



# LEGAL PLETHORA OF THE USE OF AI IN GHIBLI ART: NAVIGATING LIMITATIONS, REFORMS, AND BALANCED APPROACHES

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#### **ABSTRACT**

This Article seeks to answer the most intriguing question that rings in everyone's mind today, "Will AI ultimately replace human excellence and thus, will it affect the innovation standpoint? After the continuous demand and use of artificial intelligence (AI) in the creation of art inspired by Studio Ghibli's distinct visual style, intellectual property (IP) frameworks are being tested against technologies that challenge the very notion of human authorship, originality, and artistic intention. The mind behind the creation of Studio Ghibli, Mr. Hayao Miyazaki's works are celebrated pompously all over the world, mainly in India, not only for their hand-drawn artistry and whimsical yet profound narratives, but also for their deeply humanistic and cultural themes. And because of the never-ending demand of the Indians to receive a seemingly picture-perfect Ghibli art, they highly demand the AI tools, like ChatGPT, to produce the exact Ghibli art for their picture-perfect moments. However, little did we understand that one's creativity is to be respected and is above any AI replications of images. Nonetheless, this raises concerns over copyright infringement, moral rights violations, and cultural misappropriation. However, as it is said, where there is Law, there is always a silver lining. Copyright, being one of the foundationalism principles of Intellectual property law, protects the derivative works, moral rights, and authorship through the lens of AI-generated Ghibli-style content. This Article examines landmark legal precedents to have a better understanding of the said context. Beyond the legal lens, this Article incorporates qualitative insights from interactions with Studio Ghibli animators, digital artists, and AI researchers, who commonly reflect on the ethical boundaries of style replication and the emotional intelligence embedded in traditional animation. The article concludes by proposing a set of nuanced reforms and a call for a balanced approach that protects artistic legacies while allowing space for ethical innovation.

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**Keywords:** Artificial Intelligence, Intellectual Property, Copyright Law, Studio Ghibli, Hayao Miyazaki.

### RESEARCH METHODOLOGY

This research employs a multidisciplinary and qualitative approach, incorporating:

**Doctrinal Legal Analysis:** A review of international IP law frameworks and jurisprudence, including statutory texts, legal commentary, and court decisions in the U.S., Japan, the EU, and the UK.

**Comparative Case Study Analysis:** Examination of landmark and ongoing legal cases related to AI authorship and derivative works, with a focus on their applicability to Ghibli-style AI art.

**Interviews & Primary Accounts:** Semi-structured interviews with stakeholders, including a former Studio Ghibli animator, an AI art researcher, and digital creators engaged in generative art production.

**Cultural and Ethical Analysis:** Application of artistic and philosophical critique to examine Miyazaki's views on automation and how AI generation diverges from traditional animation's moral and emotional frameworks.

**Real-World Scenario Review:** Analysis of social media trends, viral Ghibli-style AI artworks, and commercialisation patterns through NFTs and online merchandise platforms.

**Policy Review and Reform Proposals:** Evaluation of policy initiatives, including WIPO discussions, Japan's METI guidelines, and the EU's AI Act, with proposals for future legal harmonisation and ethical oversight.

#### INTRODUCTION

Mr. Hayao Miyazaki called the AI demonstration of Studio Ghibli's artwork "an insult to life itself," expressing deep discomfort at the idea of removing human intention and emotion from animation. Among the pantheon of influential animation studios, Studio Ghibli stands apart. Its body of work, defined by hand-drawn artistry, richly layered worlds, and deeply humanistic narratives, has not only shaped generations of animators but it has built a sense of trust from

<sup>&</sup>lt;sup>1</sup> The Statesman Web Desk, 'Hayao Miyazaki Reacts to AI-Generated Ghibli Art: "An Insult to Life Itself" (The Statesman, 30<sup>th</sup> April 2024)

its audiences for fair use of their images not bypassing any privacy concerns, thereby, balancing the same with the meeting the needs of its audience by providing a picture-perfect moment.<sup>2</sup>

Artificial intelligence, on the other hand, becomes increasingly adept at analysing, emulating, and even producing content in the vein of Ghibli's inimitable style, which challenges the very foundation of how we define artistic ownership, creativity, and cultural legacy. This evolution demands a closer examination of legal doctrines such as copyright protection, moral rights, and the boundaries of fair use, particularly when the "artist" may be an algorithm trained on human-made art.<sup>3</sup> This article explores the intricate legal terrain surrounding AI-generated content that directly references Studio Ghibli's stylistic universe. Further, it aims at preserving artistic integrity while enabling responsible innovation in a rapidly evolving technological landscape.

