

Can AI Train on Copyrighted News? Indian Court Declines Interim Injunction in Landmark AI Copyright Case

(Summary and analysis by ABU Legal Division)

Summary of Recent Legal Developments

The Delhi High Court has issued its first significant ruling in **ANI Media Pvt. Ltd. v. OpenAI**, India's landmark copyright dispute concerning the use of copyrighted news content for training large language models (LLMs). ANI alleges that OpenAI unlawfully scraped and used its news articles to train ChatGPT without authorization or licensing.

In an interim decision issued in July 2026, the Court declined to grant ANI an injunction preventing OpenAI from using publicly available content for AI training while the case proceeds to trial. The Court expressed the *prima facie* view that storing publicly accessible material for AI training may fall within the "fair dealing" exception for research under Section 52(1)(a) of the Indian Copyright Act. It also found no immediate evidence that ChatGPT reproduced a substantial portion of ANI's protected expression in its outputs.

Importantly, the Court did **not** determine whether OpenAI has infringed copyright. The substantive issues (including whether AI training constitutes copyright infringement and the legal implications of AI-generated hallucinations) remain to be decided at trial.

Although only an interim ruling, the decision represents one of the most significant judicial developments on AI and copyright in India and will likely influence future litigation involving AI developers and content owners.

Key Legal Issues

1. Copyright and AI Training

The Court indicated that, at least on a preliminary basis, the temporary storage and processing of publicly available copyrighted material for AI training may qualify as fair dealing for research under Indian copyright law.

However, this remains a preliminary finding and does not establish a definitive legal rule.

2. AI Outputs versus AI Training

The Court distinguished between the use of copyrighted material during model training and the content ultimately generated by the AI system.

Since ANI did not demonstrate that ChatGPT was reproducing substantial portions of its original articles, the Court declined to intervene at the interim stage.

3. Licensing of News Content

The decision reduces, for the time being, the ability of news organisations to obtain immediate court orders requiring AI developers to negotiate licences before using publicly available online content for AI training.

Whether licensing should ultimately be required remains a question for the final trial.

Implications for Broadcasters and Media Organisations

The case highlights the growing legal uncertainty surrounding the use of copyrighted media content for generative AI.

For broadcasters, the decision suggests that:

- Publicly accessible online content may be used for AI training without immediate judicial intervention, although the legality of such use remains unresolved.
- Copyright claims may increasingly focus on whether AI-generated outputs reproduce protected expression rather than on the training process itself.
- Existing licensing models for news archives and digital content may face new challenges as AI developers continue to rely on publicly available information.
- Courts may distinguish between AI training and AI-generated outputs when assessing copyright liability.

Because the case remains pending, broadcasters should avoid assuming that current AI training practices have been judicially approved or that licensing obligations no longer apply.

Recommendations for ABU Members

1. Continue protecting valuable content

Maintain appropriate copyright notices, access controls, and licensing arrangements for valuable news archives and premium content.

2. Review AI licensing strategies

Broadcasters negotiating AI-related licences should recognise that the legal framework governing AI training remains unsettled and may continue to evolve across different jurisdictions.

3. Monitor AI-generated outputs

Where AI systems are deployed, organisations should monitor whether generated content reproduces copyrighted material or creates legal risks through inaccurate or misleading outputs.

4. Follow legal developments closely

The final decision in **ANI Media v. OpenAI** could significantly influence AI copyright litigation in India and may affect future policy discussions on AI training, licensing, and copyright exceptions throughout the Asia-Pacific region.

For the full legal decision, read here :
<https://corporate.cyrilamarchandblogs.com/2026/07/ani-v-open-ai-delhi-high-court-refuses-interim-injunction-in-landmark-ai-copyright-dispute/>