INTERNATIONAL JOURNAL OF SOCIAL SCIENCES BULLETIN
ISSN: (E) 3007-1917 (P) 3007-1909
Volume 4, Issue 3, 2026

OWNERSHIP OF THE ALGORITHMIC VOICE: ALLOCATING ECONOMIC RIGHTS IN AUTONOMOUS AI-GENERATED LITERARY WORKS UNDER PAKISTANI COPYRIGHT LAW

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DOI: https://doi.org/10.5281/zenodo.23366225

Received	Accepted	Published
01 January 2026	17 March 2026	31 March 2026

ABSTRACT

Pakistan's Copyright Ordinance 1962 does not contain a rule that identifies the author of a genuinely *autonomous AI-generated literary work or allocates first ownership where no legally cognisable human author can be identified. The problem begins with section 2(d), which defines the author of a literary work as 'the author of the work', and continues in section 13, whose first-ownership rule and employment exceptions presuppose an author. This article compares that position with the human-authorship approach in the United States, the statutory computer-generated-works rule in section 9(3) of the United Kingdom's Copyright, Designs and Patents Act 1988, and the 'person who causes the work to be created' formulation in section 2(d)(vi) of India's Copyright Act 1957. It retains the proposed Company Model but places it on a narrower legislative foundation. The model does not treat an AI system as an author and does not convert corporate investment into creativity. For the residual category in which sufficient human authorship is absent, the article recommends a limited statutory economic right, distinct from ordinary authorial copyright, with the qualifying corporate deployer as the default rights-holder subject to contractual reallocation. The deployer is preferred because it can be identified through operational control, market-facing responsibility and contractual accountability, while the rule remains narrow enough to avoid transferring rights in the underlying model or displacing human authorship. Section 13 is used only as a structural analogy for legislative design. The resulting proposal keeps authorship, originality, eligibility for protection and allocation of economic rights analytically distinct.*

Keywords:

Artificial intelligence; Authorship; Company Model; Copyright Ordinance 1962; AI-generated works; First ownership.

1. INTRODUCTION

Generative language models are producing marketing copy, journalistic summaries, educational material and narrative prose across commercial settings in Pakistan. The Copyright Ordinance 1962, however, was not drafted with generative systems in view. The difficulty is not simply that the statute does not name artificial intelligence. Its scheme begins with a legally recognised author and then allocates rights from that starting point. Section 2(d) defines the author by reference to the relevant category

work; for a literary or dramatic work, the author is 'the author of the work'.[1]

Section 13 then provides that the author is the first owner of copyright, subject to specified exceptions.[2]

Those provisions create no express attribution rule for a literary output whose expressive form is generated by an AI system without sufficient human creative control. That statutory sequence matters. A rule about first ownership cannot answer the anterior question of authorship by itself.

This article therefore distinguishes AI-assisted works from autonomously AI-generated works. An AI-assisted work remains within ordinary authorship analysis where a human determines sufficient expressive elements of the final work through creative selection, arrangement, modification or other authorship. By contrast, the term 'autonomously AI-generated work' is used here in a narrower sense: the human actor initiates, operates or commercially deploys the system, but does not exercise sufficient creative control over the expressive elements of the particular output to establish conventional authorship. The distinction is functional rather than technological. It prevents ordinary human-authored works produced with AI assistance from being drawn unnecessarily into a special ownership regime.

Comparative developments show three different ways of confronting the same problem. In the United States, the D.C. Circuit held in Thaler v Perlmutter that the Copyright Act requires eligible works to be authored in the first instance by a human being; the Supreme Court denied certiorari on 2 March 2026, leaving that judgment intact. The United States Copyright Office has separately maintained that generative-AI outputs may be protected where a human author determines sufficient expressive elements, but that prompts alone will not ordinarily establish authorship. In the United Kingdom, section 9(3) of the Copyright, Designs and Patents Act 1988 attributes authorship of a computer-generated literary, dramatic, musical or artistic work to the person who undertakes the arrangements necessary for its creation.[3]

India adopts a different statutory formula. Section 2(d)(vi) of the Copyright Act 1957 identifies the author of a computer-generated literary, dramatic, musical or artistic work as the person who causes the work to be created.[4]

The Company Model developed in this article remains directed at Pakistan, but its legal foundation is revised in an important respect. It is not an argument that section 13 presently permits a court to treat an AI system as the equivalent of an employee. The employment exceptions in section 13 expressly presuppose work made by an author under a contract of service or apprenticeship. The model instead treats section 13 as evidence that the Ordinance already separates authorship from first ownership in defined situations. That legislative technique can inform reform, but the creation of a new default rule for autonomously AI-generated literary works requires statutory amendment.

The argument is consequently narrower than a claim of machine authorship or corporate creativity. The AI system is not treated as a rights-bearing entity, and the corporate deployer is not declared the author merely because it pays for,

[1] Copyright Ordinance 1962 (Pakistan), s. 2(d), relevant text: "author" means, inter alia, "(i) in relation to a literary or dramatic work, the author of the work". Source: Pakistan Code, Ministry of Law and Justice.