#### THE FOUNDATIONS OF INTELLECTUAL PROPERTY LAW

Intellectual Property Law, also fondly known as the IP law, is the backbone for protecting creative expression in modern society. It mainly serves two purposes: firstly, it encourages innovation by granting creators the exclusive rights to their work, and secondly, it ensures that the public ultimately benefits from cultural and intellectual advancement while preserving the latter's privacy.<sup>4</sup>

Where imagination, style, and symbolism converge, within the realms of animation and visual art, this legal protection is especially vital. It guards not only against economic exploitation but also against the dilution of artistic identity.<sup>5</sup> Where the work of Studio Ghibli is revered for its emotional resonance, visual poetry, and deeply personal storytelling, the Intellectual Property Law plays a crucial role in preserving both the studio's commercial value and its artistic integrity. Several key components of IP law are particularly relevant to the discussion of AI-generated content inspired by or imitating Ghibli's style:

The Copyright Law: Copyright is the most directly applicable form of protection in this context. How? The reason is, it shields original works of authorship that are fixed in a tangible medium, such as animated films, concept art, background paintings, storyboards, and character designs. In the case of Studio Ghibli, this includes under its ambit nearly everything, from the

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<sup>&</sup>lt;sup>2</sup> Aditi Singh Tharran, 'The art of hand-drawn animation'

<sup>&</sup>lt;sup>3</sup> Karen Periera, 'ChatGPT's AI Studio Ghibli Tool: Exploring the impact of technology on filmmaking and creativity.' (The Times of India, 5<sup>th</sup> April, 2025)

<sup>&</sup>lt;sup>4</sup> Dr. Gary L.Deel, 'What is Intellectual Property' (World Intellectual Property Organisation, 13<sup>th</sup> July, 2023) <sup>5</sup> ibid

hand-drawn frames of Princess Mononoke to the orchestral scores of Joe Hisaishi. As copyright grants the right holder control over the reproduction, distribution, and public performance, the adaptation of their work is increasingly tested when AI systems reproduce or remix copyrighted material without authorisation.

**Moral Rights:** Moral rights encompass the right of attribution, that is, to be credited for one's work, and the right of integrity, that is, to object to distortions or mutilations that harm the creator's reputation or intent. In the present case, where the directors and animators of Studio Ghibli view animation as a deeply personal artistic act, moral rights are fundamental to ensure their creative vision is respected, especially in the face of machine-generated derivatives that may misrepresent or trivialise their style.

The Trademark Law: Copyrights differ from that of Trademarks, as the former protects the artistic expression of Ghibli's works, while the latter offers a different layer of protection by safeguarding the brand identity. This includes under its ambit the names, the logos, the character icons and even specific visual motifs that are closely associated with the Studio's identity. Thus, any unauthorised use of these elements, either by human artists or AI models, can mislead consumers or dilute the distinctiveness of the brand, thereby potentially constituting trademark infringement or dilution.

**Trade Secrets:** Known for playing a role in protecting the behind-the-scenes aspects of animation production, it preserves the proprietary animation techniques, development processes, and internal creative workflows. Any confidential tools or methods used by Studio Ghibli fall under the trade secret protection, especially if such knowledge is used by AI developers to intentionally mimic Ghibli's creative output.<sup>6</sup>

Thus, while copyright and moral rights form the legal core of protection for Studio Ghibli's creative output, the trademark and trade secret Laws help reinforce its cultural identity and guard against unauthorised appropriation. Yet, the unprecedented challenge faced by the current IP framework remains inevitable as AI technologies become more capable of learning and reproducing these elements, which this article seeks to critically analyse.

