YOUR FACE, YOUR FAME, YOUR FORTUNE: THE LAW OF THE RIGHT TO PUBLICITY

by

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&

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ABSTRACT

The Right to Publicity has emerged as a significant legal concept in the protection of an individual's identity against unauthorised commercial exploitation. An individual's name, image, voice, likeness, and other distinctive attributes may possess substantial commercial value, yet their use without consent raises serious concerns regarding privacy, dignity, autonomy, and intellectual property. This paper examines the evolution and legal recognition of the Right to Publicity, with particular emphasis on the Indian legal framework and its comparative development in the United States and the European Union. In India, the right has primarily developed through judicial interpretation as an extension of the Right to Privacy under Article 21 of the Constitution, supported by principles of intellectual property protection and the common law of passing off. Landmark judicial decisions, including ICC Development (International) Ltd. v. Arvee Enterprises, D.M. Entertainment Pvt. Ltd. v. Baby Gift House, and Titan Industries Ltd. v. M/s Ramkumar Jewellers, illustrate the judiciary's efforts to prevent the unauthorised commercial appropriation of personal identity. The paper further analyses emerging challenges arising from social media, artificial intelligence, deepfakes, digital avatars, and virtual platforms, which have made the reproduction and commercial exploitation of personal identity increasingly accessible and difficult to regulate. It also examines the tension between publicity rights and constitutionally protected freedoms of speech and expression, artistic creativity, satire, and legitimate public discourse. Adopting a doctrinal and comparative approach, the study argues that India's existing fragmented legal framework requires greater clarity and consistency. It recommends the enactment of dedicated

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Indian Journal of Law and Jurisprudence | Licensed under Creative Commons — https://creativecommons.org/licenses/by/4.0/ | DOI: 10.5281/zenodo.23859483 | Title: Your Face, Your Fame, Your Fortune: The Law of the Right to Publicity

legislation defining the scope of publicity rights, establishing effective remedies, and incorporating appropriate safeguards for freedom of expression. The paper ultimately emphasises the need to balance commercial interests with individual dignity, technological innovation, and the fundamental principle that every person should retain meaningful control over the commercial use of their identity.

Keywords: Right to Publicity, Right to Privacy, Article 21, Artificial Intelligence.

— I J L J —
ISSN: 2583-2794

1. Introduction

A- Background and Concept of the Right to Publicity

Introduce the right to publicity as an individual's right to control the commercial exploitation of their identity, including their name, image, likeness, voice, signature, and other identifiable personal attributes. Explain its significance in the context of celebrity endorsements, advertising, entertainment, social media, and digital commerce.

Briefly distinguish the right to publicity from the right to privacy. While privacy primarily protects personal autonomy and freedom from unwanted intrusion, publicity rights focus on the unauthorised commercial appropriation of identity.

Evolution of the Right to Publicity: International and Indian Perspectives

Discuss the development of publicity rights internationally, including the recognition of the right in the United States through Haelan Laboratories, Inc. v. Topps Chewing Gum, Inc. (1953).

Examine the development of publicity rights in India through judicial decisions such as ICC Development (International) Ltd. v. Arvee Enterprises, D.M. Entertainment Pvt. Ltd. v. Baby Gift House, and Titan Industries Ltd. v. M/s Ramkumar Jewellers. Explain how Indian courts have approached unauthorised commercial use of an individual's identity and the relationship between personality rights, privacy, and commercial interests.

The Contemporary Relevance of Publicity Rights in the Digital Era

Explain how social media, digital advertising, influencer marketing, artificial intelligence, deepfakes, and synthetic media have increased the risks associated with the unauthorised use of personal identity. Discuss how emerging technologies complicate the identification of infringement, attribution of liability, and availability of effective remedies.

IJLJ
ISSN: 2583-2794

B- Statement of the Research Problem

Identify the central legal problem: despite judicial recognition of personality-related interests in India, the legal framework governing the commercial exploitation of identity remains dispersed across constitutional principles, judicial precedents, and potentially applicable statutory provisions.

