **hybrid remedies** by drawing on constitutional guarantees (notably **Article 21**), privacy jurisprudence (as shaped by *Puttaswamy v. Union of India*), intellectual property principles, and tort doctrines such as **passing off**. This bricolage of legal reasoning is both innovative and precarious. It demonstrates the judiciary's willingness to adapt existing legal concepts to the digital context, but also exposes the fragility of protection when reforms in law lag behind technological innovation. Without statutory coherence, *personality rights* risk being applied unevenly – often invoked by those with visibility and resources, while remaining out of reach for those whose identities are equally violated but socially invisible.

A similar trend is seen in other countries: in the United States, **"the right to publicity"** is recognised by many states as an intellectual property right by statute or case law, and there is a **tort of appropriation** of name or likeness. Of course, not all states in the US have similar laws and often the focus is on celebrities. In European nations, personality rights often overlap with privacy rights, and the European Court of Human Rights plays a role in balancing the right to image/private life versus freedom of expression.

The UK, too, does not have a single doctrine or statute called "personality rights"; instead, image misuse is addressed through **a mix of laws**: passing off, defamation, breach of confidence, privacy law and sometimes via false representation laws. Some popular cases include Rihanna's successful **action** against retailer Topshop for image misuse and Naomi Campbell's lawsuit against the Daily Mail for privacy invasion. Currently, ministers in the UK are **deliberating** the legal safeguards that could ensure AI tools do not mimic celebrities and public figures and are promising a crackdown on **explicit deepfakes**.

With the increased scale and use of deepfakes today, a law on “personality rights” clearly focused on its entanglements with tech and AI is the need of the hour.

## Gendered and reputational harms

What marks this legal moment as particularly significant in India is the emerging **recognition of non-financial and dignity-based harms** in cases of AI-enabled misuse. Recent petitions and injunctions in India have gone beyond questions of brand equity or commercial dilution to acknowledge injuries that are **intensely gendered and reputational** – including the creation and circulation of pornographic deepfakes, non-consensual image manipulation, and digitally fabricated endorsements.

Non-consensual **sexualised deepfakes** tend to target women or those already marginalised. In India’s socio-cultural context, where honour and shame remain tightly tethered to gendered identities, such misuse carries disproportionate consequences. As several of my participants in ongoing research have noted, the violation is rarely confined to the digital realm; it extends into **offline ostracism, moral policing, reputational violence and sometimes physical danger**. For women, queer persons, and gender-nonconforming individuals, having one’s voice or likeness manipulated is not merely an act of online harassment – it is a form of *technological patriarchy*, reasserting control through humiliation, exposure, and fear.

Deepfakes are not just technological artefacts; they are tools of digital misogyny, reinforcing the very hierarchies that feminist movements have sought to dismantle. When courts recognise such misuse as an assault on dignity and personhood rather than merely a commercial violation, they take a crucial step toward a *feminist jurisprudence of technology* – one that recognises harm as relational, intersectional, and embedded in social hierarchies.

## Platform accountability

Another key development lies in the growing judicial insistence on platform accountability. Courts have begun directing digital intermediaries – social media companies, e-commerce platforms, video-sharing sites – to **remove** infringing content, block URLs, and disclose information about offenders. This marks a gradual shift from treating platforms as neutral conduits to recognising their active role in sustaining the digital ecosystem where harms occur.

In effect, Indian jurisprudence is beginning to articulate a duty of care for platforms: an expectation that they cannot remain passive when the technology they host or profit from is weaponised against users’ dignity and safety. However, this expectation remains unevenly enforced. While platforms may comply swiftly when celebrities are involved, ordinary users often encounter opacity, delay, and indifference.

## Rethinking whose rights count

The recognition of *personality rights* in the AI era, therefore, brings into focus India's entrenched asymmetries of class, gender, and access. Who can afford to defend their 'personality' in court? Whose image is worth protecting? And how do we extend dignity-based protection to those who experience social rather than economic harm – the everyday users whose likenesses are co-opted, sexualised, or ridiculed online without recourse?

For scholars and practitioners working at the intersection of gender, media, and technology, this is a pivotal juncture. The expansion of *personality rights* could either democratise dignity in the digital age or reinforce the hierarchies of visibility and privilege that already structure our online worlds. The challenge lies in ensuring that protections born out of elite cases become frameworks for everyone and not merely tools for those with celebrity, capital, or cultural power.

## Law in motion: What comes next

Given the terrain, there are reasons for cautious optimism, but also clear directions for improving justice, equity, and protection:

- **Building Legal Precedent:** Celebrity-led cases are defining the contours of personality rights, AI misuse, and platform accountability and setting jurisprudential groundwork for future claims.
- **Catalysing Policy Reform:** High-profile litigation is pushing the need for clear legislation on digital identity, deepfake regulation, and explicit platform responsibilities.
- **Designing Technological Safeguards:** Tools such as watermarking, provenance tracking, and dynamic takedowns must become standard features of responsible AI and platform design.
- **Expanding Platform Accountability:** Courts are signalling that intermediaries can no longer remain neutral; proactive monitoring and swift removal of harmful content are emerging as legal expectations.
- **Enhancing Digital Literacy and Access to Justice:** Legal aid, awareness initiatives, and user-friendly reporting mechanisms are vital to empower non-elite victims of identity misuse.
- **Centring Gender and Marginalisation:** Future frameworks must foreground intersectional harms, especially those faced by women, queer users, and others disproportionately targeted by digital manipulation.

The Bollywood celebrity cases over *personality rights* in India are an important marker. It signals judicial recognition that identity, image, and voice are under new threat in the age of AI; that dignity and reputation are not just 'celebrity matters', but legal goods; and that platforms have to be held to account. But unless we ensure that these protections are accessible, robust, and protective for all

(not just elites), we risk reinforcing existing inequities: protecting the already powerful while leaving everyday people – women, marginalised individuals, digital-unaware users – exposed to harm.

The challenge now is to push forward legal reform, platform responsibility, and social awareness in ways that decentre privilege and foreground how harm is gendered and intersectional. Only then can we hope to create a digital environment where *personality rights* are not just rights for those who already have name recognition, resources, and power, but *personality rights* are, in fact, rights for everyone.

*This post gives the views of the author and not the position of the Media@LSE blog, nor of the London School of Economics and Political Science.*

Featured image courtesy of Gemini: AI Image generated with prompt 'generate an abstract image of Bollywood's battle with AI deepfakes in an Indian courtroom.'

### About the author



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Dr Ruhi Khan, FRSA, is a journalist and an ESRC researcher at the London School of Economics. Drawing on decolonial and feminist frameworks, her research critically examines media systems, gender, and the political economy of AI and technology, shaping academic and industry perspectives on inclusive and equitable tech development.

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