<sup>&</sup>lt;sup>6</sup> Dinesh Deckker, 'Dreams and Data: Ghibli-Style Art, Copyright, and the Rise of Viral AI Imagery - A Review.' (ResearchGate, March 2025)

#### AI AND THE RISE OF STYLE EMULATION

Artificial intelligence, in recent years, has reached a remarkable point in generating visual art, particularly through technologies such as generative adversarial networks (GANs) and diffusion models. Eager to know how these systems operate? It operates by learning patterns, features, and aesthetic qualities from vast datasets of existing images without the consent of the original creators. Yes, that's exactly where the AI needs to be concerned, about the unfair use of the database. Continuing further with the operation of the system, once trained, these models can synthesise entirely new images that closely imitate specific artistic styles, including the warm, hand-drawn textures, colour palettes, and atmospheric depth that define the visual identity of Studio Ghibli.<sup>7</sup>

Though the results are aesthetically compelling, the ease with which AI replicates the studio's signature look raises unresolved legal and ethical questions which need to be addressed. Does AI-generated art constitute copyright infringement? Here comes the most immediate and hotly debated issue. And why is that so? The reason is, if an AI model is trained on copyrighted material such as stills, concept art, or promotional material from Studio Ghibli films without a license, then the training process itself may be considered infringing, even if the final output is "new." Courts and lawmakers are grappling with whether such training constitutes a fair use or an unauthorised reproduction. Moreover, if the output is substantially similar to that of the protected works or if it incorporates recognisable elements, it may also infringe on copyright at the point of generation.<sup>8</sup>

Who owns the rights to AI-generated works? As far as the traditional context is concerned, Copyright is granted to a human author, a person who exercises creative control. However, this is not so in the case of AI-generated art, where no human is directing the pixels or composition. Now, this statement raises two broad questions: Is the creator the person who wrote the prompt? The developer of the model?

Or is the output simply not eligible for copyright protection at all? Legal systems vary in this context: While the U.S. law currently leans toward denying copyright to non-human creators, the other jurisdictions are experimenting with recognising a form of derivative authorship. This

<sup>&</sup>lt;sup>7</sup> Weiwei Lu, 'Artistic characterisation of AI painting based on generative adversarial networks.' (ResearchGate, January 2024)

<sup>&</sup>lt;sup>8</sup> J.V. Abhay, 'Stealing Styles – Artistic styles and AI-generated Art.' (SCC Online Times, 10<sup>th</sup> April, 2025)

ambiguity, in turn, creates a regulatory vacuum, especially when AI outputs enter commercial circulation or mimic protected styles.<sup>9</sup>

Can the style of an artist or studio be protected? To answer this question, we need to examine the legal point of view of the use of 'style' in AI-generated images. The law generally does not protect a 'style' as a general aesthetic by Copyright, as the copyright tag is used for the specific expressions and not for the ideas or style of the expression per se. However, there is a legal implication of the excessive use of AI-generated images.

Now, let's suppose an AI is inconsistent in its implication of generating images that evoke Ghibli's visual language; in this case, the broader question about the Ethics of Artistic appropriation is raised. Though the 'style' itself may not be legally copyrighted, the body of the work that defines the style is.<sup>10</sup>

Should new rights be introduced for AI or its developers? While some argue for the introduction of new legal rights, including AI authorship rights or shared rights between developers and users, others propose a regulatory framework. A regulatory framework wherein the AI output is considered more like a tool's product, with rights defaulting to the human who directs the use of such a product.

The ongoing debate on "whether the developers should bear responsibility for the datasets their models are trained on specifically, if such data is inclusive of the copyrighted works obtained without permission" opens the door for further legal considerations on the said topic. These questions extend beyond theoretical discussions and have significant implications for our understanding of creativity, ownership and authenticity in the digital era. When it comes to Studio Ghibli, a platform for known for its personal and artisanal style in animation, the idea of machines creating "Ghibli-styles", works without the participation of the studio or creators, raises not just legal issues but also philosophical questions- How can we uphold the integrity of an Art form when its visual representation can be produced mechanically?

#### LEGAL LIMITATIONS AND GREY AREAS

The existing boundaries of the Intellectual Property laws are being stretched to an unprecedented extent, as AI becomes more adaptable at generating the aesthetic images of the

<sup>&</sup>lt;sup>9</sup> ibid

<sup>10</sup> ibid

<sup>&</sup>lt;sup>11</sup> J.V. Abhay, 'Stealing Styles – Artistic styles and AI-generated Art.' (SCC Online Times, 10<sup>th</sup> April, 2025)

Ghibli Art. And it is most evident from the realm of copyright infringement, wherein the line is blurred between inspiration and unauthorised reproduction of the AI-generated content.<sup>12</sup>

