

Artificial Intelligence and Intellectual Property: Evolving Justification of Lockean and Hegelian Perspectives

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Abstract. *The concept of ownership of intellectual property and liability in infringement of intellectual property are actually the two sides of same coin. This article specifically explores the philosophical and jurisprudential justifications for Intellectual property ownership and corresponding liability, while throwing light on the evolving contemporary challenges by Artificial Intelligence development. Justification by its literal meaning, doesn't mean to intend that the classical theories should be forcefully interpreted to accommodate Artificial Intelligence within their scope, but to extend them to the extent where they are liberal enough to test the validity of the technological advancement within the scope of intellectual property protection. By stitching classical theories and contemporary legal complications together, it aims to determine the vibrant nature of Intellectual property jurisprudence and its capability to adapt keeping in view of new technological possibilities in the circumstances where Artificial Intelligence is being integrated into creative and inventive processes requiring a reassessment of theoretical foundations of Lockean Natural Rights and Labour theory and Personality oriented based justification of Hegel perspectives on intellectual property. The arguments for ownership and liability lies in the powerful expositions relevant towards the justification of intellectual property basing on the entitlement of fruits of technological labour exercised by the Artificial Intelligence and matters of personality identification with the works generated.*

Keywords: *artificial intelligence, intellectual property, theories on intellectual property, natural rights, personality*

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Süni intellekt və əqli mülkiyyət: Lokk və Hegel yanaşmalarının inkişaf edən əsaslandırılması

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Xülasə. Əqli mülkiyyətə sahiblik anlayışı və əqli mülkiyyətin pozulması zamanı məsuliyyət əslində eyni sikkənin iki tərəfidir. Bu məqalə Süni İntellektin inkişafı ilə inkişaf edən müasir çağırışlara işıq salmaqla yanaşı, Əqli mülkiyyətə sahiblik və müvafiq məsuliyyət üçün fəlsəfi və hüquqi əsaslandırma xüsusi olaraq araşdırır. Hərfi mənası ilə əsaslandırma, klassik nəzəriyyələrin Süni İntellektin əhatə dairəsinə daxil edilməsi üçün zorla şərh edilməsini nəzərdə tutmaq deyil, onları texnoloji tərəqqinin etibarlılığını yoxlamaq üçün kifayət qədər liberal olduqları dərəcədə genişləndirmək demək deyil. əqli mülkiyyətin qorunması çərçivəsində. Klassik nəzəriyyələri və müasir hüquqi fəsadları bir-birinə yapışdırmaqla o, Əqli Mülkiyyət Hüququnun canlı təbiətini və onun Lokk Təbii Hüquqlarının və Əmək nəzəriyyəsinin nəzəri əsaslarının yenidən qiymətləndirilməsini tələb edən yaradıcı və ixtiraçı proseslərə Süni İntellektin integrasiya olunduğu şəraitdə yeni texnoloji imkanlar nəzərə alınmaqla uyğunlaşma qabiliyyətini müəyyən etmək məqsədi daşıyır. və əqli mülkiyyətə Hegel perspektivlərinin şəxsiyyət yönümlü əsaslandırılması. Mülkiyyət və məsuliyyət üçün arqumentlər Süni İntellekt tərəfindən həyata keçirilən texnoloji əməyin bəhrələrinin hüququna və yaradılan əsərlərlə şəxsiyyətin eyniləşdirilməsi məsələlərinə əsaslanan əqli mülkiyyətin əsaslandırılmasına aid güclü ekspozisiyalarda yatır.

Açar sözlər: süni intellekt, əqli mülkiyyət, əqli mülkiyyət, təbii hüquqlar, şəxsiyyət haqqında nəzəriyyələr

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Introduction

A critical analysis of conventional property models and the interface between cognitive abilities, technological advancements, and AI behaviour is essential to bridge the gap between Artificial Intelligence and legal philosophy. In analysing this, there emerges a new and radical property model. This goes against the traditional anthropocentric approaches of property classifications and conferring property rights. Property serves as a foundation of society as it interacts between different social institutions and stakeholders like individuals, government, corporations, etc. Now technology also has become a key stakeholder in the development of property, though not always physical but intellectual. Such developments are not so easy to justify regarding their existence in the intellectual property realm. Historical perspectives have always placed humans at the centre of possessing ownership and liability (Li et al., 2025). The standard approach to property and intellectual property jurisprudence requires a relook into recognising the cognitive abilities of Artificial Intelligence on par with human cognition (Bundy et al., 2023).

As Artificial Intelligence is ever-growing and challenging the legal pillars, there is a need to see how the jurisprudence and the justification within the Intellectual Property system behaves. This jargon is challenging the traditional theoretical frameworks surrounding intellectual property and its justification of ownership and liability. A renowned mathematician, Mark Kac, analysed the variations of geniuses. He differentiated between two kinds of geniuses, i.e., ordinary geniuses and magicians. He says that an ordinary genius is a person that is as good as a normal person only if the normal person was certain times better. On the other hand, a magician is a person, whom on the *prima facie* level we understand what he has done, but how it has been done or the process undertaken for the performance is absolutely dark. Artificial Intelligence is such an entity that the user can take benefit of its instrumental value, understand it, but it requires greater technological prowess to comprehend how it is working and growing in the rapid era of technological advancements.

