

INTERNATIONAL JOURNAL OF LEGAL STUDIES AND SOCIAL SCIENCES [IJLSSS]

ISSN: 2584-1513 (Online)

Volume 3 | Issue 4 [2025] | Page 705 - 714

© 2025 International Journal of Legal Studies and Social Sciences

Follow this and additional works at: <https://www.ijlsss.com/>

In case of any queries or suggestions, kindly contact editor@ijlsss.com

STREAMLINING THE USE AND LEGAL TUSSLE SURROUNDING DIGITAL MONETARY AND DIGITAL COPYRIGHTS

-Gopika PR*

-Shambavi S**

-Vijayanila R***

ABSTRACT

The ever expanding scope of Digital Global Trade makes it to be the future platform for our part and parcel of life. The revolutionary transmission in the digital world has left its mark in all aspects of life. The digital era has also led to the change in the way of business and approach towards the consumer population. The objective of the research paper is to study the persistent relation between the opportunities and challenges in the digital era close to the areas of digital payments and digital copyrights.

The methodology used for this research is doctrinal research with descriptive approach. The research is taken on the ground of reality basis and from legal perspectives with the incorporation of case laws and legal provisions at significantly points.

*IV Year of B.A.,L.L.B., The Central Law College, Salem. gopika201104@gmail.com, 6380060641.

**IV Year of B.A.,L.L.B., The Central Law College, Salem. shambavi23072004@gmail.com,9787796013.

***IV Year of B.A.,L.L.B., The Central Law College, Salem. vcr1847@gmail.com,9698992139.

The findings from the study enables us to understand that there is an immediate urge from people towards digital payments, as it facilitates easy transactions and better investments in terms of crypto currencies. While the study has also provided that there is lack of confidentiality and trustworthiness in money related aspects via online from common man perspective. The study acknowledges that the inculcation of the concepts of copyrights for the Intellectual Properties, is essential to protect the innovations of the individuals and act as a driving force to lift the world to the next level in the digital era. It is also seen that there are legal barriers which prohibits the potential digital copyrights for small businesses and layman. The research paper is also provided with the suggestions to overcome the shortcomings in the above said areas.

Key References : Digital payments, Crypto currencies, Intellectual Property, Digital Copyrights.

INTRODUCTION

In our day to day life, we encounter various circumstances where the usage of online modes becomes inevitable. The E-commerce platform has set a whole new trend in our flow of life. People find a lot more easy way when it comes to E-commerce compared to traditional markets, shops around us. The topic of E-commerce though have reached greater extent of population, yet it has a long way to cover even the last person of being. As we are striving towards Digital World, it is important to study the Impact, future scope and difficulties that are faced. E-commerce is a blanket that covers infinite areas of exchange of goods and services. Digitization of Monetary Transactions has become one of the spotlight area. Even the smallest of amounts transactions are carried on by online methods. Digitizing Monetary also involves digital investments such as digital currencies, Crypto currencies, Bitcoin, Ethereum and holding of stocks, share in online. These investments in online apart from being focal of attraction, it is also viewed with lots of ambiguity and unreliability.

¹ Rosebud Gonsalves, (2024,February 07), NPCI working on 'Digital Payment Score' to Improve the Credit Identity of Indians, The Economic Times. <http://surl.li/qmtia>

Many innovative products come to e-market on daily basis. Various products are designed and produced by individuals intellectual intelligence and enter into digital world to reach its target people. These creations are equally protected as of physical inventions. The range of exploitation in online is very much and the creations of individuals are at high risk. Thus, it's very much essential to incorporate Digital Intellectual Property Rights and Digital Copyrights. While this is available to every person, still there is lack of performance due to various other reasons.

REVIEW OF LITERATURE

Over the years the Digital means has evolved constantly and taken its new form then and then. The topic of Digital Payments is discussed at large in different point of time. Indian Government has taken immense measures to make efficient online transactions which is again substantiated by National Payment Corporation of India's (NPCI) action towards Digital Payment scores by improving every individuals credit identity¹. It is also recently found that there is rising necessity for setting up Information Technology Rules as there is increased cases of AI (Artificial

Intelligence) Copyrights Disputes. The Digital News Publication Association has alarmed Ministry of Information Technology regarding this particular issue².