Explain the resulting uncertainty concerning the scope of publicity rights, the distinction between commercial appropriation and legitimate expression, and the protection available against emerging forms of digital misuse.

C- Research Gap

Although judicial decisions and academic discussions have addressed privacy, personality rights, celebrity endorsements, and commercial appropriation, there remains a need for an integrated doctrinal assessment of the nature and scope of the right to publicity under Indian law.

The research seeks to examine how far existing constitutional principles, judicial precedents, and statutory remedies protect individuals against unauthorised commercial exploitation of their identity. It also considers the implications of digital technologies and compares the Indian position with selected international approaches to identify possible legal and regulatory improvements.

The research gap is therefore not an assertion that the subject has been unexplored; rather, it lies in the need to bring together doctrinal development, legal remedies, freedom of expression, comparative perspectives, and emerging technological challenges within a coherent Indian legal analysis.

D- Research Objectives

The objectives of this research are:

1. To examine the concept, nature, and legal foundations of the right to publicity.
2. To analyse the development and scope of publicity rights under Indian constitutional principles, judicial precedents, and relevant statutory provisions.
3. To distinguish the right to publicity from the right to privacy, personality rights, and related intellectual property protections.

IJLJ
ISSN: 2583-2794

E- Research Questions

The study addresses the following research questions:

1. What is the nature and scope of the right to publicity, and how is it distinct from the right to privacy and other personality-related rights?
2. To what extent do Indian constitutional principles, judicial precedents, and existing statutory provisions protect individuals against the unauthorised commercial use of their identity?

3. What legal challenges arise from the use of an individual's identity in digital advertising, social media, AI-generated content, and deepfakes?

F- Research Methodology

The research adopts a doctrinal and qualitative legal methodology based primarily on the analysis of primary and secondary legal sources.

Primary sources include relevant constitutional provisions, legislation, and judicial decisions of Indian courts. Secondary sources include books, scholarly journal articles, commentaries, and legal research publications concerning publicity rights, personality rights, privacy, intellectual property, and digital identity.

A comparative approach is also employed to examine selected international models, particularly the United States and relevant European approaches. The comparison is intended to identify principles and regulatory options that may inform the Indian legal position, while recognising differences between legal systems.

The study is analytical rather than empirical and does not rely on surveys, interviews, or statistical data. Its scope is principally concerned with the legal recognition, protection, and enforcement of publicity rights in India, with particular attention to contemporary technological developments.

G- Scope and Limitations of the Study

The study focuses on the legal protection of an individual's identity against unauthorised commercial exploitation. It considers constitutional principles, judicial developments, relevant statutory remedies, comparative approaches, and challenges arising from digital technologies.

It does not assume that Indian law contains a single, comprehensive statute specifically governing publicity rights. Instead, it examines the extent to which existing legal principles and remedies may apply. The comparative discussion is selective and is intended to support the Indian analysis rather than provide an exhaustive account of every jurisdiction.

H- Organisation of the Research Paper

The paper first introduces the concept and evolution of the right to publicity. It then examines the Indian legal framework and relevant judicial precedents, followed by an analysis of comparative approaches and emerging challenges in the digital environment. It subsequently considers the relationship between publicity rights and freedom of expression, evaluates

available remedies, and concludes with recommendations for strengthening legal protection in India.

2. From Privacy to Publicity

Long before hashtags, brand endorsements, and Instagram filters, the law only spoke of privacy — the right to be left alone.

But in the mid-20th century, especially in the United States, something shifted. Celebrities, athletes, and performers realised that their identities had market value. A baseball player's face on a chewing gum wrapper could sell thousands of packs — but what if the player had never agreed to be there?

