

ANI VS. MOHAK MANGAL – WHEN COPYRIGHT PROTECTION MEETS CONTENT CREATION

In May 2025, a prominent copyright dispute unfolded between ANI (Asian News International), one of India's largest news agencies, and YouTuber Mohak Mangal, known for producing content related to socio-political issues. At the center of this conflict were two short clips, each under 9 to 11 seconds, used by Mangal in his videos about the R.G. Kar rape case and Operation Sindoor. Though the YouTube videos were over 30 minutes long and focused on public affairs analysis, ANI issued two copyright strikes on his channel via YouTube for the usage of those 2 clips.

Mangal alleged that ANI demanded ₹45 to ₹50 lakh to retract the strikes. Given YouTube's strict "three-strike" policy, which results in permanent channel deletion, this demand placed significant pressure on him. He called it extortion and took the issue public, providing supporting materials like emails and call recordings to Union Minister Ashwini Vaishnaw. While reactions varied, the core question that emerged was did ANI enforce its copyright lawfully or did it overstep.



Fair Dealing or Foul Play?

Under India's Copyright Act, 1957, copyright holders possess strong protection. However, Section 52 of the Act provides exceptions under what is known as "fair dealing." This includes the use of copyrighted content without permission for purposes like criticism, review, or reporting current events. Mangal's videos arguably qualify under this doctrine, given their length, educational tone, and analytical purpose.

Yet, Indian law does not specify numerical limits, no set duration, a percentage of allowable use. This leads to a grey area where legality depends on the context and, ultimately, judicial discretion. Whether a 10-second clip in a long-form explainer video is lawful can only be settled by courts, making enforcement uncertain and subjective.

YouTube uses Content ID, an automated system that scans uploads for matches against registered copyrighted material. Rights holders like ANI can block videos, monetize them, or issue strikes. The system is global and not tailored to accommodate local legal doctrines like India's fair dealing. As a result, even if a creator's usage qualifies as fair under Indian law, they may still face penalties on the platform. The automated nature of Content ID, often devoid of human review, further exacerbates the problem by failing to account for context. The law may permit a use, but the platform punishes it, creating a disconnect between legal protection and practical enforcement.

- Lawful Enforcement or Legal Intimidation?
- Legally, ANI is within its rights to protect its content. Copyright law grants creators and rights holders control over the reproduction and distribution of their work. But how those rights are exercised matters. Mangal's claim that ANI used the threat of a third strike to demand an exorbitant sum introduces an ethical issue.
- Issuing strikes for brief content and then demanding large sums for withdrawal may be technically legal, but it appears punitive rather than protective. Copyright should serve to maintain a balance between ownership and creativity, not be used as a tool for coercion or suppression.

Precedents from the Bench: How Indian Courts Interpret "Fair Use"

Indian courts have recognized the nuanced nature of fair dealing. In *India TV v. Yashraj Films* (2016), the Delhi High Court ruled that using five words of a song in a news promo and a brief musical excerpt in a talk show fell within the limits of fair dealing, classifying them as *de minimis*, too minor to count as infringement. By contrast, in *Super Cassettes v. Chintamani Rao* (2011), the court rejected a defense of fair dealing where substantial portions of copyrighted work were broadcast in the name of news reporting. These judgments show that context and proportion matter, but they also reveal that establishing such context often requires costly litigation, something most content creators cannot afford.

The Invisible Hands of the Platform

In response to public backlash, YouTube clarified that it does not adjudicate copyright disputes but provides tools for both rights holders and creators. However, this framework leaves creators vulnerable. Strikes carry immediate consequences, demonetization, suppressed reach, or permanent deletion, well before legal merits are considered.

Even if a creator believes their use qualifies under fair dealing, the risks and costs of disputing a strike are often too high. Mangal's decision to go public was, in many ways, his only feasible defense. Many others may quietly pay or delete their content, even when the law is on their side.

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Finding the Balance: Between Law and Algorithms

The ANI-Mangal controversy underscores the need for reform. One possible path forward is introducing a hybrid review model on platforms, where fair-dealing claims undergo quick human evaluation before enforcement. Alternatively, India's copyright framework could benefit from judicial clarification or statutory guidelines that define permissible thresholds for fair dealing in digital contexts.

There is also a broader call for ethical conduct among rights holders. Agencies like PTI and IANS reportedly engage more collaboratively with digital creators, offering flexible licensing or allowing usage with credit. ANI's aggressive posture risks alienating the very creators who extend its reach to younger, tech-savvy audiences.



Conclusion: Copyright as a Shield, Not a Sword

This dispute goes beyond a fight between a media house and a YouTuber. It highlights the clash between 20th-century copyright doctrines, rules, regulations, and 21st-century digital real-life complications. Copyright should remain a shield, preserving the rights of content owners, rather than becoming a sword that discourages critical commentary, awareness, educational purposes, or creative transformation.

Until legal reforms are enacted and platforms evolve their enforcement mechanisms, creators will continue to operate in a high-risk environment. Whether Mohak Mangal's use qualifies as fair dealing will ultimately be a matter for courts to decide. But the larger takeaway is that copyright law must evolve in ways that protect ownership without punishing innovation, information, and education.