WORLDWIDE DIGITAL PAYMENT AND MONETARY

Digital payment are online transactions of money from one to other ranging from individuals to business. Digital Payment includes various modes such as Bank apps, mobile wallets, UPI, NEFT, AEPS, other modes such as Google Pay, Phonepe, Rupay. These online transactions not only facilitate in easy and quick transactions but also with easy maintenance of accounts and tracking of finances. Many individuals, small scale businesses have been benefited by this Digital Payment which made India to be the largest Digital Payment user surpassing Brazil, China, Thailand and South Korea. Making Network facilities easily available for all people by making it very much affordable and the tremendous rural transformation amounts to this position of India³.

Investment in Digital means involves purchase of Crypto currencies from prominent digital currency exchanges such as Cash apps, Coinbase. These Crypto currencies, Bitcoin, Ethereum has huge role in digital currency investment. Digital Currencies now prevails as a dominant financial source in many

countries. It is believed by many that these digital currencies have huge future in Monetary world in near time⁴.

RANGE AND ULTIMATUM OF DIGITAL PAYMENT

Payment Digitization has both prospectives as well as shortness in it's handling. With more steps taken for digital surroundings, the use of smartphones, internet and related means would get wide. As a result of the expanding use of digital payment would move ahead to attain a cashless society. The future opportunities in digital payment not only confine itself with cashless but also has it consecutive effects such as digital infrastructural development in rural areas. E-commerce gaining popularity all over the world and in recent times it has become more prevalent. E-commerce apps

² Annapurna Roy, (2024, January 26), Indian Publishers seek Rules for Copyrights Protection Against Generative AI models, The Economic Times. <http://jvzca9.ttu.cc>

³ DC Correspondent, (2023, August 23), India Ranks First in Digital Payment made Globally: Report, Declan Chronical, <https://www.deccanchronicle.com/nation/in-other-news/240823/india-ranks-first-in-digital-payments-made-globally-report.html>

⁴ Allie Grace Garnett, (2024, January 12), Crypto currency, Investopedia, <https://www.investopedia.com/cryptocurrency4427699#:~:text=Any%20investor%20can%20purchase%20cryptocurrency,Bitcoin%20trusts%20and%20Bitcoin%20ETFs>.

apart from having wallets options for its customers in their respective apps, in future time it may also connect to the digital currencies. This would draw interest of the customers towards Digital currencies more⁵.

Payment Digitization is mostly secure as they are end to end encrypted. Further the area of digital payment is constantly under the process of Technological Development. This would definitely land digital payment to be the most secured means of transaction by methods of screening, effective network management, financial surveillance and advanced software systems. The opportunities also includes streamlined checkout process in times of online purchases and also facilitates cross border transactions even to the small business units enabling them to reach wide consumers and elevate their businesses⁶.

Over all these opportunities there are also various challenges and demands that has to analyzed in order to facilitate the ceaseless development process of Digital Monetary. The challenges involves lack of interoperability whereby the possibility of customers to have multiple accounts is less possible for all sections of people. Existence of fraudulent acts in online payments is one of the serious matters of concern. With expected rise of digital payment by upto 6 billion people in upcoming years, the fraudulent acts are also expected to increase by 16% compared to that of 2022. It was recorded by UPI that in the year 2023, more than 95,000 of fraudulent transactions have been taken place via online⁷.

⁵ Times Pro, (2023, May 4), The Future of Digital Payments: Opportunities and Challenges, Times Pro <https://timespro.com/blog/the-future-of-digital-payments-opportunities-and-challenges>

⁶ Vivek Belgavi, Mihir Gandhi, (2019, March), Digital Payment opportunities in Emerging Markets, PWC <https://www.pwc.in/assets/pdfs/consulting/financial-services/fintech/point-of-view/pov-downloads/digital-payment-opportunities-in-emerging-markets.pdf>

⁷ Cell point Digital, (2024), Top 5 Challenges of Digital Payment Processing, Leading Payment Orchestration <https://cellpointdigital.com/articles/blog/top-5-challenges-of-online-payment-processing>

Digital Currencies involves at times involves lack of transparency due to network issues and also lacks regulatory in case of Crypto currencies. The primary risk in digital currencies is cybercrimes and Central Bank Digital Currency has also taken sufficient steps such as setting up of 60 central banks across the world in order to prohibit it, yet still the issues are perpetual⁸.

