

Digital Sovereignty and Global Equity: Redefining Intellectual Property and Human Rights in the Era of Artificial Intelligence

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The rapid integration of artificial intelligence (AI) into economic, administrative, and creative domains has fundamentally disrupted traditional understandings of intellectual property (IP) and human rights. While existing IP regimes were designed to incentivize human creativity and innovation, AI-driven systems challenge foundational assumptions relating to authorship, ownership, accountability, and access. This paper examines how the pursuit of digital sovereignty—the capacity of states to control data, technology, and digital infrastructure—intersects with global equity concerns in the regulation of AI-generated intellectual outputs.

The study critically analyses whether contemporary IP frameworks adequately respond to AI-created works and algorithmic inventions, or whether they disproportionately benefit technologically advanced jurisdictions and corporate actors. It argues that rigid enforcement of proprietary rights over AI systems and datasets may deepen global digital divides, restrict access to knowledge, and undermine the human-rights-oriented objectives of international IP law. Drawing from international instruments and constitutional jurisprudence, the paper highlights the tension between innovation incentives and the protection of rights such as privacy, cultural participation, and equality.

Through a comparative and doctrinal analysis, the paper contends that a human-centric approach to IP governance is essential in the AI era. It proposes recalibrating IP norms to recognize collective interests, ensure transparency in algorithmic decision-making, and promote equitable technology transfer. Ultimately, the paper underscores that redefining IP law through the lens of human rights is critical to achieving digital sovereignty without sacrificing global equity in an increasingly automated world.

Footnotes (Bluebook Style)

1. Justice K.S. Puttaswamy v. Union of India, (2017) 10 SCC 1.
2. World Intellectual Property Organization, Artificial Intelligence and Intellectual Property Policy (2023).
3. Lawrence Lessig, Free Culture, 52 STAN. L. REV. 471 (2000).