[2] Copyright Ordinance 1962 (Pakistan), s. 13, relevant text: "Subject to the provisions of this Ordinance, the author of a work shall be the first owner of the copyright therein"; proviso (c) applies "in the case of a work made in the course of the author's employment under a contract of service or apprenticeship ... [where] the employer shall, in the absence of any agreement to the contrary, be the first owner". Source: Pakistan Code, Ministry of Law and Justice.

[3] Copyright, Designs and Patents Act 1988 (UK), s. 9(3): "In the case of a literary, dramatic, musical or artistic work which is computer-generated, the author shall be taken to be the person by whom the arrangements necessary for the creation of the work are undertaken."

[4] Copyright Act 1957 (India), s. 2(d)(vi): in relation to "any literary, dramatic, musical or artistic work which is computer-generated", the author is "the person who causes the work to be created".

operates or commercialises the system. The proposal addresses a residual statutory problem: what economic entitlement, if any, should exist when a commercially exploited literary output lacks sufficient human authorship under ordinary doctrine, and who should hold that entitlement by default?

The article evaluates competing answers to that question against five considerations. An allocation rule should identify the rights-holder with reasonable certainty; attach responsibility to an actor that can answer for market-facing exploitation; keep transaction and clearance costs manageable; avoid duplicating rights already held by model developers or human authors; and avoid creating broader exclusivity than the policy justification can support. These criteria do not make protection inevitable. Public-domain treatment remains a coherent option. They instead provide a basis for asking, if Parliament chooses to create a limited economic right for the residual autonomous category, whether the developer, individual user, commissioning client or corporate deployer is the more defensible default recipient.

2. Research method

This study employs normative doctrinal legal research to examine how Pakistan's existing copyright framework applies to literary content generated through artificial intelligence and where statutory reform would be required. The inquiry is primarily interpretive: it reads the Copyright Ordinance 1962 as a connected scheme rather than isolating the first-ownership rule from the Ordinance's definition of author, subsistence requirements, term provisions and moral-rights regime.

Three approaches structure the analysis. The statutory approach examines the text and internal architecture of the Copyright Ordinance 1962, relevant provisions of the Companies Act 2017 and Article 23 of the Constitution. The conceptual approach separates authorship, originality, legal personality and first ownership, because each performs a different legal function. The comparative approach considers the United States, the United Kingdom and India. They were selected because they present materially different responses to computer- or AI-generated output while remaining useful comparators for a Pakistani common-law copyright system.

Primary materials include legislation, constitutional text, treaties and reported judicial decisions. Secondary materials include peer-reviewed scholarship and official copyright-policy materials. The comparative materials are used to test the coherence of the proposed allocation rule, not to imply that any foreign model can be transplanted directly into Pakistani law. The outcome is prescriptive: the Company Model is advanced as a legislative proposal whose defensibility depends on the statutory gap first being established.

3. The statutory context: authorship, first ownership and the limits of the present Ordinance

3.1 Copyrightable subject matter and the definition of author

Section 10 provides that copyright subsists, subject to the Ordinance, in original literary, dramatic, musical and artistic works, cinematographic works and records.[5]

The definition of 'literary work' in section 2(p) is broad and includes works on specified fields, tables, compilations and computer programmes.[6]

That breadth concerns the category of protected subject matter. It does not itself identify the author of text generated by a contemporary generative model.

The more immediate provision is section 2(d). For a literary or dramatic work, the Ordinance defines 'author' as 'the author of the work'; other categories identify a composer, artist, photographer or, for certain works, an owner at

[5] Copyright Ordinance 1962 (Pakistan), s. 10(1), relevant text: "copyright shall subsist throughout Pakistan in the following classes of works, that is to say,— (a) original literary, dramatic, musical and artistic works; (b) cinematographic works; and (c) records."

[6] Copyright Ordinance 1962 (Pakistan), s. 2(p), relevant text: "literary work" includes works on humanity, religion, social and physical sciences, tables and compilations of data or other material in any form and computer programmes, followed by the statutory description of programmes stored on computer-readable media.

a specified time. The provision contains no equivalent to the United Kingdom's computer-generated-works rule or India's provision for the person who causes a computer-generated work to be created. The Ordinance does not expressly exclude machine authorship. It does, however, provide no operative rule for identifying an autonomous AI system, or any human actor connected with it, as the author of a literary output when sufficient human creative control is absent. That is the relevant gap for present purposes.

3.2 Section 13 and the distinction between authorship and first ownership

Section 13 is a first-ownership provision. Its opening rule assumes an author and makes that author the first owner, subject to exceptions. The newspaper and general employment exceptions are framed around a work made by 'the author' in the course of employment under a contract of service or apprenticeship. They therefore cannot simply be applied to an AI system by treating the system as an employee. An AI system has no contract of service or apprenticeship, and the provision does not create an author where section 2(d) has not identified one.

Section 13 nevertheless remains relevant to the proposed reform. It shows that the Ordinance does not treat authorship and first ownership as inseparable in every case. In specified circumstances the legislature reallocates first ownership to an employer, proprietor, commissioning person, Government or an international organisation. The Company Model uses that structure as an analogy for legislative design. It does not rely on it as a presently available judicial shortcut.