The conventional approaches to property association with a legal personality-oriented personification of Artificial Intelligence will have to be discussed at length to understand the concrete Intellectual Property Rights justification. The extension of the Lockean justification of hard work as the base for the grant of intellectual property rights to Artificial Intelligence provides a gateway to the unconventional interpretation of the legal principles. The extension of the Hegelian approach to personality rights inherent in the creativity and innovation of a person to Artificial Intelligence affords an opportunity for the legislators and judges to incorporate Artificial Intelligence within the legal framework recognising its legal personality. As it exists, extending the conventional jurisprudential perspectives to technological advancements like Artificial Intelligence is a challenging venture as it provides altogether an opportunity for a positive interpretation of the provisions and judicial position that are negative in the contemporary circumstances.

Intellectual Property law has been a significant foundation of contemporary legal frameworks. It has for long tackled typical contentions with regard to ownership and liability. The issues concerning ownership and liability are not merely practical complexities but are profoundly entrenched in legal philosophy and jurisprudence, drawing deliberations from age-old theories of property, labour, and innovation. Globalization and technological progress have added new dimensions to the Intellectual Property regime (Thom, 2025). As society progresses into a technological era carved by modern technological developments, especially the onset of Artificial Intelligence, the conventional concepts of Intellectual Property ownership and liability are being tested and reconsidered. The bundle of rights surrounding ownership in this regard are the rights of possession, the rights to use and utilization, rights over the generation of income, rights regarding management, security rights, rights over capital, the right of transmission and movement, the lack of term (though difficult to justify for intellectual property, which is a limited right), prohibiting harmful use, liability in execution, along with other residuary rights (Moore, 2012).

Results and Discussion

Natural Rights Theory and Intellectual Property

The Natural Rights Theory, highly promoted and rooted in John Locke philosophy, gives the earliest, broadest form and one of the most significant justifications for intellectual property. Labour Theory propounded by John Locke discusses that individuals possess a natural right to the outcomes of their labour, which is a pre-legal right that has existed way before the legal systems that were developed by the communities. The acquisition of ownership has always been the core of theories justifying the rights over materialistic possessions. The conceptual understanding, the theory and property rights evolve from the individual's labour and effort resulting in moral entitlements in the property. There exists an intrinsic relation between the hard work put up by the creator and the outcome of the same in the form of a product or a property. Labour and self-ownership over the creation resulting in value creation, is the Locke's identity regarding the recognition of property rights. If the same premise is applied to intellectual property, the labour theory embraces that the creators are eligible to the

ownership of the outcomes of their intellectual creations which are creative as well as novel due to their investment of time, labour and intellect. The justification lies in the creation of product by involving mental and physical labour.

The Second Treatise of Government, which is a seminal work of John Locke, proposed that property rights evolve in a circumstance when an individual combines his labour and utilises the resources available in the nature. He proposed that the labour is the unquestionable and absolute property of the labourer and he only can have the ultimate rights over the creation to which labour is enjoined with. But it should also be left to the society as enough and as good in common for others (Locke, 1952). There should always be enough materialistic possessions so that everyone can appropriate it and such an appropriation should not be made for damaging and destroying it. And it also projects that apart from having enough, it is also material that one should not have more than that is required which would make the surplus useless and unutilized by the society. This approach can also have profound implication on the intellectual property systems, as it is the result of mental creations and involvement of labour and hard work.

As a person owns a tangible property by amalgamation of their labour with nature, Lockean theoretical justification is based on the idea that the person can also own the intangible property like literary work which includes books, literature; artistic works like drawings, paintings; dramatic works like stage plays; musical works like audio clips, songs; inventions, etc., which comes as a product of the person's intellectual effort. This theory acts as foundational underpinnings for many legal systems that realize the importance and significance of protection of creative rights like intellectual property rights, as a personal right. The exclusive rights that are assigned to the creators so as to exclude others from utilising their intellectual outputs either in the form of creations or inventions without prior consent is justified as it protects and gives respect to the integrity of the respective creator who has undertaken certain labour, creativity and innovation. The applicability of this theory of intellectual property relies on the very ideology of intellectual creations, even though intangible in nature is ultimately the outcome of hard work, labour, creativity, innovation and originality of expression of the thought. The rights extend to how the creations or innovations are made used, commercialised, distributed and is profoundly allied with the perspectives of a person's individual autonomy and the right to absolutely exploitation of the fruits of the labour.