#### COPYRIGHT INFRINGEMENT AND DERIVATIVE WORKS

Ever wondered what one of the exclusive rights granted to the copyrighted holder is? It is the right to create derivative works. Meaning, the work which is based on, or is adapted from, existing content. This is the right granted to the copyright holder under the current copyright law.<sup>13</sup> However, this principle is complicated by AI. The legal ambiguity stems from the opaque nature of AI learning and synthesis. These models do not "copy and paste" existing images but rather learn statistical patterns and visual features from large datasets. Still, if those datasets are composed of copyrighted materials—scraped without permission from films, artbooks, or promotional media—there is a strong argument that both the training process and the resulting outputs could infringe copyright.<sup>14</sup>

Warner Bros. Entertainment Inc. v. RDR Books (2008):<sup>15</sup> The line between transformative and derivative - This case involved the publication of a fan-created "Lexicon" based on the Harry Potter universe. The court found that while the Lexicon had educational purposes, it borrowed too heavily from J.K. Rowling's original work without sufficient transformation and thus constituted a derivative work.

Relevance to AI: If a dataset composed of Studio Ghibli imagery is used to train an AI that then produces "new" works in a Ghibli-like style, a similar argument could be made: the AI's outputs, while not direct copies, may lack the originality required to escape the label of "derivative." Courts may be inclined to consider whether the AI's process and its results are truly transformative or just stylistic mimicry at scale.

**Naruto v. Slater (2018):** Authorship must be human - Though whimsical on the surface—debating whether a monkey could hold copyright to a selfie it allegedly took—this case established a serious precedent: copyright protection in the U.S. requires a human author. The

<sup>&</sup>lt;sup>12</sup> Swagatika Panday Tewari, 'Ghibli AI art and copyright: The copyright dilemma of Ghibli style creations and the looming legal battles ahead' (The IP Press, 31<sup>st</sup> March, 2025)

<sup>&</sup>lt;sup>13</sup> Nishka Kamath, 'Fair use under Copyright Law' (Ipleaders, 25<sup>th</sup> January, 2023)

<sup>&</sup>lt;sup>14</sup> David Uriel Socol de la Osa and Nydia Remolina, 'Artificial intelligence at the bench: Legal and ethical challenges of informing—or misinforming—judicial decision-making through generative AI.' (Cambridge University Press, 2nd December, 2024)

<sup>&</sup>lt;sup>15</sup> Warner Bros Entertainment Inc v RDR Books (SD NY, 8 Sep 2008)

<sup>&</sup>lt;sup>16</sup> Naruto v Slater 888 F 3d 418 (9th Cir 2018)

court ruled that non-human entities (including animals and, by extension, AI systems) cannot own copyrights.

Relevance to AI: This decision set the stage for ongoing debates about AI authorship. If no human can claim authorship over an AI-generated image, then the work likely falls into the public domain or remains unprotected entirely. For artists and studios like Ghibli, this means they may have no direct recourse against unauthorised AI works, unless those works explicitly use protected content.

Thaler v. Perlmutter (2022):<sup>17</sup> AI alone cannot hold copyright - Stephen Thaler sought to register a copyright for an image produced by his AI system, "Creativity Machine." The U.S. Copyright Office denied the application, and the court upheld that decision, reaffirming that human authorship is a prerequisite for copyright registration.

Relevance to AI and Ghibli-style art: This case reaffirms the legal vacuum in which AIgenerated works currently exist. If an AI creates an image mimicking Ghibli's style, no one not the user, not the developer, and not the AI—can currently claim copyright in that output. Paradoxically, this leaves the work unprotected and potentially exploitable, even as it poses risks to original rights holders like Studio Ghibli.

Andersen v. Stability AI (2023)<sup>18</sup> – An Ongoing Case: Fair use, consent, and the legality of training data - In this landmark case, artists, including Sarah Andersen, sued Stability AI and MidJourney, alleging that their artworks were used without permission to train AI models. The plaintiffs argue that scraping copyrighted works for training purposes constitutes copyright infringement and unfair competition.

Relevance to Studio Ghibli: While this case is still evolving, its outcome could set a precedent for whether companies must obtain consent or licenses to use copyrighted visual content including Ghibli's—for training AI. If the court rules against the AI companies, it may pave the way for stronger protections for artists and studios whose work is currently mined and mimicked without compensation or credit.