Other provisions reinforce the difficulty of fitting a non-human autonomous system into the existing scheme. Section 18 measures the ordinary term for published literary, dramatic, musical and artistic works by reference to the author's death.[7]

Section 16 deals with testamentary transmission of copyright in specified manuscripts and works, while section 62 preserves the author's right to claim authorship and to object to treatment prejudicial to honour or reputation even after assignment or relinquishment of copyright.[8]

These provisions do not amount to an express statutory prohibition on machine authorship. They do, however, show that the Ordinance's ordinary architecture is built around an author to whom death, legal representation, reputation and personal attribution can meaningfully attach. That structural mismatch supports the case for legislative clarification rather than an expansive interpretation of section 13.

A company incorporated under the Companies Act 2017 is a body corporate capable of exercising the functions of an incorporated company.[9]

That capacity explains why a company can hold and enforce property rights allocated to it by law. It does not, by itself, make the company the creative author of every work produced in its business. The distinction is important to the Company Model: legal capacity to own a right is different from authorship of the expression in which the right subsists.

Article 23 of the Constitution protects the right of every citizen to acquire, hold and dispose of property, subject to the Constitution and reasonable restrictions imposed by law in the public interest.[10]

[7] Copyright Ordinance 1962 (Pakistan), s. 18, relevant text: copyright in a published literary, dramatic, musical or artistic work (other than a photograph) subsists "until fifty years from the beginning of the calendar year next following the year in which the author dies".

[8] Copyright Ordinance 1962 (Pakistan), s. 16, relevant text: a bequest of the manuscript of specified unpublished works is, unless a contrary intention appears, construed as including the copyright owned by the testator immediately before death. Section 62(1) provides that notwithstanding assignment or relinquishment, the author retains "the right to claim the authorship of the work" and the right to restrain or claim damages for specified treatment "prejudicial to his honour or reputation".

[9] Companies Act 2017 (Pakistan), s. 18, relevant text: from incorporation, the subscribers and later members "are a body corporate by the name stated in the certificate of incorporation", and "the body corporate is capable of exercising all the functions of an incorporated company" and has perpetual succession.

[10] Constitution of the Islamic Republic of Pakistan 1973, art. 23: "Every citizen shall

The article is relevant to the wider legal treatment of property, but it does not define 'author' for copyright purposes and should not carry the statutory argument that section 2(d) and section 13 must themselves bear. The Company Model therefore does not depend on Article 23 as an independent source of authorship or first ownership.

The Copyright (Amendment) Ordinance 2000 updated the definition of a copy so that a work may be fixed and perceived, reproduced or communicated with the aid of a machine or device. That amendment confirms legislative attention to computer-mediated reproduction. It does not follow, however, that Parliament considered and rejected a rule for computer-generated authorship. The absence of a provision comparable to section 9(3) of the UK Act or section 2(d)(vi) of the Indian Act establishes a present statutory gap; it cannot safely be treated as evidence of a deliberate legislative choice on modern generative AI.

Originality must be kept separate from first ownership. Where a human user selects, arranges or materially edits AI-generated material, the resulting work may contain protectable human expression even though some components were generated by a model. That is an AI-assisted case and should be analysed under ordinary authorship principles. A digital marketing agency that uses an AI system to generate drafts but then makes creative choices about structure, wording and final expression may therefore have a conventional human-authorship claim in the resulting contribution. That example does not establish originality for output produced without sufficient human creative control.

The residual category addressed later by the Company Model arises only after ordinary human authorship has been excluded. Corporate investment, prompt expenditure and commercial risk should not be used to manufacture originality where the expressive result lacks sufficient human creative control. The policy question then changes: Parliament must decide whether that residual output should receive any exclusive economic protection at all and, if so, define the entitlement separately from ordinary authorial copyright. The Ordinance already provides civil remedies for infringement and a separate criminal enforcement framework. The practical difficulty is therefore anterior to enforcement: a remedy is meaningful only after the law has established both the protected entitlement and the person entitled to enforce it.

4. The debate on authorship in the age of machines: a critical literature review

The literature does not present a single debate. Four recurring disagreements are especially relevant to the proposed model: whether human authorship is a definitional requirement or a policy choice; whether AI systems should receive legal personhood; whether the United Kingdom's computer-generated-works provision supplies a useful model; and how a default rule distributes economic value among developers, deployers and users.

4.1 Is human authorship a definitional necessity or a contingent policy choice?

Ginsburg reads the Berne framework as presupposing a connection between author and work that a fully autonomous machine cannot itself supply.[11]

Gervais approaches the question through copyright's purposes and argues that machine productions lacking human creative choices should remain in the public domain.[12]

Grimmelmann similarly resists the category of 'computer-authored' work and directs attention to the human decisions distributed across a computational system.[13]

have the right to acquire, hold and dispose of property in any part of Pakistan, subject to the Constitution and any reasonable restrictions imposed by law in the public interest."