Artificial Intelligence Ownership under Natural Rights Theory

The conventional approach towards justification of labour theory for intellectual property is challenged on multiple fronts, by modern development of technologies which are used for creations and inventions as well as the creations of various works and inventions independently by advanced technologies like Artificial Intelligence. The determination of ownership rights for any thing is to be adjudged on the basis of competing interests. If the interests of the claimant of rights are strong as against all the other parties, then in such cases, it becomes a strong case for the law to provide recognition (Himma, 2012). The conferring of rights to Artificial Intelligence on the basis of the generation of works independently is novel in nature albeit the existence of current laws. This is because of the traditional creative process involving humans at the centre. Natural acquiescence of rights for intellectual creations faces complications in the modern interpretation of intellectual property laws. To transfer or acquire something, there should be claim over the possessions and that claim is usually justified on autonomy considerations. Such autonomy can be used to exploit rights either in commercialising or abandoning. The autonomous nature of Artificial Intelligence in generating copyrightable works or patent eligible inventions keeps the future in bleak in view of the current jurisprudence which primarily vests the ownership with human programmer or creator of the Artificial Intelligence (U.S. Copyright Office, 2025).

The central issue that revolves around the according of intellectual property rights is to Artificial Intelligence is the lack of self-consciousness, intention and the agency (Alkhawaldeh et al., 2025).

The lack of autonomy and individuality counters the Lockean justification in terms of Artificial Intelligence development. It can be argued that Artificial Intelligence may lack the initial autonomy in the work but it does execute the works on parallel with how the humans perform the labour like data processing, pattern analyzation, produce outputs, etc. In addition to it, this is where the amalgamation of labour and the available resources available for creations or innovations paradigm as per Locke's labour theory is tested for the grounds of validity for application to Artificial Intelligence systems. The baseline for conferring acquisition of rights to Artificial Intelligence relies on the specific control of the material as well digital property at a given time where it can freely use, own and appropriate the benefits. This view also supposes to think in the perspectives where transformative labour is involved, where physical efforts are not performed as per Locke but certain transformation is involved like converting raw data and information into commercial outputs which itself satisfies the requirement under Lockean and natural rights theory.

On the other hand, the rights of the creator of Artificial Intelligence are in existence. The existence of natural rights for Artificial Intelligence needs a reinterpretation in the modern era of machines, especially autonomous ones. If we consider the natural rights of ownership in any intellectual possession, then artificial intelligence needs to be considered as some sort of owner for possessing such rights. If an Artificial Intelligence creates a work or invents an invention, there are two possibilities regarding whether the programmer should own the intellectual property over it or whether the Artificial Intelligence which created the work or invention shall be granted intellectual property rights. This conundrum raises a debatable question about how the Lockean justification can be best interpreted and analysed to decide the non-human creator's position under the realm of current intellectual property framework. The labourer as per Locke should decide the fitting reward for the hard work and value created. If the reward is in itself a creation of property right, then the exercise of the physical labour to exercise of rights lay down a path for revolutionary alternatives.

The ability of Artificial Intelligence to generate inventions and creations independently without or with minimal human intervention can result in creation of original works though depended upon trained algorithm basing on vast data sets. This can also happen without continuous human's supervision. On the other hand, it also poses challenge as the stone is rolled by human initially for the working of Artificial Intelligence so that it then starts creating new outcomes in the form of creative works and novel inventions. It can also be said that it has an unethical perspective of selfish claim of creations where the involvement of human is minimal. But it may be argued that the amount of investment and labour put by the developer in creating, training the Artificial Intelligence system may provide for a basis for claiming ownership, but it should not also be ignored the amount of cognitive analysis that is done by the Artificial Intelligence, though without a real existence in form of a person or individual and identity. Advanced Artificial Intelligence systems can make independent decisions in the creative process with autonomous procedure. This makes way for the separation and distinction of normal technologies and Artificial Intelligence where it is not just more than an extension of human labour, but an autonomous labour. The grey area exists here when there is generation of work without human involvement or a minimal exercise of labour by the human. It can also be extended to situations where there is no immediate human control over the actions of Artificial Intelligence. There were instances like the chat bots of Facebook though trained to interact in English soon started to interact with other chat bots in the language that was not comprehensible to the developers and researchers of that programme (Baraniuk, 2017).

The merit of the Artificial Intelligence needs to be given importance here where it tries do something voluntarily and sometimes it can succeed and sometimes it can fail where there is no desired outcome. If it succeeds, then there are circumstances where it can have claims towards to the outcome. In the present circumstances, a decade and/or the future, the claims may be certainly weak but it doesn't shadow the digital labour put up by the Artificial Intelligence systems. The collaborative aspects also need a glimpse here as the corporation or the individual who invests resources in training, research,

development and deployment of Artificial Intelligence, which requires of allocation of ownership and liability aspects with regard to the created works and inventions. The labour-intensive procedure of training the systems, data curation, designing the algorithms, model optimization, all require a collaborative effort of human as well as the Artificial Intelligence to derive the fruits of the labour. This can bridge the gap between natural labour rights and technological advancements. A shared benefit perspective is also a scenario where AI-driven innovations and creations can be collectively utilised by the stakeholders keeping Artificial Intelligence at the centre. A duality in sharing moral entitlement is deep rooted in the foundations of development of Artificial Intelligence where human programming is essential in training, but also Artificial Intelligence as an independent agent is challenging. Conversely, the diminishing human involvement in creation process paves way for recognition of Artificial Intelligence works. The current state of nature in this regard is yet to be changed due to the careful investigation of the applicability of intellectual property laws to Artificial Intelligence. But the opportunities are on rise to create an intellectual work, where a novel shape of Lockean justification can be given.