Volatility of the Crypto currencies especially Bitcoin is one another factors which causes apprehension of fear from the investors perspective. Macroeconomic factors and unforeseen fluctuations in the market affect the market of digital currencies causing market crashes. Liquidity of the Bitcoin also affects the volatility of its value. Ethereum though being one of prominent blockchains, still the need for highly scrutinized systems to use these blockchains make it to be quite distant from common people⁹.

DIGITAL INTELLECTUAL PROPERTY AND DIGITAL COPYRIGHTS

In the vast world of knowledge, Intellectual Property to be addressed as creations and innovations of humans' brains and matters that they just acquire from specific fields. These are protected by law to secure the creativity and innovation of individuals or companies and their brain capacity of intellectual works like art, literature, science & technology and in industries.

⁸ Saloni Shukla, (2022, November 24), Digital Currency: Potential and Challenges, The Economic Times <https://m.economictimes.com/markets/forex/digital-currency-potential-and-challenges/articleshow/95413120.cms>

⁹ George Herlean, (2018, December 05), Top 10 Risks of Bitcoin Investing, Forbes <https://www.forbes.com/sites/forbesfinancecouncil/2018/12/05/the-top-10-risks-of-bitcoin-investing-and-how-to-avoid-them/>

Based on the work of Intellectual Properties, it is classified into 3 categories: Copyrights, Related Rights and Industrial Property. They put together copyrights relating to literature, art and science; Industrial Property includes patents, trademarks, industrial designs and geographical indications and Related Rights include rights of performers, Producers of Phonograms and broadcasters¹⁰.

Collaterally, Digital Intellectual Property is the same Intellectual Property but in a digital format. Online trade and business platforms, with or without knowledge, store some digital intellectual property, other than their own creations. Such digital intellectual properties are images, videos, audios, digital documents, software and databases. Because of their inherent value of helping to build a successful brand as a digital asset, they need to be secured covered by desktops, digital cameras, audio systems, mobile phones and scanners. While they can be stored in various sources like desktops, hard-drives, CDs, DVDs, tapes, portable storage media such as flash drives and the internet. The primary concern is to protect all those digital intellectual properties from various unauthorized platforms of storage. Thus, in measures of protecting Digital Intellectual Properties, trademarks, copyrights, patent rights, registered designs and design rights play an eminent role. One such essential protecting force is copyrights¹¹.

The extension of Copyrights among Digital Media is known as Digital Copyrights, to protect Intellectual Properties in Digital. As there is rapid raise of production and consumption of Digital medias, especially desktops and mobile phones, where those unforeseen increase need foreseen protection for corruption of media. In this case, the most used prominent software, Digital Rights Management (DRM) plays a crucial role in securing the datas of creation and prohibiting unauthorised websites exploiting other original creations, in the format of Digital Copyrights. As of now, Media in physical existence i.e., hard copies are diminishing, which leads to the increase in Digital Copyrights. Licensing is recognised as the most recognised Measures of Digital Copyrights.¹²

¹⁰ Dr. Betsy Vinolia Rajasingh, Digital Copyrights Law, Thomson Reuters.

¹¹ John Kelly, (2013, May 28), Intellectual Property Rights in a Digital World, Jisc. <https://www.jisc.ac.uk/guides/intellectual-property-rights-in-a-digital-world>

¹² G.Wiesen, (2024, January 30), What is Digital Copyright ? Wisegeek <https://www.wise-geek.com/what-is-a-digital-copyright.htm>

SCUFFLE AND CHANCES OF UTILITY IN DIGITAL COPYRIGHTS

SCUFFLES

- Any Digital matters in media are easily spread out anonymously without any consent of the creators which leads to loss for creators and leads to piracy.
- Enforcement of Digital Copyrights in various platforms according to various fields is uncertain to determine.
- Spontaneous advancement of technology, couldn't cope up with the pace of developments and copyright laws.