[11] Jane C. Ginsburg, "People Not Machines: Authorship and What It Means in the Berne Convention," IIC 49, no. 2 (2018): 131–135.

[12] Daniel J. Gervais, "The Machine as Author," Iowa Law Review 105, no. 5 (2020): 2053–2106.

[13] James Grimmelmann, "There's No Such Thing as a Computer-Authored Work—And It's a Good

Other scholarship is more receptive to legal protection for machine-generated output. Abbott argues more broadly for legal systems to respond to the economic consequences of increasingly autonomous technologies. Bridy's work examines how algorithmic production unsettles conventional assumptions about authorship, while Guadamuz analyses the originality problem comparatively. The disagreement is therefore not simply about whether humans remain present somewhere in the production chain. It concerns which human contribution, if any, is legally sufficient to justify authorship of the particular expression.

For the present article, that disagreement supports a threshold distinction. Where human creative choices determine the expressive result, ordinary copyright doctrine should do the work. The Company Model is reserved for the residual category in which that threshold is not met but the legislature nevertheless chooses to recognise an economic right in the output.

4.2 Should AI systems be granted legal personhood?

Solum's early analysis asked whether a sufficiently advanced artificial intelligence could, in principle, qualify for legal personhood.[14]

The European Parliament's 2017 resolution later invited consideration of a possible 'electronic person' status for sophisticated autonomous robots, but that proposal did not become the basis of subsequent EU AI legislation.

Bryson, Diamantis and Grant argue against synthetic personhood partly because it can create accountability gaps, while Solaiman questions whether robots possess the attributes that justify legal personality.[15]

Kurki's bundle theory of legal personhood supplies a more modular account of rights and duties, but the Company Model does not require even limited AI personhood. Its allocation rule works by assigning economic rights to an existing legal person while leaving the AI system as an instrument within the production process.

4.3 Is the UK's computer-generated-works provision a model or a warning?

Goold argues that section 9(3) may be unnecessary or may extend protection to works that should remain in the public domain.[16]

Parish's later historical analysis concludes that the remaining scope of section 9(3) has narrowed and recommends repeal.[17]

Aslam takes a more accommodating position and examines whether the provision can continue to structure authorship without conferring legal personality on AI.[18]

For Pakistan, the attraction of section 9(3) is that it addresses the attribution problem expressly. Its difficulty is the phrase 'arrangements necessary for the creation of the work'. In a contemporary supply chain, the model developer, platform provider, corporate deployer and individual user may all make arrangements that are causally relevant. The Company Model therefore borrows the idea of an express statutory attribution rule but replaces

Thing, Too," Columbia Journal of Law & the Arts 39 (2016): 403–416.

[14] Lawrence B. Solum, "Legal Personhood for Artificial Intelligences," North Carolina Law Review 70 (1992): 1231–1287.

[15] Joanna J. Bryson, Mihailis E. Diamantis and Thomas D. Grant, "Of, For, and By the People: The Legal Lacuna of Synthetic Persons," Artificial Intelligence and Law 25, no. 3 (2017): 273–291; S. M. Solaiman, "Legal Personality of Robots, Corporations, Idols and Chimpanzees: A Quest for Legitimacy," Artificial Intelligence and Law 25, no. 2 (2017): 155–179.

[16] Patrick R. Goold, "The Curious Case of Computer-Generated Works under the Copyright, Designs and Patents Act 1988," Intellectual Property Quarterly 2 (2021): 119–129.

[17] James Parish, "Time to Repeal Section 9(3) of the Copyright, Designs and Patents Act 1988: New Insights from the Lobbying and Drafting History behind the Infamous UK Computer-Generated Works Regime," Intellectual Property Quarterly 2 (2025): 94–152.

[18] Hamza Aslam, "Computer Generated Works and the Authorship Dilemma: Does Granting Artificial Intelligence with Legal Personality in the Fourth Industrial Age Optimize the UK Copyright Law?" City Law Review 6 (2024): 135–152.

the open-ended arrangements inquiry with a more defined deployer criterion.

4.4 Who should bear the distributional consequences?

Samuelson identified the allocation of rights in computer-generated works as a distributive choice long before generative AI became commercially significant.[19]

That insight remains useful. A developer-centred rule channels rights towards the entity that designs the foundational system. A user-centred rule focuses on the person who initiates a particular generation. A deployer-centred rule focuses on the organisation that integrates the system into a commercial process and assumes responsibility for bringing the output to market. None of these outcomes follows automatically from the technology. The choice requires a legal justification and clear boundaries. The Company Model prefers the deployer only for the residual category defined above and only as a default rule capable of contractual reallocation.

5. The United States position: human authorship and Thaler v Perlmutter

In 2018 Stephen Thaler applied to register A Recent Entrance to Paradise, identifying his Creativity Machine as the sole author and himself as the owner. The United States Copyright Office refused registration. The federal district court upheld the refusal in 2023, and the D.C. Circuit affirmed in March 2025, holding that the Copyright Act of 1976 requires eligible works to be authored in the first instance by a human being. The Supreme Court denied certiorari on 2 March 2026. The denial left the D.C. Circuit judgment intact but did not constitute a merits judgment by the Supreme Court.