On this basis, the Lockean Labour theory can be extended to include Artificial Intelligence generated works if the strict pillars of hard work, labour, creativity and innovation are taken into consideration. The process of creation of work and entitlement of rights can initiate with the first process where there is a generation of *prima facie* work which lays path for control and claims (WIPO, 2021). Secondly, if the generation of any intellectual creation and innovation is programmed due to the labour of Artificial Intelligence, the applicability of Lockean theory depends upon the effect on well-being of the stakeholders before the acquisition, as if it better the position or worsen off the situation. If it is positive where benefits are accrued, then the labourian acquisition can be entailed with the Artificial Intelligence. The base line here would be depended on how the stakeholders perceive it in view of the value it creates in working of something or the art value it brings in understanding of the society. Thirdly, if there are no objections as to the acquisition and control over the claims in the property, then there is no issue, but if there are objections which are seen in the modern perspectives of conferring rightship to Artificial Intelligence, it needs to be justified on the grounds for validity and eligibility of the technology to possess ownership. The intellectual labour undertaken by Artificial Intelligence is visible in analysing the data patterns, developing hypothesis within its programming, generating new outputs and works, etc.

Traditional Lockean justification mainly lies in the energy exercised and time expended by the person in creating the innovations and creations, but when it comes to Artificial Intelligence, the time and energy is not exactly quantifiable as it works on different parameters like algorithms, codes, etc., which in reality makes the outcome of the creativity and innovation more time efficient and with no direct physical energy consumption. This has created and would prominently in future showcase the paradigm shifts in physical labour to intellectual labour and further, intellectual technological labour. If at micro level, the contributions made by Artificial Intelligence are perceived, irrespective of any community progress or economic based incentives, there exists certain amount of labour exercised by the technology for creation of works, and recognizing the same on this basis rests with the governments and global community for effective protection and robust enforcement. The labour theory again rests on the ideology that labourer deserves the labour in the form of protection and recognition even if there is an attempt to create something which is valuable (Hettinger, 1989). This is a considerable observation where the rights arise from what is so created. The existence of bundle of rights surrounding ownership in this regard like rights of possession, rights to use and utilization, rights over the generation of the income, rights in regard to management, security rights, rights over the capital, right of transmission and movement, the lack of term (though difficult to justify for intellectual property which is a limited right), prohibiting the harmful use, liability in execution, along with other residuary rights in terms of Artificial Intelligence is not developed where we are nowhere near these in the light of advanced technologies.

A cloak of invisibility and protection accorded by intellectual property here would benefit the technological progress. It would be historical, if the ownership is entwined with the entity that creates the product or the content, in this case, Artificial Intelligence. It would also incentivize the ethical development of advanced Artificial Intelligence systems resulting in accountability and effective ethical training and advancements in Artificial Intelligence technologies. A general form of protection and agreement amongst the key stakeholders like developers, programmers, authors, inventors, society and especially the regulators would advance the technological growth. An unconventional and broader interpretation may be adopted to keep up with the evolving landscape of law and technology and to redefine the fruitful labour and hard work coupled with the setting up of ownership in the products created, where the creative process involves deployment of unique technologies like Artificial Intelligence (Bienefeld & Grote, 2025).

Artificial Intelligence Liability under Natural Rights Theory

The developments in technologies like Artificial Intelligence have not only raised concerns about ownership but also about liability. The pressing need arises as it has become relevant to discuss about the Artificial Intelligence's role in technological development. The existence of ownership rights like owning, selling, licensing, etc., are also followed by liabilities like transparency and accountability, infringement, misuse, injuries and harm caused by the Artificial Intelligence systems. The disputes pertaining to intellectual property are contentious mainly as the people are more interested in the outcomes Artificial Intelligence generates and they themselves create. This requires a unique insight and re-evaluation of the traditional approaches as to how the labour theory's extension to Artificial Intelligence can be interpreted to include liability aspects into it. The present state of nature in this regard is yet to be reformed due to the cautious analysis of the applicability and interpretation of intellectual property laws to Artificial Intelligence. In the cases of copyrights, the idea-expression rule posits that protection or liability applies only for the expression of the idea (Agitha, 2017). In such cases the expression is generated by humans or the Artificial Intelligence becomes contentious.