The American Spark

The phrase "right to publicity" first appeared in 1953, in the case of Haelan Laboratories v. Topps Chewing Gum, Inc.[3] Two chewing gum companies were fighting over exclusive contracts with baseball players. The court recognised that a person's likeness was more than just private — it was property that could be commercially exploited. This ruling planted the seed of the right we know today.

Over the years, U.S. courts refined it: you own your face, your name, your signature moves. You can sell those rights — but you can also sue if someone takes them without permission.

India's First Steps

India's journey was slower but rooted in constitutional soil. The Right to Privacy, recognised under Article 21 (Right to Life and Personal Liberty),[4] became the foundation.

One of the early sparks was ICC Development (International) Ltd. v. Arvee Enterprises (2003).[5] The Delhi High Court was clear: publicity rights belong to individuals, not events. You can't sell the "face" of the Cricket World Cup unless you own the rights to the players' personas.

IJLJ ISSN: 2583-2794

[3] Haelan Laboratories, Inc. v. Topps Chewing Gum, Inc., 202 F.2d 866 (2d Cir. 1953).
[4] *Kharak Singh v. State of Uttar Pradesh*, AIR 1963 SC 1295. (holding that domiciliary visits by police violated personal liberty under Article 21, though the Court did not expressly recognize privacy as a fundamental right).
[5] **ICC Development (International) Ltd. v. Arvee Enterprises & Anr.**, 2003 (26) PTC 245 (Del.) (Delhi High Court, Jan. 31, 2003)

Then came DM Entertainment v. Baby Gift House (2003),[6] involving pop singer Daler Mehndi. A shop was selling dolls that looked and dressed like him — without consent. The court sided with Daler, recognising the unauthorised commercial use of his identity.

When Bollywood Stepped In

The concept became widely discussed after Titan Industries Ltd. v. M/s Ramkumar Jewellers (2012).[7] The jeweller used a photograph of Amitabh Bachchan and Jaya Bachchan in an advertisement without permission. The Delhi High Court not only upheld their right to publicity but stressed that even photographs clicked for private purposes can't be used for profit without consent.

From there, Indian courts have steadily expanded the concept, but without a dedicated statute. Today, we rely on privacy law, passing-off under trademark law,[8] and unfair competition principles to protect publicity rights. But the digital age — with memes, deepfakes, and AI avatars — is pushing this right into new and urgent territory.

Law to Spot a Publicity Rights Violation

Think of yourself as a detective. You've been handed a case: someone's face, voice, or name is being used in an advertisement without their say-so. How do you know if the Right to Publicity has been breached?

Lawyers and courts look for three main clues — like items in an investigator's toolkit:

Clue 1: Is the person identifiable?

The use must clearly point to a specific person.

It could be their face, name, voice, signature style, or even a catchphrase ("Toh Faayda Uthao!" would instantly remind many of a certain Bollywood actor).

Sometimes, even a lookalike or an animated caricature can be enough — if the audience can reasonably connect it to the real person.

IJLJ — ISSN: 2583-2794

[6] *D.M. Entertainment Pvt. Ltd. v. Baby Gift House and Ors.*, CS(OS) No. 893/2002 (Del. H.C.), decided April 29, 2010

[7] *Titan Industries Ltd. v. M/s Ramkumar Jewellers*, CS(OS) No. 2662/2011, 2012 (50) PTC 486 (Del.) (Del. H.C., Apr. 26, 2012)

[8] Trade Marks Act, 1999.

Clue 2: Is it commercial use?

Not every mention or image triggers the right. The use has to be for profit-making purposes — e.g., an advertisement, product packaging, merchandise, or a brand promotion.

Example: If a magazine uses your photo to sell copies, that's commercial. If it publishes the same photo as part of a news article about you, that's (usually) not.

Clue 3: Was there consent?

This is the lock on the treasure chest.

If the person agreed to the use (via contract, model release, endorsement deal, etc.), it's legal.

No consent? Then we look at exceptions (like newsworthiness or satire) — if none apply, it's a likely violation.

