

## **PERSONALLITY RIGHTS: POLITY**

**NEWS:** Delhi HC passes order protecting personality rights of Sadhguru Jaggi Vasudev

### **WHAT'S IN THE NEWS?**

The Delhi High Court protected Sadhguru Jaggi Vasudev's personality rights against AI-driven misuse, deepfakes, and unauthorized commercial exploitation of his persona. The case highlights the growing legal importance of safeguarding personality rights amid rising AI-related threats.

#### **Context**

- The Delhi High Court recently protected the personality rights of Sadhguru Jaggi Vasudev.
- The court acted to prevent the misuse of his personality traits through AI-generated and manipulated content.

#### **Background**

- Sadhguru faced misuse of his personality by unknown entities.
- AI tools were used to create objectionable content and exploit his personality for commercial purposes without consent.
- The legal suit sought protection against:
  - Deepfakes
  - Manipulated images
  - Altered videos and voice
  - Unauthorized content circulating on social media platforms and rogue websites

#### **Court's Key Observations & Orders**

- **Uniqueness of Personality**
  - The court recognized that Sadhguru's voice, signature, image, articulation style, and attire are unique and deserve legal protection.
- **Danger of AI Misuse**
  - The court observed that AI-driven misuse can spread rapidly and uncontrollably, similar to a "pandemic".
  - Such misuse can cause irreparable damage to personality rights and public perception.
- **Hydra-headed Rogue Websites**
  - The court noted the challenge of rogue websites that reappear as mirror or alphanumeric variants even after being blocked.

- Enforcement against such sites becomes difficult and ongoing.

## **About Personality Rights**

- **Definition**

- Personality rights refer to the legal rights that protect an individual's unique personal attributes.
- These include their name, image, voice, likeness, signature, and other identifiable characteristics.

- **Application**

- Primarily applies to celebrities and public figures with commercial or reputational value attached to their persona.

- **Core Principle**

- The individual alone has the right to derive monetary benefit from or control the use of their personality traits.
- Unauthorized commercial use constitutes infringement.

## **Types of Personality Rights**

- **Right of Publicity**

- Grants the right to control the commercial use of one's image and likeness.
- Unauthorized exploitation violates this right.
- Governed under the Trade Marks Act, 1999, and the Copyright Act, 1957.

- **Right to Privacy**

- Protects an individual from having their personality publicly represented without permission.

## **Judicial Precedents Relating to Personality Rights**

- **Amitabh Bachchan Case (2012 & 2022)**

- Delhi HC issued injunctions preventing unauthorized commercial use of Bachchan's name, nicknames, and expressions.
- Injunction served as a legal remedy to restrain such misuse.

- **Rajnikanth Case (2015)**

- Madras HC ruled that Rajnikanth's name and style are protected celebrity personality rights.

- Unauthorized use of his persona in film titles was barred.
- **Anil Kapoor Case (2023)**
  - Delhi HC granted an ex-parte omnibus injunction against misuse of Kapoor's image, name, and AI-generated likeness.
  - Protection extended to multiple entities for profit-driven misuse.
- **Jackie Shroff Case (2024)**
  - Delhi HC protected Shroff's personality rights by restraining misuse by:
    - E-commerce stores
    - AI chatbots
    - Social media platforms
  - The court balanced freedom of expression and did not order the takedown of artistic videos.

## **Legal Framework in India**

- **Constitutional Basis**
  - Personality rights are grounded in:
    - Article 19(1)(a): Freedom of speech and expression
    - Article 21: Right to life and personal liberty
  - These ensure a balance between freedom of expression and privacy.
- **Copyright Act, 1957**
  - Grants moral rights to performers.
  - Allows performers to prevent distortion or unauthorized use of their performance or persona.
- **Trade Marks Act, 1999**
  - Restricts unauthorized commercial use of personal names and symbols.
  - Section 14 provides this restriction.
- **Judicial Precedents**
  - Landmark case: K.S. Puttaswamy v. Union of India (2017).
  - Elevated privacy rights and reinforced personality rights as fundamental under Article 21.

**Source:** <https://www.thehindu.com/news/cities/Delhi/delhi-hc-passes-order-protecting-personality-rights-of-sadhguru-jaggi-vasudev/article69645128.ece>