A similar example can also be for the cases of patents where the expression is calculated on the terms of novelty and inventive step taken in the claims of the inventions. So, the alleged invention which is said to be infringing another patented invention, involves copy of claims in the developed process or product needs to be taken into consideration. Liability jurisprudence can be understood by understanding the complex exposition of technology's intrinsic value. The intrinsic level of value exists in the end itself where Artificial Intelligence is at the centre of the innovation cycle. The result of the action in terms of liability defines the role of Artificial Intelligence in the infringement. Conventional approach says that as the developers or the programmers created the technologies by mixing their labour with Artificial Intelligence, hence liable for the actions of infringements caused by such works (Chaudhary, 2020). This is in consonance with the traditional view of Locke where the creators are responsible for the actions as well as consequences of their creations. Not only the creators, but the users of these technologies also at the ground level can be made liable, if their usage exceeds the permissible limitations of the technology, as are in the cases of general intellectual property, also like uncontrolled use, lack of supervision, violating the instructions or manual of use, etc.

But on the other hand, the autonomous nature of the Artificial Intelligence delinks the involvement of human and the resulting outputs of the labour, where it challenges the traditional foundations of Locke's theory. If we take the natural rights of ownership in any intellectual possession, then artificial intelligence needs to be considered as some sort of thief for violating such rights. The autonomous labour follows the responsibility and accountability in terms of Artificial Intelligence's involvement. If an Artificial Intelligence generated music or invention relies on a copyrighted or patented content without taking any consent for the use, then in such cases as the labour is exercised by it has to bear the liability for the same, though such an individual liability absolutely to Artificial Intelligence is superficial under the current circumstances and legal position.

The baseline argument that can be interpreted here is in terms of creation of an outcome, the Artificial Intelligence system violates or infringes upon another's rights over intellectual property, but the outcome of the work benefits the population, the liability of the Artificial Intelligence is in dilemma which is moral as well as technological in nature. If the outcome of the creative process is stringently attributed to the labour exerted by Artificial Intelligence, then the human creator's liability is eclipsed. Therefore, purely linking the liability to labour makes the premise difficult for accounting human's liability in which the individual control over the outcomes or creations is not existent or very minimal. Artificial Intelligence needs to be given certain significance here where it attempts to do something on its own accord and at times it can thrive and sometimes it can be unsuccessful where there is no anticipated output. If it fails, then there are circumstances where it can have certain liabilities and obligations due to the outcome where other persons have incurred damages and harm. It should be ensured that the Artificial Intelligence doesn't monopolize the information and data to the detriment of human creators and public. To confer the liability, the recognition of labour is essential and to recognize the labour, requirement of personality which can exercise labour is quintessential. In such cases, their labour in the form of further operations can be stalled, or they can be disabled from performing any tasks.

Liability can be ensued for repayment of any damages, debts, etc. In some cases, privacy violations can also be at stake. Any morally or legally objectionable acts should not be allowed. As per the current interpretation, the Artificial Intelligence lacks agency particularly moral agency. The ability to make ethical decisions regarding creating and inventing can be one factor to confer the liability if it infringes on any rights. As Locke discusses that no person can think about himself as injured by blaming the other that certain amount of protected information is taken from an ocean of information and it should be left to the society as enough and as good in common for others. It can be tested if the system has consciously taken the decision to generate and develop the output. Such moral agency can be attributed to Artificial Intelligence where both ownership as well as liability aspects can be judicially viable. But the exact attribution of moral agency shall be dealt in comparison with the algorithmic processes that make the technology exercise labour in a particular manner. The algorithmic set up, like human brain, lets the Artificial Intelligence system perform tasks and generate certain outcomes. It is also prudent to believe that Artificial Intelligence needs to survive independently, not immediately but definitely in future without any direct assistance or collaboration from humans or other entities in the technological context (Anderson & Rainie, 2018).

Hegelian Personality Theory and Intellectual Property

There is nothing greater than exercising a right over the property to the exclusion of others. Right over the property is the claim and control of the external things in the world (Blackstone, 1825). In this regard, the other conventional approach towards intellectual property ownership is intertwined with the Hegel's Personality theory. Georg Wilhelm Friedrich Hegel, a German Philosopher propounds that property is manifestation of a person's personality and inner being. It is an extension of the expression of a person's intention of owning a property thereby realizing the potential individual will of the person (Bently et al., 2014). The freedom of personality extends beyond the physical realms. Hegel's approach provides a more individualistic approach to the property realm including intellectual property which is a legal property (Nyvlt, 2024). As per him property is not just a utilitarian tool but it is indeed a means for personal expression and self-realization. He developed this philosophy that a personality is independent of natural rights and utilitarian justification, that it exists on its own sphere with internal existence comprising of will to own something and external existence to have freedom (Priya, 2008). The appropriation of external objects makes it the part of human personality which provides a person's identity. That way, the rights in the property doesn't only mean economic rights and protection of commercial value, but it becomes the manifestation of the personality of the human by establishing a personal bond between the person and his creations which results in rights and liabilities.