If all three align in the wrong way (identifiable + commercial + no consent), you probably have a valid claim for infringement.

The toolkit is simple — but applying it is tricky, especially in the digital age where memes, remixes, and AI avatars blur the line between fun and profit. That's where our next section — Statutory Frameworks — will show how India and other countries try to regulate this right.

3. Statutory Frameworks

The Right to Publicity sits at an unusual crossroads: it feels like intellectual property, it sounds like privacy, and yet in many places, it has no clear statutory home. The legal maps are different depending on where you stand in the world. In India, the right is still a guest in other laws[9]' houses. There is no dedicated "Publicity Rights Act." Instead, it borrows shelter from the constitutional canopy of Article 21,[10] which protects the Right to Privacy, and occasionally takes refuge under trademark law[11] through actions for passing off, or under the common law of unfair competition. Courts have done most of the heavy lifting, filling the legislative silence with judgments. In ICC Development (International) Ltd. v. Arvee Enterprises (2003), the Delhi High Court recognised that publicity rights belong to individuals, not to events. In DM Entertainment v. Baby Gift House (2003), the court stopped the sale of dolls modelled after Daler Mehndi without consent. And in Titan Industries Ltd. v. M/s Ramkumar Jewellers

[9] Related Statutory Hooks (Indirect)While there's no "Publicity Rights Act," courts often tether claims to:Article 21, Constitution of India — right to life includes right to privacy and dignity.Section 14, 38, and 57 of the Copyright Act, 1957 — where a creative work embodies the person's likeness.Section 2(zb) & 29 of the Trade Marks Act, 1999 — if name/likeness is registered or functions as a trademark.Section 3 & 6, Consumer Protection Act, 2019 — in misleading endorsement contexts.Tort of Passing Off — under common law principles.

[10] The Constitution of India, Art. 21.

[11] Trade Marks Act, 1999.

(2012), it barred the unauthorised use of Amitabh and Jaya Bachchan's photographs in advertisements. Through these decisions, Indian courts have crafted a working framework without a single statute ever spelling it out.

The United States offers a more direct route. The Right to Publicity exists as a patchwork of state laws, both statutory and common law. Some states, like California and New York, have explicit statutes, with California famously protecting the right for up to 70 years after death — making it possible for estates to control and license the images of stars long gone. The origins here trace back to Haelan Laboratories v. Topps Chewing Gum (1953), where the court first described this right as a form of property distinct from privacy.

Across the European Union, the right is often folded into personality rights and reinforced by data protection laws under the General Data Protection Regulation (GDPR).[12] In countries like Germany and France, this right is strongly linked to dignity and honour, meaning it carries not just commercial, but moral weight.

The differences are striking. In some places, your image is treated like a private castle: you decide who enters, who profits, and for how long. In others, it's more like an open field you must actively guard, because the law will not fence it for you. For India, the absence of a clear statute means this right lives in borrowed rooms — respected in court, but vulnerable in the marketplace, especially in the fast-moving digital era.

4. Landmark Cases

The Right to Publicity is best understood not through theory alone, but through the stories of those who fought to protect their identity from being turned into someone else's profit.

Haelan Laboratories v. Topps Chewing Gum, Inc. (U.S., 1953)

It began with baseball cards and chewing gum. Two rival companies were competing for exclusive contracts with baseball players. Haelan Laboratories had secured certain players' photographs for its gum wrappers, only to find those same faces appearing on Topps products. The court recognised that a person's likeness could be more than a matter of privacy — it was a commercial asset. In doing so, it planted the term "Right to Publicity" firmly in American legal soil.

[12] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1–88.

ICC Development (International) Ltd. v. Arvee Enterprises (India, 2003)

During the 2003 Cricket World Cup, a promotional storm was brewing. ICC Development claimed exclusive marketing rights for the event, while Arvee Enterprises launched a campaign using cricket-related imagery and slogans. The Delhi High Court drew a line in the sand: publicity rights belong to the individual players, not to the sporting event itself. You can sell cricket, but you can't sell Sachin Tendulkar without asking him first.