CHANCES OF UTILITY

- As far as we know that Digital media is a worldwide platform, the audience are all over from the globe and reach as soon as possible to the global markets leading to new revenues.
- Collaboration and remixing the content is most welcomed in Digital world where Copyrights permits to infuse Digital culture.
- Digitalized Copyrights allows to innovation of licensing models, such as subscription services, crowdfunding and micro transactions which favours both creators and the audience.
- Collaboration and remixing the content is most welcomed in Digital world where Copyrights permits to infuse Digital culture.
- Digitalized Copyrights allows to innovation of licensing models, such as subscription services, crowdfunding and micro transactions which favours both creators and the audience.¹³

LEGAL PROVISIONS

Legal measures to control the downfall of the digital Payments has also been taken by enacting Acts such as Payment and Settlement Systems Act 2007. Apart from this Commissions were also set up to deal with Digital Payments. The Report of the Commission was submitted in the year of 2016, according to which RBI has taken certain measures such as National Electronic Fund Transfer (NEFT), Master Directions on Prepaid Payment Instruments (PPI). Recent step taken by RBI includes Vision Statement on Payments and Settlements Systems in India 2019-21, Guidelines on Payment Aggravators and Gateway 2020¹⁴.

The Indian Copyright Act of 1957 protects the digital reproduction of content, be it dramatic, musical or artistic work, the same which can be read in Section 14(1)(a). Additionally, the combined rights of distribution and communication to the public too are covered under Section 2(f)(f) of the Act that protects the rights of the owners, even those of digital content, against unauthorized communication the public, in respect to the same.

Internet and Mobile Association of India v. Reserve Bank of India, is one such case which deals with Crypto currencies. The Cryptocurrency and Regulation of Official Digital Currency Bill, 2021, made digital currencies trade to be legal in India. In the year of 2022, Finance Minister Sitharaman had made in the Union Budget that, 30% would be taxed for virtual digital asset, while for transactions involving Cryptocurrencies would have deduction of 1%. Yet it was also mentioned by the Finance Minister that cryptocurrencies are not authorized to be legal tender¹⁵.

¹³ Chron Contributor, (2020, November 24), Pros & Cons of Copy Rights Law <https://smallbusiness.chron.com/pros-cons-copyright-laws-52554.html>

¹⁴ Chandana Pradeep, (2021, March 06), Legalities related to Indian Electronic Payment Systems, iPleaders <https://blog.ipleaders.in/legalities-relating-to-indian-electronic-payment-systems/>

¹⁵ Siddhartha, (2018), Legality of Cryptocurrencies in India, Legal Services

<https://www.legalserviceindia.com/legal/article-9163-legality-of-cryptocurrency-in-india.html>

SUGGESTIONS

- Making people aware of various security provisions available and enable them to be cautious of activities such as phishing, scams, hacking private details, cybercriminal activities.
- Ensuring further safety by implementing security standards, enhancing mechanisms to prevail the market price stability in digital currencies especially in case of Bitcoin to prevent the serious risk factors of investors.
- Provide solutions in terms of Technological aspect by implementation of Digital Rights Management such as techniques of water marking which would prevent unauthorized means at great extent.
- For potential non violation of digital copyrights leverage AI based monitoring tools which could scan, overview, and visually the corrupted database. Using AI at benefit of digital copyrights, AI Powered Detection Systems which are efficient enough to recognize the instances of copyrights infringement.
- Working in accordance with Developers of AI and Stakeholders of industry to promote fair use of AI technologies.

CONCLUSION

Digital World has transformed the globe as whole. Digital Payment and Digital Currencies has not only changed the technological aspects of the digital era but also the lives of the people. The digital era has landed with various chances and opportunities which could lift the stratum of life. The Digital Intellectual Property and Digital Copyrights coincide and safeguard each other from infringement. Digital creations are thus secured and recognised for the individuality, relying upon the legal protections. As the technologies evolve according to the ages, the copyright laws also duly undergo amendments and therefore, hope to be adaptive to the conditions, fostering creativity of human minds.