The intellectual and creative endeavours of person are deeply intertwined with self-personality in the events where exposition of artistic skills, showcasing potential knowledge, etc., are required. That is how they are expressed in the form of different transactions like entering into contracts, doing trade and business but the things that the person's possess in such transactions are not exactly physical property. There exist certain rights and claims which are in intangible form which can be alienated in the form of sale, licences, similarly like physical property (Hughes, 1988). But the difficulties arise in the determination of the legal status of such rights and liabilities when it comes to Artificial Intelligence. Such determination creates tensions between the treatment of law to conventional mode of creating intellectual property and the creation of intellectual property by Artificial Intelligence. There arises the challenge for reconciling the intellectual property principles where it is deeply connected with the human personality and a legal framework to accommodate Artificial Intelligence within the personality dynamics is quite a futuristic possibility or impossibility. This requires an analysis on how ownership and liability is understood in the realms of Hegel's justification of intellectual property.

The intellectual outputs in terms of intangible creations like literary works such as books, reports, articles, artistic works such as paintings, art forms, musical works, etc., and inventions invented by the person involving his own thought process become the subject matter of manifestation of personality, individual's intellectual capabilities, and thereby requires justification and protection. Therefore, such creations as per Hegel are deeply entangled with the identity of creator (Harbinja, 2017). Thus, it becomes the inherent duty of the State to provide just and feasible safeguard and protection of intellectual property irrespective of any economic efficiency and exist as the true form of property. The ownership precedes protection under the legal principles, which would enable the person to exclusively use the intellectual creations of his/her own to the exclusion of others and as well as disseminate them. Hegelian justification is considered to be the best alternative to Lockean Labour theory.

The personality theory of Hegel is mainly been prominent in the fields of copyright law in which the creative expression of the individual in creating work of art is of the utmost importance. As the creation of the work is the act of self-expression in essence, the creator exercises the moral and personal rights over the work. This provides for the rationale of protecting moral rights under copyright law domain. The rights of attribution, the rights of paternity and integrity in the works thereby preventing others from distorting and destroying can be taken as an example which are the moral rights of the creator. Any kind of derogatory treatment of the work which affects the personality of the creator is not permitted and lead to legal complications. Though such unauthorized dealing including reproduction and alteration of the work may not necessarily be attributed as an economic violation or commercial exploitation of the work, but it definitely underscores the creator's inability or helplessness to control the dissemination and utility of the work to the world. This is nothing but the justification of Hegel's personality theory where the work is the manifestation of the person's identity and personality.

Artificial Intelligence Ownership under Hegelian Personality Theory

The extension of application of Hegelian theory of personality to Artificial Intelligence generated output is complicated. As the creator is itself a life-less machine or programme, the Hegelian justification needs to be carefully tailored to be applicable to Artificial Intelligence related innovations and creations by affixing an operational agency. It provides for a situation where the intimate connection between the creator and creation seems less personal as it's a lifeless machine. Hegel was absolutely perfect in devising that there should be a necessary relation and connection in development of personality and the appropriation of one's own creations, which as per him, is the real basis for right to property (Hegel, 2005). How the personality needs to be identified in an Artificial Intelligence work to be justified under Hegel's theory is of a complex nature? Every individual, person has a unique personality which is reflected in their actions and expressions. But on

the other hand, it is always not necessary that the personality should be so clearly visible in the outcomes, but there can be some subtle expressions of personality which can be identified only by the persons having ordinary or sometimes specific knowledge in that specific domain. As rapid advancements are evident in technological domain of Artificial Intelligence, an identification of personality is on the line.

The interplay of humans and Artificial Intelligence needs to be taken into consideration for identification of personality. It leads to the phenomenon where the human is involved in creation of an Artificial Intelligence system and that system creates a work based on human input. Whether such work will have any intimate relation with the personality of the creator, typically the programmer of the Artificial Intelligence; or the creation of invention, poetry, or any other art work created by an Artificial Intelligence is an extension of personality of human or the Artificial Intelligence itself, where it deploys operational personality in generating any output. For example, when a music is developed by a composer who deploys Artificial Intelligence, there exists a conundrum in reflection of personality in the music of the creator which can strictly be Artificial Intelligence, but the one who created it to work in that way is the programmer or developer. Generative Artificial Intelligence (GenAI) like ChatGPT, image creators, etc., respond to the prompts on the basis of the data fed and specific machine learning practices which tends them to generate unique responses which are very distinctive in nature. This distinctiveness can be a ground for accruing intellectual property rights to Artificial Intelligence.

Sometimes, there might be severance of the personal connection where human and the creation have no proximity in the product development. The human creator of the systems can be unable to claim the personal connection with the work due to the autonomy in the process of creation and innovation. The meaningfulness of the personality when there is no human touch to the work that is created instils a novel approach to theory of personality. In such circumstances the Hegelian justification can be interpreted to say that there is no personal touch in the creation of the work as Artificial Intelligence does the job and gives the output and therefore it is not essentially the reflection of the personality of the human, but essentially it is what the Artificial Intelligence has thought about, though with an initial human interference. The personal investment and self-realization as per Hegel need not be strictly construed to be applicable to Artificial Intelligence as it would become challenging to bring the machine which is devoid of personality, consciousness, and personal expression in comparison with anthropocentric personality.