DM Entertainment v. Baby Gift House (India, 2003)

Punjabi pop icon Daler Mehndi found his trademark colourful attire and turban style replicated — not on stage, but on shelves, in the form of dolls. These "Daler dolls" sang and danced without his permission, earning profits for the sellers. The Delhi High Court agreed that this was unauthorised commercial use of his identity and stopped the sales, cementing that even playful merchandise can trespass on publicity rights.

Titan Industries Ltd. v. M/s Ramkumar Jewellers (India, 2012)

A jeweller's advertisement featured Amitabh and Jaya Bachchan, their smiling faces lending the aura of trust and prestige — except neither actor had agreed to be part of it. The Delhi High Court swiftly intervened, holding that their photographs, even if taken for private purposes, could not be commercially exploited without consent. The decision sent a clear message: fame, whether private or public, cannot be borrowed without permission.

Carson v. Here's Johnny Portable Toilets, Inc. (U.S., 1983)

In a case that proved publicity rights extend beyond just faces and photos, talk-show host Johnny Carson sued a company selling "Here's Johnny" portable toilets — borrowing his iconic on-air introduction. The court sided with Carson, holding that his catchphrase was part of his commercial identity. Sometimes, even words can be the crown jewels of a persona.

From baseball cards to Bollywood billboards, from dolls to catchphrases, these cases show how the Right to Publicity has been shaped by battles fought on many different fronts. Each victory adds another brick to the legal wall guarding a person's identity, even as technology keeps finding new ways to climb over it.

5. Right to Publicity in the Digital Era

The battles over baseball cards, dolls, and billboards seem almost quaint compared to the chaos of the internet age. Today, a person's likeness can travel across the globe in seconds,

copied, remixed, and repurposed countless times before sunrise. The Right to Publicity now fights its fiercest wars not in print or television, but in the ever-shifting landscapes of social media, AI, and virtual worlds.

Take the story of a popular Instagram influencer whose morning selfie ended up — without her knowledge — on the label of a skin cream sold in Southeast Asia. A fan spotted it, tagged her, and soon the post went viral. In traditional media, a brand would have to go through formal contracts and licensing. On the internet, the barriers are so thin that a simple screenshot can bypass every legal lock.

Then there are memes — the internet's inside jokes. A funny image of a student making a surprised face in a classroom might circle the globe as a joke about exams, only to later appear in an online ad for an energy drink. The original subject, more bewildered than amused, might have a publicity rights claim, but in the online jungle, tracking down the original source — and enforcing the right — is like chasing smoke.

The rise of deepfakes has added a darker twist. Imagine waking up to find a video of "you" endorsing a political candidate you don't support — or worse, starring in content you'd never consent to. These AI-generated imitations can replicate a person's face, voice, and mannerisms with eerie accuracy, erasing the line between real and fake.

Even the metaverse and NFTs are rewriting the script. Virtual avatars that look exactly like celebrities can perform concerts, endorse brands, or greet fans — sometimes without the real person's knowledge. A digital artist might mint your photo as an NFT, selling it to collectors, while you remain completely outside the transaction.

The law is struggling to keep pace. Courts are starting to apply traditional publicity rights to these digital scenarios, but technology moves faster than legislation. In India, without a specific statute, much depends on creative use of privacy law, passing-off principles, and judicial willingness to adapt old doctrines to new realities. The Right to Publicity in the digital era is not just about stopping misuse — it is about building new safeguards for identities in a world where a person can be copied, altered, and sold with a few clicks.

IJLJ ISSN: 2583-2794

6. Defenses & Exceptions

The Right to Publicity might seem like an absolute shield — your face, your voice, your rules. But in law, every shield meets its counterforce. Publicity rights often collide with other freedoms, especially freedom of speech, artistic expression, and the public's right to know. The result is less like a clean cut and more like a chess game, where each move must be balanced against the other player's rights.