The D.C. Circuit's reasoning is useful for Pakistan because it treated the Copyright Act as a connected statutory scheme. References to an author's lifespan, heirs and other human incidents reinforced the court's reading of 'author'. A similar structural argument can be made from sections 16, 18 and 62 of the Pakistani Ordinance. The comparison does not establish that the two statutes are identical. It shows why a first-ownership provision cannot be isolated from the statute's broader assumptions about authorship.

The United States position also sharpens the boundary between autonomous generation and AI assistance. The Copyright Office's 2025 report accepts protection where a human author determines sufficient expressive elements, including through creative selection, arrangement or modification, but rejects the proposition that prompting alone ordinarily provides the necessary control. That approach supports the distinction adopted in this article and avoids using human activity somewhere in the production chain as a substitute for authorship of the output itself.

Thaler does not supply a model that Pakistan must follow. Its main value is methodological. Where a statute presupposes human authorship, courts may be reluctant to create a new category of protected machine output through interpretation alone. That counsels against asking section 13 to perform work for which it was not drafted and strengthens the case for an express legislative rule if Pakistan decides that the residual category should receive protection.

6. The United Kingdom position: section 9(3), Getty Images and the arrangements standard

Section 9(3) of the CDPA 1988 deems the author of a computer-generated literary, dramatic, musical or artistic work to be the person by whom the arrangements necessary for creation are undertaken. The United Kingdom therefore solves the attribution problem legislatively rather than by treating the computer as a legal person. Computer-generated works also receive a term measured from the year in which the work was made rather than the life of an author.[20]

Getty Images v Stability AI did not decide authorship under section 9(3). The High Court

[19] Pamela Samuelson, "Allocating Ownership Rights in Computer-Generated Works," University of Pittsburgh Law Review 47 (1986): 1185–1228.

[20] Copyright, Designs and Patents Act 1988 (UK), s. 12(7): "If the work is computer-generated the above provisions do not apply and copyright expires at the end of the period of 50 years from the end of the calendar year in which the work was made."

proceedings concerned, among other matters, copyright infringement, trade marks and passing off. On the surviving secondary-infringement claim, the court held that the Stable Diffusion model at issue was not an 'infringing copy' where the model did not store or reproduce the copyright works and had never itself contained such copies. The case therefore should not be used as authority on who is the author of AI-generated output. Its relevance here is more limited: it illustrates how generative-AI disputes place pressure on statutory concepts drafted for earlier technologies.

Section 9(3) demonstrates that a common-law copyright system can create a legal author for computer-generated works without granting personality to the computer. But its open-textured 'arrangements' standard is difficult to apply where several actors contribute to the generation pipeline. Pakistan can learn from the structural choice without copying the phrase. A deployer-based rule would need its own statutory definition, including criteria for control, commercialisation and the relevant generation process.

7. The Indian position: section 2(d)(vi) and the Suryast episode

Section 2(d)(vi) of the Indian Copyright Act 1957 defines the author of a computer-generated literary, dramatic, musical or artistic work as 'the person who causes the work to be created'. The phrase is more direct than Pakistan's present text but still raises an allocation question in a multi-party system. The model developer, corporate deployer and individual user may each be said, at different levels of abstraction, to have caused a work to be created.

The Suryast/RAGHAV registration episode is frequently cited because an application listing RAGHAV as a co-author was accepted and was later subjected to a withdrawal notice. The episode is useful as an administrative illustration, but it should not be treated as a judicial determination of AI authorship in India. Its value for this article is narrower: an express reference to computer-generated works does not necessarily remove uncertainty if the attribution formula itself is under-specified.

ANI Media Pvt Ltd v OpenAI concerns alleged use of copyrighted material in model training and related issues. It is primarily an input-side dispute, whereas the Company Model addresses output-side allocation. Any observations on authorship or the character of generative systems may nevertheless become relevant to later South Asian copyright analysis. The two questions should remain distinct in this article: the legality of training does not determine who owns a later output.

8. The Company Model: legislative foundation and limits

8.1 Scope and legal character of the Company Model

The Company Model is an allocation proposal for a defined residual category of autonomously AI-generated literary works. It does not confer legal personality on an AI system. It does not deem the AI system an employee. It does not declare a company to be the creative author merely because it owns, licenses or operates the technology. Instead, if Parliament chooses to protect a literary output that lacks sufficient human authorship under ordinary doctrine, the model would vest the economic rights by default in the qualifying corporate deployer that controls and commercialises the relevant generation process.

The proposal therefore separates four questions that should not be collapsed. Authorship asks who created the legally relevant expression. Originality asks whether the work satisfies the applicable threshold for protection. First ownership asks who initially holds the economic rights once protection exists. Legal personality asks whether an entity can hold rights and duties. The Company Model intervenes principally at the third stage. Its premise is that Parliament may create an allocation rule without pretending that the recipient of the economic rights personally supplied the creative expression.