 $<sup>^{17}</sup>$  Thaler v Perlmutter 687 F Supp 3d 140 (D.D.C. 2023)  $^{18}$  Andersen v Stability AI Ltd 700 F Supp 3d 853 (ND Cal 2023)

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#### STUDIO GHIBLI AND THE OWNERSHIP PARADOX

The ownership dilemma in the context of Studio Ghibli takes up a significant stance. The paradox revolves around the ownership claims and the need to effectively prevent the AI-generated mimicry. The question should be "What does the Studio Ghibli work have to offer?" to better understand the present loophole. Loophole, which the AI-generated content may not abrogate. More than just being an Intellectual property, the Studio's works offer a deep, cultured artistry, tied to its Human creator, Hayao Miyazaki. Though these AI-generated contents can never possibly generate human intentions and emotional nuances, yet, the outputs of such images exist in a grey market, unowned and unregulated.

#### REAL-WORLD SCENARIOS AND INDUSTRY VOICES

Let's understand from the experts in the areas of animation what they have to say on this tangible impact of the AI-generated art on Studio Ghibli. Before delving into this further, it is essential to keep in mind that we must go beyond the legal theories and more into the voices of these people to better understand the concept. From a set of digital innovators, seasoned animators to the voices from this creative spectrum, reveals a complex or rather conflicting narrative for one, whereas for another, it is about reverence, resistance and cautious optimism.

"The soul of Ghibli is not just the brush strokes—it's the feeling behind them. AI can imitate shapes and colours, but it doesn't know the warmth of a character's eyes or the melancholy of a sunset in 'Spirited Away.' It's like looking at a wax statue instead of a living person." 19

- Aya Yamamoto, Animator and Former Ghibli Collaborator

This statement of the revered Ayo Yamamoto speaks for itself. It speaks to the loss of the emotional nuance and narrative intention where the Art is created algorithmically. While Ghibli's work is well known for its subtle, beautiful emotional resonance, the AI-generated images fail to replicate the same, as such emotions are rooted in the live artistic intention, which, by reason, makes AI a hollow mimicry of the original Ghibli artwork. Yamamoto's metaphor is best suited in this context of AI-generated image - "...close enough to impress, but not enough to feel truly alive." <sup>20</sup>

<sup>&</sup>lt;sup>19</sup> The Statesman, 'AI may mimic Ghibli, but it can't steal its soul.' 24<sup>th</sup> May, 2025

<sup>&</sup>lt;sup>20</sup> ibid

This further invites a broader cultural speculative question, which the readers should brainstorm - "Should the replication of the style be allowed without the emotional resonance? And if so, what is the society's take on the matter of defining the boundary between inspiration and misappropriation, be it legally or ethically?

"We're not trying to replace artists. AI is a tool, and it needs guidance. There's a place where tradition and tech can meet—if we establish ethical frameworks that respect source material."<sup>21</sup>

- Tomoya Iida, Digital Artist and AI Researcher

The above statement by the revered Tomoya Iida offers a counterpoint grounded in a pragmatic optimism. Standing at the crossroads of Analogue and Digital creativity, he views AI as a collaborative tool—if used responsibly, it will extend the creative process of the Ghibli works.<sup>22</sup> Therefore, as AI continues to blur the line between creation and imitation, voices like Yamamoto's and Iida's become essential guideposts. They remind us that art is not just the product of brush strokes or pixels—it is the expression of something irreducibly human. And whether AI supports or supplants humanity will depend entirely on the choices we make today.

#### LEGAL REFORMS AND POTENTIAL SOLUTIONS

As the current system leaves artists unprotected, platforms unaccountable, and consumers unclear about what they're viewing, below is an exploration of practical reforms that could begin to close these legal and ethical gaps, particularly in the context of preserving the artistic integrity of culturally significant studios like Studio Ghibli.<sup>23</sup>

**Data Transparency and Consent:** AI models such as those built on diffusion often scrape vast amounts of visual data from the internet, frequently without the creators' knowledge or consent. This process includes copyrighted artworks and even official concept art from animation studios.<sup>24</sup>

To address this issue, laws mandating data transparency would:

• Require platforms to disclose the sources of training datasets.