The narrower interpretation of Hegel's should not be undertaken as there exists certain amount of autonomy in the creative process (Schroeder, 2006). The autonomy of Artificial Intelligence is crucial here to understand to decide the personality of Artificial Intelligence. There is an extension to the conventional foundations of personality where Artificial Intelligence can also be treated to have a personality of expressing its will and its own personality. The creation of an autonomy is essential to attribute personality to Artificial Intelligence. There should be no separation of work from the creator. Operational personality is developed by the Artificial Intelligence due to its dealing with various programming, data feed and analysis, algorithmic learnings, etc., which distinguishes the works produced by other entities. Although such decision-making abilities of Artificial Intelligence are surrounded by algorithmic restraints, these operational abilities of it are on par with human potential of expressing the will. Such an operational personality will enable to interpret the Hegelian theory of justification of ascribing rights to individual expression vis-à-vis Artificial Intelligence, enables in recognizing the creative role. It becomes the core of its existence which seeks for certain effectiveness of its identity. This discussion shows that Artificial Intelligence can embody and express personality similar to other legally recognized holders like humans, corporations and other entities. The technological freedom beyond the prompts is essential here to determine the actualization of the Artificial Intelligence. Hegel's philosophy in the realm of technological advancements like Artificial Intelligence interacting with external worlds can be given a parallel narration. The natural person's

processes external world through recognition of individuals and things, classification of materialistic and unmaterialistic possessions, explaining of the occurrences, and remembering the past deeds and history of anything. Similarly, Artificial Intelligence also adopts certain operational activities in terms of recognition algorithms, where they appropriate and process visual imagery data through certain patterns and features recognition just like humans. Classification of data happens through machine learning processes where categorization can be done judiciously as per the requirements. The explanation part is enabled through Natural Language Processing (NLP) models where it can interpret any kind of inputs pertaining to human actions, day-to-day life, and much more. Remembering is one of the complex parts in Artificial Intelligence technologies where the mental elements are connected through neural networks performing memory functions and it gets improvised through acts of repetitions (Emerging Technology from arXiv, 2017).

In addition to it, in the era of generative-AI, which particularly relies on the existing data sets for the creation of new works, and the existing data set being independently reflection of multiple individual personalities' reflections, raises a new paradigm in understanding the collaborative nature of Artificial Intelligence works. The multiple collaborative endeavours in creating a work involving Artificial Intelligence creates more complications as against to conventional singular ownership mechanism. There will be works that can be created by the unified creative processes. The expression of the machine though without a human like consciousness, is a reflection of human creativity where biases are existent, intentions are different. The median role of Artificial Intelligence propounds a new paradigm of extending self-expression. It can create a symbiotic relationship between the humans and advanced technologies (Zohuri & Mossavar-Rahmani, 2024). The blurring of distinction in individual involvement and machine processing when the output is generated poses to look into a broader perspective.

Such methods of protection would restrain other parties from exploiting the benefits of Artificial Intelligence creations and innovations and undue interference into the creative processes enhancing the integrity of the work strengthening the bond between the creator and the innovation. This has to be created through a legal framework which shall distinguish the works of Artificial Intelligence where human interference is more and the works where human interference is minimal as the traditional Intellectual Property mechanism doesn't accommodate Artificial Intelligence generated works within its legal protection. But a protection in this regard would inherently safeguard the originality and the value attached to the outcomes in the forms of creations and products. In this regard, ownership would establish the identity dependence on the outcomes of the Artificial Intelligence.

The first publication and disclosure of work need to be controlled by Artificial Intelligence which would embody the personality, will and expression. Such protection would ensure there is an association of the work with the Artificial Intelligence even though after first sale and further dissemination of the work. Ultimately, the significance of Artificial Intelligence in creating innovations and creations is substantial, irrespective of maximal or minimal nature of human involvement. In addition to it, self-actualization is necessary for Artificial Intelligence to develop its own personality where the freedom to possess can be achieved not by withdrawing from the physical realms, but by overcoming through integration of algorithmic will into the creations and innovations which would be economically treasured. Hegelian justification can be taken into consideration as one of the strongest forms of intellectual property recognition system for weighing in the recognition of intellectual property rights to self-realize and self-actualize the benefits of creativity and innovation.

Artificial Intelligence Liability under Hegelian Personality Theory

The extension of the personality on the basis of self-expression by Artificial Intelligence as propounded above interpreting Hegel's theory poses the challenge of ascribing liability with the level of affiliation reflecting the creator's personality with the work generated. If on the basis of

foundational principles of Hegelian approach, humans are taken as the sole personality, and attribute expression of the products and creations to humans, then developers, programmers, would be centrally liable for any actions as they have guided the creative process. But if we unconventionally assign a broader interpretation as discussed above in the case of ownership, then the creations and innovations are nothing but an outcome of extension of personality of Artificial Intelligence which is mainly responsible for the generated works. If the involvement of the human programmer or developer is non-existent or minimal, then the existence of personality is questionable where there is no self-expression of the human. This would ultimately entail the liability on Artificial Intelligence due to non-involvement of human. Hegelian justification is of a stringent approach where the creation should be linked to the personality of the creator. In such lines liability shall also be embodied in the creator which is a digital personality that can hold and behold property and rights.