One of the most common exceptions is newsworthiness. If your photograph appears in a genuine news report, even without your consent, it's usually protected. For example, when a sports magazine prints a photo of a cricketer mid-match, it's journalism, not unauthorised endorsement. The tricky part is when "news" starts looking suspiciously like advertising — a line courts often have to draw with care.

Then there's freedom of expression,[13] which can shelter satire and parody. Imagine a cartoonist drawing a caricature of a famous politician to poke fun at a new policy. The exaggerated image might borrow from the politician's likeness, but its purpose is humour and commentary, not selling a product. Courts in many countries, including India, tend to give such works breathing room, recognising that a democracy needs the freedom to laugh at itself — and at its leaders.

Artistic works can also walk the fine line between homage and infringement. A painter creating a portrait of a film star for an art exhibition may be shielded by creative expression, provided the work isn't being used to promote or sell unrelated goods.

Finally, there are incidental uses — appearances of someone's likeness that are fleeting and not central to the commercial purpose. If you're in the background of a street scene in a travel ad, courts may view it as too minor to infringe your rights.

But these defenses aren't free passes. They work only when the use genuinely serves public interest, artistic value, or free speech — not when they are thin disguises for profit. The courtroom battle over these exceptions often turns on intent: was the use meant to inform, entertain, or comment… or to cash in? In that question lies the balance between protecting personal identity and keeping the marketplace of ideas open.

7. Remedies & Enforcement

When the Right to Publicity is violated, the law's job is a bit like trying to put a genie back into its bottle. Once a person's face, voice, or likeness has been splashed across ads, billboards, or the internet, the harm is often instant and widespread. Remedies, therefore, are about two things: stopping the damage and making up for what's been lost.

The most urgent tool is the injunction[14] — a court order that says, in effect, "Stop. Right now." If a celebrity's photo appears on an unauthorised product, an injunction can force the seller to pull it from shelves or take down digital content. In the Titan v. Ramkumar Jewellers

[13] The Constitution of India, Art. 19(1)(a)

[14] *Titan Industries Ltd. v. M/s Ramkumar Jewellers*, CS(OS) No. 2662/2011, 2012 (50) PTC 486 (Del.) (Del. H.C., Apr. 26, 2012) (Delhi High Court granted a permanent injunction restraining use of Amitabh and Jaya Bachchan's images in jewellery ads without consent).

case, this was exactly what happened — the Bachchans' photos vanished from advertisements almost overnight after the court's order.

Then there are damages,[15] the legal equivalent of compensation for harm done. These can be calculated in different ways:

Actual damages, based on the profit the violator made or the loss the person suffered.

Punitive damages, awarded to punish particularly reckless or malicious conduct — sending a message to others who might be tempted to do the same.

Sometimes, courts also require public apologies or corrections,[16] especially when the violation has affected a person's reputation. In the world of endorsements, a brand's misuse of an image can mislead the public into thinking the person supports a product or cause they don't — and setting the record straight becomes as important as the money.

Enforcing these remedies can be tricky in the digital world. A billboard can be taken down, but what about a viral meme or a deepfake video shared thousands of times across different countries? Jurisdictional limits, anonymity of online users, and the speed of digital sharing make enforcement a race against time. Increasingly, courts and lawmakers are looking to platform-level measures — forcing social media companies to remove infringing content swiftly upon notice.

The remedies may never fully undo the harm, but they serve as a warning: using someone's identity without consent carries consequences. In a world where personal image is currency, the law steps in as the bank guard, ready to lock the vault — even if it can't always recover every stolen coin.