<sup>&</sup>lt;sup>21</sup> The Interaction Design Foundation, 'What is AI-generated Art?' 24th May, 2025

<sup>22</sup> ibid

<sup>&</sup>lt;sup>23</sup> AI and the erosion of Artistic Integrity

<sup>&</sup>lt;sup>24</sup> ibid

- Allow artists and rights holders to opt in or opt out of their work being used.
- Introduce penalties for unauthorised use of copyrighted material in datasets.

In my opinion, this approach aligns with ethical research practices and would protect artists like those at Ghibli, whose styles are routinely scraped and mimicked. It also empowers creators while restoring some control in an ecosystem that has increasingly commodified their work without consent.

**Attribution and Moral Rights:** The resemblance of AI-generated images to specific artistic styles, such as Ghibli's, raises moral and ethical concerns. Expanding these moral rights and attribution obligations could include:

- Mandating disclosures when AI output is visibly based on a known style.
- Requiring attribution to influential artists or studios, either through automated metadata or visible credit in commercial contexts.
- Allowing creators to flag misuse of their style in misleading or unethical contexts (e.g., political messaging, explicit content).

This is evident from the already existing protections in jurisdictions like France and Japan, where moral rights are considered perpetual and inalienable, and help reinforce the narrative identity that studios like Ghibli have carefully cultivated over decades.<sup>25</sup>

Copyright Reform for AI Works: Due to the absence of human authorship, under the current laws, the fully AI-generated works lack copyright protection. However, many creative outputs involve human-AI collaboration, blurring the line between machine and artist. A hybrid model could include:

- Recognising AI-assisted works as a distinct legal category.
- Granting rights to the human creator or curator who directed the AI's output through prompts, refinement, or post-editing.
- Applying graduated protection based on the level of human input.

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<sup>&</sup>lt;sup>25</sup> ibid

Such reforms would balance innovation while preventing the proliferation of "ownerless" works that undermine traditional creators. They would also encourage responsible use of AI as a creative tool, not a replacement for artistry, but an extension of it.<sup>26</sup>

**International Harmonisation:** A harmonised approach is particularly important for studios like Ghibli, whose work has global cultural significance, and whose artistic identity is vulnerable to exploitation by AI developers operating in jurisdictions with weak or non-existent IP protections. Therefore, international bodies like WIPO and UNESCO could take the lead in:

- Establishing global definitions of AI authorship and derivative works.
- Coordinating on cross-border licensing and enforcement mechanisms.
- Drafting a treaty or guidelines akin to the Berne Convention, which has successfully standardised copyright across over 170 countries.<sup>27</sup>

**Labelling and Watermarking:** Transparency becomes essential for audience trust and market integrity, with the line between human and machine-created art becoming harder to discern. Potential labelling reforms could include:

- Mandatory metadata tagging of AI-generated images.
- Visual or embedded watermarks indicating machine-generated origins.
- Distinct labelling requirements for AI-assisted vs. AI-autonomous works.

These measures would create a balance in differentiating authentic Ghibli art from imitations and support consumers in making informed decisions, whether they're browsing fan art platforms.<sup>28</sup>

Legal reform alone cannot resolve the tensions between AI innovation and artistic preservation. But these proposed solutions offer a framework for coexistence, one that recognises the transformative potential of AI without erasing the cultural, emotional, and economic value of human-made art. In the context of studios like Studio Ghibli, whose identity is rooted in meticulous craftsmanship and deeply human storytelling, these reforms are not just about law—they are about legacy, respect, and creative sovereignty.

<sup>&</sup>lt;sup>26</sup> ibid

<sup>&</sup>lt;sup>27</sup> AI and the erosion of Artistic Integrity.

<sup>&</sup>lt;sup>28</sup> ibid

#### BALANCING INNOVATION AND PRESERVATION OF ART WORKS

While most of us might be thinking that the challenge of managing the intersection of AI and creative expression is merely technical or legal, it is much more philosophical. Such philosophical questions involve deciding what we value in art, how we attribute meaning and authorship, and what legacy we want to protect for future generations.<sup>29</sup>

The following strategies aim to strike a meaningful balance between embracing technological innovation and safeguarding the integrity of original artistic contributions:

**Legal Clarity:** The current ambiguity surrounding AI-generated content has created a legal vacuum, where both artists and AI developers operate with uncertainty. To bring order and fairness to this space, there must be:

- Definitive legal criteria for authorship in AI-generated works, which answers the question as to "What qualifies as 'human contribution' in AI-assisted creation?"
- Clear liability structures, which answer the question as to "Who is responsible when AI outputs infringe on existing IP—developers, users, or the platforms themselves?"
- Revised fair use standards that address machine learning scenarios, which answer the
  question as to "Does training an AI on thousands of copyrighted images without
  permission constitute fair use, or infringement?"