Section 13 remains relevant because it shows that the Ordinance already reallocates first ownership away from the author in defined circumstances. The analogy ends there. The employment provisos depend on a legally cognisable author and, where relevant, a contract of service or apprenticeship. A court would therefore have to create too much new law to transform those provisions into a general rule for autonomous AI output. The Company Model should be presented as requiring targeted

amendment, not as a result already available through interpretation.

A deployer-based allocation rule cannot answer whether the residual output should be protected in the first place. For that reason, the preferred reform is not to stretch the ordinary concept of an 'original literary work' until corporate investment can substitute for human creativity. It is to create a narrow statutory economic right for qualifying autonomous output, adjacent to but conceptually distinct from ordinary authorial copyright. The statute would have to define the subject matter, term, restricted acts, exceptions and enforcement consequences expressly. This approach keeps the human-authorship analysis intact while allowing Parliament, if it considers protection justified, to recognise a limited commercial entitlement without fictionalising who created the expression.

The boundary is important. Where prompting, curation, selection, arrangement or editing is sufficiently creative in relation to the final expression, the work falls outside the special regime and ordinary human-authorship doctrine applies to the protectable human contribution. The special right is therefore residual. It is not a second layer of protection added on top of conventional copyright, and it should not be available merely because an AI tool was used in production.

8.2 Why the corporate deployer?

The choice of the corporate deployer should be tested against the same criteria used to assess the competing models: certainty, responsibility, transaction costs, non-duplication and restraint in the creation of exclusivity. The deployer is not preferred because it is necessarily the most creative actor. It is preferred because, in the commercial setting addressed by this article, it is normally the entity that decides to use the system for a particular output, organises the generation process, determines whether the output will be released or supplied to a client, and is available as a continuing legal person against which contractual and regulatory responsibilities can be enforced. Those features make the deployer comparatively easier to identify at the point where the output enters economic circulation.

The developer is the strongest competing claimant because it bears substantial research and development costs and supplies the system that makes the output possible. Yet model development and allocation of a particular downstream output occur at different levels of the value chain. A default right in the output need not alter the developer's rights in software, model weights, technical documentation, licences or contractual restrictions. Giving the developer an additional statutory entitlement in every downstream output could also multiply clearance problems where several providers or tools contribute to one commercial process. The developer's position is therefore better protected through its existing intellectual-property and contractual rights unless the parties agree to reallocate the proposed output right.

The individual user or commissioning client presents a different case. A user who contributes sufficient creative expression should rely on ordinary copyright, not the special rule. A user who merely supplies functional instructions may be causally important without being a stable or easily identifiable commercial rights-holder, especially where several employees interact with the same system. A commissioning client may have a strong economic interest in the result, but that interest can usually be dealt with expressly in the service contract. Making either actor the universal statutory default would therefore risk confusing a particular transaction with the general basis for allocation.

Public-domain treatment remains the principal alternative to any new right and should be taken seriously. It avoids overprotection, preserves follow-on use and does not require the law to reward a machine that needs no incentive. The case for the Company Model is therefore conditional rather than absolute. It applies only if Parliament concludes that a limited period of exclusivity is justified for commercially deployed autonomous output, for example to support investment in downstream production, licensing and enforcement. Even then, the right should be narrower than ordinary copyright and should not arise where sufficient human authorship already exists. This limitation is central to preventing the model from becoming a general ownership claim over machine-assisted expression.

A workable statute would also need a definition of the qualifying corporate deployer. The relevant entity should exercise organisational

control over the generation of the particular output, authorise or direct its commercial use, and assume responsibility for placing it on the market or supplying it to a client. Mere access to an AI service, ownership of a device, or payment of a subscription should not be enough. The rule should operate as a rebuttable default and remain subject to lawful contractual reallocation. These elements make the criterion narrower than the open-ended idea of whoever 'caused' or made 'arrangements' for creation, while acknowledging that difficult multi-party cases will still require factual judgment.

1. Human-authorship inquiry: is sufficient human creative control present in the particular expression?

↓ If yes: ordinary copyright authorship and ownership rules apply.

↓ If no: the output falls within the residual autonomous category.

2. Legislative eligibility inquiry: does the output satisfy the statutory threshold for the special protection?

3. If protected: economic rights vest by default in the qualifying corporate deployer; AI receives no authorship, personhood or moral rights; contractual reallocation remains possible.

Objection	Response
Developer, not deployer, should receive the right because the developer bears the R&D risk.	The proposed right concerns a particular downstream output, not the underlying model. Developer rights in software, licences and model technology remain unaffected; the output rule is also subject to contract.
If prompting or editing is creative, the deployer rule is unnecessary.	Agreed. Sufficient human creative control moves the work outside the autonomous category and ordinary authorship rules apply.
Machine output should remain in the public domain.	That is a coherent policy option. The Company Model is conditional: it answers allocation only if Parliament decides that a defined class of autonomous outputs should receive economic protection.
A deployer test may itself become uncertain.	The statute should define qualifying control and commercialisation, identify the relevant generation process, and provide a contractual override. This is preferable to relying on an analogy to employment under the present section 13.