8. Challenges & Criticisms

The Right to Publicity may sound simple — control your identity, stop misuse — but in practice, it's a legal tightrope. On one side lies the need to protect personal autonomy and prevent commercial exploitation; on the other is the equally vital need to preserve free speech, artistic freedom, and public discourse. Balancing the two is no easy feat.

One challenge is the conflict with freedom of expression. If the law is too strict, it risks silencing satire, parody, commentary, and even art that draws from real people's images. A comedian impersonating a politician or an artist painting a famous actor might find themselves facing a lawsuit, even when their purpose is not commercial exploitation but

[15] *ICC Development (International) Ltd. v. Arvee Enterprises & Anr.*, 2003 (26) PTC 245 (Del.) (recognised publicity rights; court discussed commercial misappropriation and remedies).

[16] *Shivaji Rao Gaikwad v. Varsha Productions*, 2015 (62) PTC 351 (Mad.) (Madras High Court protected Rajinikanth's persona and granted injunction; discussed safeguarding reputation).

social commentary. The fear of litigation could create a chilling effect on creative and journalistic work.

Another criticism is the over-commercialisation of identity. Some scholars argue that turning every aspect of a person into property — from their smile to their voice — commodifies human personality in a way that benefits the rich and famous disproportionately. While celebrities can license their image for millions, ordinary individuals often lack the resources to enforce their rights, making the system unequal in practice.

The global, digital marketplace adds yet another layer of complexity. Images and videos cross borders at the speed of light, but laws remain confined within national boundaries. A photograph taken in India could be edited in Singapore, uploaded in the United States, and viewed worldwide within minutes. Whose law applies? Which court has the power to decide? These jurisdictional puzzles make enforcement uneven and often frustrating.

There's also the problem of technology outpacing the law. Deepfakes, AI-generated avatars, and virtual replicas can be created faster than any court can act. Without proactive legislation and tech-driven enforcement mechanisms, the law often finds itself reacting too late.

Critics warn that unless carefully drafted, publicity rights could be weaponised — used not just to stop exploitation, but to suppress criticism, satire, and even harmless fan activity. The challenge is to design a system that protects genuine rights without turning the public square into a minefield of permissions and lawsuits.

9. Conclusion & Recommendations

The Right to Publicity is, at its heart, about owning your own story. It is the law's way of saying that your name, your face, your voice — the very markers of who you are — cannot be turned into someone else's currency without your say-so. From a cricketer whose image sells energy drinks without permission, to an everyday person whose vacation selfie is turned into a meme for profit, the principle is the same: identity is not a free-for-all.

Yet, as we've seen, the path from principle to practice is uneven. In India, the absence of a dedicated statute leaves publicity rights scattered across privacy law, intellectual property doctrines, and the goodwill of the courts. This patchwork works — but only up to a point. In a borderless, digital economy, the law needs sharper tools and clearer boundaries.

Our recommendations:

India should consider enacting a standalone statute that clearly defines the scope, duration, and limitations of the Right to Publicity, ensuring protection for both celebrities and ordinary individuals. Such a law must also incorporate well-defined exceptions for news reporting,

satire, parody, and artistic expression, preventing its misuse as a tool for censorship. In the digital sphere, the framework should include fast-track notice-and-takedown obligations for online platforms, with strict penalties for any delay in removing infringing content. Given the cross-border nature of online violations, especially with the rise of AI-generated likenesses, India should pursue treaties or bilateral agreements to facilitate international enforcement of publicity rights. Equally important is public education—citizens must be made aware that their personal identity is not only a matter of privacy but also a form of property and dignity, empowering them to seek remedies when these rights are infringed.

In the end, the Right to Publicity is about more than legal claims or damages. It is about dignity, authenticity, and the human need to be recognised as the author of one's own image. If privacy is the right to be left alone, publicity is the right to be seen — but only on your own terms. In a world where identities are borrowed, copied, and traded at the speed of a click, the law's task is clear: to make sure that you remain the author of you

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ISSN: 2583-2794

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ISSN: 2583-2794