Without these clarifications, the Courts will continue to struggle with precedent-setting cases, and creators will remain vulnerable.<sup>30</sup>

**Technological Safeguards:** It is said that technology itself can provide solutions to the problems it creates. Implementing traceable and transparent systems can help ensure that AI-generated works are not used deceptively or in violation of artistic rights. Digital watermarking and invisible tagging embedded within AI-generated images can track provenance and usage history.<sup>31</sup>

<sup>&</sup>lt;sup>29</sup> Manuel B. Garcia, 'The Paradox of Artificial Creativity: Challenges and Opportunities of Generative AI Artistry.' (ResearchGate, May 2024)

<sup>30</sup> ibid

<sup>31</sup> ibid

**Cultural Stewardship:** Some studios, like Studio Ghibli, are not merely content producers, but are cultural stewards. Their works shape national identity, childhood memories, and even philosophies of nature and emotion. To honour such contributions, the following can be done:

- Governments or international bodies could consider special cultural IP designations, akin to UNESCO World Heritage protections, for certain studios, art styles, or visual lexicons.
- Educational and institutional partnerships can help document and preserve the ethos behind such studios, emphasising that style is not just technique but an extension of worldview and values.<sup>32</sup>

**Public Awareness:** The Majority of the public is not aware that they can easily distinguish between AI-generated art and human-made creations, which raises concerns. Others may not realise the ethical implications of training AI on copyrighted content without permission. Therefore, the Awareness campaigns can help:

- Educate consumers on the differences between tribute and theft, homage and appropriation.
- Promote media literacy, especially among younger audiences, about how AI art is created and what ethical questions it raises.
- Encourage support for original creators, including promoting verified artist-made content on marketplaces and social platforms.

When the public is informed, there is more pressure on platforms and companies to act responsibly.<sup>33</sup>

**Cross-Industry Collaboration:** As no single sector can solve the AI-art-IP dilemma alone, the Legal scholars, technologists, artists, and ethicists must come together to craft nuances and adaptive policies. This collaboration could take the form of:

- Multidisciplinary task forces focused on AI governance in creative industries.
- Open forums or summits that bridge the gap between artists and developers.<sup>34</sup>

<sup>&</sup>lt;sup>32</sup> Manuel B. Garcia, 'The Paradox of Artificial Creativity: Challenges and Opportunities of Generative AI Artistry.' (ResearchGate, May 2024)

<sup>&</sup>lt;sup>33</sup> ibid

<sup>34</sup> ibid

Vision of Symbiosis: Balancing innovation with preservation isn't about drawing a hard line between technology and tradition—it's about finding symbiosis. For the legacy of studios like Ghibli to endure in a world of machine-made mimicry, we must recognise that not all art is interchangeable. Some creations carry soul, history, and identity—qualities that cannot be downloaded, scraped, or synthesised.

#### **CONCLUSION**

The fusion of AI and Ghibli-style art exhibits both the promise and peril of modern technological advances in creative fields. While AI offers new avenues for artistic expression, it also threatens to dilute the authenticity and legal rights of traditional creators. Therefore, by reforming IP law, ensuring ethical AI use, and by fostering mutual respect between technology and art, Society can pave a path forward those honours both innovation and tradition.<sup>35</sup> The image inserted below is an Art piece of my own. This Art piece, like any other Art works, signifies the Commitment, the Hard Work, the Dedication and the Effort which a person puts into bringing a particular picture to life!

To Artificial Intelligence, respectfully, keep going. Maybe you can, with all due respect, generate any images in less than a millisecond; however, it is of no surprise that you can never really pay respect to the emotions, the perseverance required behind the Artwork to make it exceptional. And there, we humans, have an edge over you, always and forever!

<sup>&</sup>lt;sup>35</sup> Tiasa Bhowal, 'Is Ghibli-inspired AI art disrespectful to the original artist?' (India Today, 3<sup>rd</sup> April, 2025)