Jurisdiction	Statutory position	Attribution/ownership rule	Main authority/example	Relevant limitation
United States	Copyright Act construed to require human authorship	No copyright in a work whose sole author is a non-human machine	Thaler v Perlmutter; USCO Part 2	Does not create a right for the residual autonomous category
United Kingdom	CDPA 1988, s 9(3)	Author is the person undertaking arrangements necessary for creation	Section 9(3); limited case law	"Arrangements" can be indeterminate in multi-party systems
India	Copyright Act 1957, s 2(d)(vi)	Author is the person who causes the computer-generated work to be created	Suryast/RAGHAV administrative episode	"Causes" can support more than one plausible actor
Pakistan (proposed)	Targeted amendment to Copyright Ordinance 1962	Economic rights vest by default in qualifying corporate deployer, subject to contract	Reform proposal	Requires legislative action and a separate eligibility rule

Figure 1. Company Model: eligibility and allocation of the proposed statutory economic right

9. Reform pathway, outstanding questions and international context

The Company Model requires statutory amendment. As established above, section 13 cannot supply the proposed rule by analogy alone, and administrative guidance cannot create a new proprietary entitlement beyond the Ordinance. Guidance from IPO-Pakistan could still clarify registration practice for AI-assisted works and the disclosure of human contributions, but the residual autonomous category requires legislation because the reform would create both a new eligibility rule and a new default recipient of economic rights.

A targeted amendment should therefore define the residual autonomous category, specify the threshold for the new statutory economic right, identify the qualifying corporate deployer, preserve contractual reallocation, and state the term, restricted acts, exceptions and remedies. The entitlement should not depend on proving that corporate expenditure is 'originality'. Its justification would instead lie in the policy choice to grant a limited market right to a defined category of output that ordinary authorship doctrine leaves unprotected. The United Kingdom's separate term for computer-generated works supplies one comparative reference point, but Pakistan need not reproduce that duration or treat the new entitlement as ordinary copyright. The term should be no longer than the policy rationale requires, particularly because the protected output would lack the human creative authorship that ordinarily justifies the full copyright structure.

Because section 62 is framed around the author's personal claim to authorship and protection of honour or reputation, the proposed autonomous-output right should not carry the same moral-rights structure. Any independently protectable human contribution would remain subject to the ordinary regime. This separation is consistent with the central premise of the reform: economic allocation should not be used to manufacture a fictional human or corporate author.

The reform is deliberately limited to output-side allocation. It does not determine whether model training infringes copyright, who is liable when generated material infringes a third party's rights, or how consumer and advertising law should respond when synthetic content is presented as human-created. Those questions may affect the commercial value of the proposed right, but combining them with ownership would obscure rather than solve the narrower statutory problem addressed here.

The corporate focus also has a boundary. Individuals, partnerships, public bodies and informal businesses may deploy generative systems commercially, but the present model does not automatically extend the new right to them. Its justification depends on an identifiable corporate entity with continuing legal personality, governance and market-facing responsibility. Parliament could choose a broader category of 'deployer', but doing so would require a separate justification and a definition capable of identifying the rights-holder with comparable certainty.

Any amendment would require separate testing against Pakistan's obligations under the Berne Convention, TRIPS and the WIPO Copyright Treaty. This article does not claim that those instruments require protection for autonomous AI-generated output, nor does it assume that a newly created domestic entitlement would automatically fit every treaty category. The legislative drafting should therefore preserve the full protection due to qualifying human-authored works and identify the autonomous-output entitlement expressly as an additional, limited statutory right. Questions of national treatment, scope and term should be checked against the final text of the reform rather than resolved by analogy in advance.

10. Conclusion

Pakistan's present copyright framework does not supply an attribution rule for a literary output that lacks sufficient human authorship, and section 13 cannot cure that problem by converting an AI system into an employee or a corporate deployer into an author. The legal gap is therefore real but limited. AI-assisted works with sufficient human creative control should remain within ordinary copyright. The harder residual category begins only where that threshold is not met and Parliament must decide whether any exclusive economic protection is justified.

For that residual category, this article recommends a narrow statutory economic right

rather than an expansion of authorial copyright. The right would vest by default in the qualifying corporate deployer because that entity can be identified through operational control, market-facing use and continuing legal responsibility, while developer rights in the underlying technology and human rights in creative contributions remain untouched. The model is conditional: public-domain treatment remains a legitimate legislative choice, and the deployer rule matters only if Parliament first decides that limited protection is warranted. Framed in this way, the Company Model offers an allocation mechanism without fictionalising authorship, employment or AI legal personality.

The comparative material explains why the statutory language matters. The United States preserves a human-authorship threshold; the United Kingdom and India show that express computer-generated-work provisions can still create uncertainty when attribution turns on open-ended ideas such as 'arrangements' or causation. Pakistan can avoid repeating that problem by separating eligibility from allocation and by defining the deployer through concrete commercial and organisational criteria. The contribution of the Company Model is therefore modest but specific: it identifies a legally accountable default holder for a deliberately limited new economic right while leaving ordinary authorship doctrine intact.