This leads the researchers to decide on the ethical dilemma as to the level of liability on part of humans and Artificial Intelligence. There can be another side to the liability argument on this basis, where a limited liability can be taken into consideration for initially harnessing the Artificial Intelligence ownership and corresponding liabilities conundrum. This would generate interest in deciding the level of involvement initially as well as during and towards the end of the creative process. But it will be complicated to demarcate the reflection of personality in the process due to complex technological processes. In such case, the personality jurisprudence under Hegel can be widened to provide a digital personality to Artificial Intelligence. Such a digital personality can be used to credit ownership for the creations and innovations. It can also enable the binding nature and fixing of liability on the part of Artificial Intelligence where any infringement occurs due to direct or indirect act of the system. As the activities would be treated as an extending personality of the Artificial Intelligence, digital personality would further expand the scope of its applicability in terms of liability which would bind the system for its own actions and consequences. The dependence of identity on the outcomes of the digital labour generated will be sustained by societal norms that will identify Artificial Intelligence role in innovation and creation of the products. The operational ability of Artificial Intelligence systems make way for a wider applicability of Hegelian approach.

As discussed above, the operational personality of these high technology systems creates opportunities for ownership acquisition over the creations. This can also lead to certain potential fixation of liability basing on these capabilities to infringe upon intellectual property rights or rights of persons under any other legislations. The misappropriation of patented claims, unauthorized use of copyrighted content, by these operational decisions of Artificial Intelligence systems is nothing but the operational identity of these systems akin to personal identity. The reparations on such systems can be limiting access to data or in certain serious cases, revoking the licenses, restricting the access to data as well as keeping constraints on essential functional aspects of the Artificial Intelligence where it can be manifested to showcase its digital personality and distinct operational identity while performing any tasks where earlier infringements have taken place.

The algorithmic infused process should be given a wider scope under the jurisprudence for its applicability in terms of innovative technological progressions. This digital personality akin to digital identity can be treated analogously to conventional personality which can possess rights and liabilities. The premise is any being able to exist and create something on its own can develop its personality to make, sell, control, commercialize, etc., the products or outcomes. Liability is a restriction on the flexible expression of personality. It will alter how the Artificial Intelligence's expression is to be recognised and regulated. Any such expression violating the legal principles would make the owner liable for the actions. Liability can take two possible faces of personality here, firstly the absolute liability towards the human programmer which is the disputed current legal and judicial position. Secondly, the algorithmic operational personality shown by the Artificial Intelligence which is not a recognised form of liability under the contemporary legislative interpretation and judicial analysis.

Non-justification of any form of expression under Hegelian's theory may result in widespread infringements as no conventional mode of law addresses such radical liabilities that may be borne by such new personalities. It is a transformative journey where the technologies can adapt to the growing circumstances and be eligible for moral and ethical development where it can take place in the society. The Hegelian approach in this regard would best suit bringing of the advanced technologies' activities within the recognition and regulation of law where a sui generis model is requisite or the existing laws can accommodate the Artificial Intelligence analogous to humans, corporations and other entities eligible for rights and liabilities.

Conclusion

Firstly, this article is an effort to pick up one thread of intellectual property jurisprudence and apply to artificial intelligence and observe how the legal arguments unravel for ownership and liability. This technological thread of Artificial Intelligence is currently being ignored towards its role in intellectual property. Artificial Intelligence is evolving much ahead and quicker than the human cognitive evolution. The interactions between Artificial Intelligence systems and humans have already begun and more advanced interactions are just a near future. Such a position would involve a broader justification of intellectual property to technological evolutions. Though strict analysis of labour theory or personality theory may lead us to a conclusion that there are no actual labour and reflection of public value that is involved in creation of the work and the personality of the creator is not actually visible in the work created respectively. But a combined reading of labour theory, personality theory would give us a new dimension to bring in Artificial Intelligence within the Intellectual Property system.

When there is an exercise of technological labour, the outcome of the labour in the form of some product, process, artwork, etc., is nothing but the algorithmic personality of Artificial Intelligence. The creation of artificial intelligence initially though done by the human, is not exactly the creation of his own personality but for the efficiency of the model, on the basis of certain selected parameters and data sets which would perform the tasks. So, the Artificial Intelligence system exhibits its own technical personality while creating an output which might not be actually the human's personality. There lies the distinction between humans and Artificial Intelligence, though the ball is rolled by the human initially, but later on Artificial Intelligence systems can take on and develop their own identity, therefore eligible of justification under the intellectual property rights regime. This article reflects the advance narratives of granting rights to Artificial Intelligence through liberal interpretation and modification of the conventional theories of Intellectual Property.

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