Declarations

Originality statement. This manuscript is the author's original work. It has not been published previously, and it is not under consideration elsewhere.

Conflict of interest statement. The author declares no conflict of interest.

Funding. This research received no external or institutional funding.

Ethics approval. This study is based on legal and documentary materials and did not involve human participants or personal data requiring research ethics approval.

REFERENCES

Abbott, Ryan. The Reasonable Robot: Artificial Intelligence and the Law. Cambridge: Cambridge University Press, 2020.

Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), 15 April 1994.

ANI Media Pvt Ltd v OpenAI Inc., pending, Delhi High Court.

Aslam, Hamza. 'Computer Generated Works and the Authorship Dilemma: Does Granting Artificial Intelligence with Legal Personality in the Fourth Industrial Age Optimize the UK Copyright Law?' City Law Review 6 (2024): 135-152.

Berne Convention for the Protection of Literary and Artistic Works, 9 September 1886, as revised at Paris, 24 July 1971.

Bridy, Annemarie. 'Coding Creativity: Copyright and the Artificially Intelligent Author.' Stanford Technology Law Review 5 (2012): 1-28.

Bridy, Annemarie. 'The Evolution of Authorship: Work Made by Code.' Columbia Journal of Law & the Arts 39 (2016): 395-401.

Bryson, Joanna J., Mihailis E. Diamantis, and Thomas D. Grant. 'Of, For, and By the People: The Legal Lacuna of Synthetic Persons.' Artificial Intelligence and Law 25, no. 3 (2017): 273-291.

Companies Act 2017 (Pakistan), Act No. XIX of 2017.

Constitution of the Islamic Republic of Pakistan 1973, as amended.

Copyright Act 1957 (India), as amended by the Copyright (Amendment) Act 1994.

Copyright, Designs and Patents Act 1988 (UK), c. 48.

Copyright Ordinance 1962 (Pakistan), Ordinance No. XXXIV of 1962, as amended.

Eastern Book Company v D.B. Modak (2008) 1 SCC 1 (Supreme Court of India).

European Parliament, Resolution of 16 February 2017 with Recommendations to the Commission on Civil Law Rules on Robotics (2015/2103(INL)).

Gervais, Daniel J. 'The Machine as Author.' Iowa Law Review 105, no. 5 (2020): 2053-2106.

Getty Images (US) Inc & Ors v Stability AI Ltd (Rev1) [2025] EWHC 2863 (Ch).

Ginsburg, Jane C. 'People Not Machines: Authorship and What It Means in the Berne Convention.' IIC - International Review of Intellectual Property and Competition Law 49, no. 2 (2018): 131-135.

Goold, Patrick R. 'The Curious Case of Computer-Generated Works under the Copyright, Designs and Patents Act 1988.' Intellectual Property Quarterly 2 (2021): 119-129.

Grimmelmann, James. 'There's No Such Thing as a Computer-Authored Work - And It's a Good Thing, Too.' Columbia Journal of Law & the Arts 39 (2016): 403-416.

Guadamuz, Andres. 'Do Androids Dream of Electric Copyright? Comparative Analysis of Originality in Artificial Intelligence Generated Works.' Intellectual Property Quarterly 2 (2017): 169-186.

Kurki, Visa A. J. A Theory of Legal Personhood. Oxford: Oxford University Press, 2019.

Parish, James. 'Time to Repeal Section 9(3) of the Copyright, Designs and Patents Act 1988: New Insights from the Lobbying and Drafting History behind the Infamous UK Computer-Generated Works Regime.' Intellectual Property Quarterly 2 (2025): 94-152.

Samuelson, Pamela. 'Allocating Ownership Rights in Computer-Generated Works.' University of Pittsburgh Law Review 47 (1986): 1185-1228.

Solaiman, S. M. 'Legal Personality of Robots, Corporations, Idols and Chimpanzees: A Quest for Legitimacy.' Artificial Intelligence and Law 25, no. 2 (2017): 155-179.

Solum, Lawrence B. 'Legal Personhood for Artificial Intelligences.' North Carolina Law Review 70 (1992): 1231-1287.

Thaler v Perlmutter, 687 F Supp 3d 140 (D.D.C. 2023), aff'd, 130 F.4th 1039 (D.C. Cir. 2025), cert. denied, No. 25-449 (U.S. 2 March 2026).

United Kingdom Intellectual Property Office. Artificial Intelligence and Intellectual Property: Copyright and Patents: Government Response to Consultation. London: UKIPO, 28 June 2022.

United Kingdom Intellectual Property Office. Copyright and Artificial Intelligence: Consultation. London: UKIPO, December 2024.

United States Copyright Office. Copyright Registration Guidance: Works Containing Material Generated by Artificial Intelligence. 88 Fed. Reg. 16,190 (16 March 2023).

United States Copyright Office. Copyright and Artificial Intelligence, Part 2: Copyrightability. Washington, DC: U.S. Copyright Office, January 2025.

WIPO Copyright Treaty, 20 December 1996.

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