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Understanding Copyright Ownership for GenAI-generated Text in ETDs: Legal Framework and Challenges in Bangladesh

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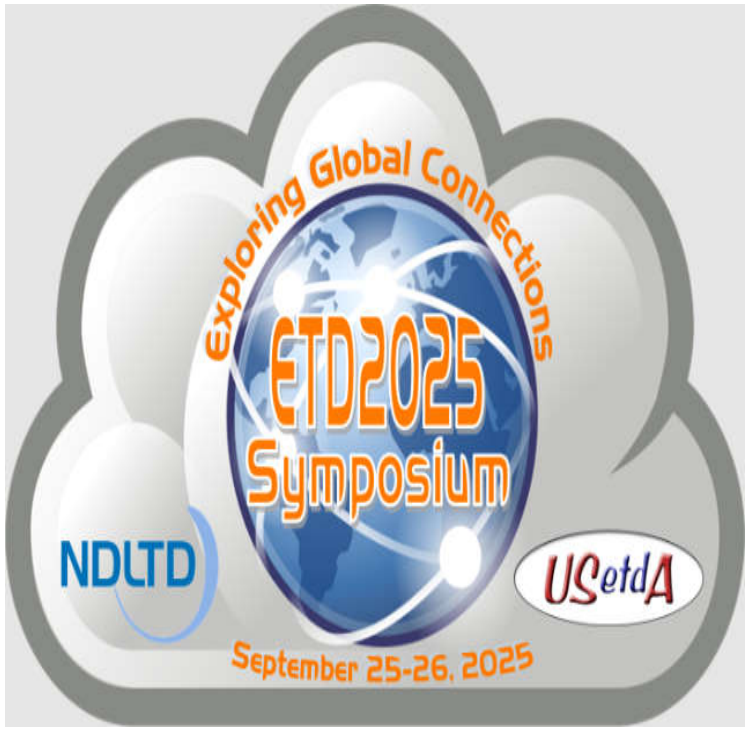
25-26 September, 2025

Acknowledgment



ETD 2025, the 28th international symposium on electronic theses and dissertations (ETDs) and
USETDA 2025, the 15th national US conference on ETDs
Joint virtual event via Zoom
September 25 @ 11:00 am - September 26 @ 9:00 pm EDT
USA

Structure of the Talk

- Introduction/Background
- Methodology
- Results
- Copyright Ownership Perspectives
- Copyright Ownership in ETDs
- Copyright Ownership under Bangladesh Copyright Act, 2000
- Copyright Ownership in ETDs: Advanced vs. Developing Countries
- Results
  Findings and Discussion
- Legal Framework and Challenges for GenAI Content in ETDs (Bangladesh)
- Conclusion
- References

Background of the Study

Generative AI (GenAI) tools, such as those used for generating text, have become increasingly popular in academic research, particularly in the creation of Electronic Theses and Dissertations (ETDs). These AI tools can produce significant portions of text, raising important questions about copyright ownership. Traditionally, copyright laws grant ownership of creative works to human authors, but it's unclear who owns the rights to works created by AI. This issue is particularly pressing in Bangladesh, where copyright laws are still evolving, and academic regulations regarding AI use are not fully established.

As AI-generated content becomes more common, understanding how copyright laws apply to such content in ETDs is crucial for researchers and institutions in Bangladesh.

Problem Statement

The adoption of Generative AI in creating Electronic Theses and Dissertations (ETDs) in Bangladesh creates a critical legal void in copyright ownership. The national Copyright Act of 2000 only recognizes human authors, leaving AI-generated works without legal protection. This ambiguity leads to disputes over whether rights belong to the student, AI developer, or university. Furthermore, a lack of institutional policies and ineffective plagiarism detection tools heightens risks of academic dishonesty. This situation demands urgent legal and academic reforms to clarify ownership and uphold integrity.

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Scope of the Study →

This study examines the legal framework, institutional challenges, and ethical implications of copyright ownership for Generative AI-generated text in Electronic Theses and Dissertations within the context of Bangladesh.

Relevance of the Study →

This research addresses urgent legal and academic integrity challenges posed by AI-generated content in Bangladeshi higher education.

Research Question →

Who owns the copyright of AI-generated text in Bangladeshi academic theses, and what legal reforms are needed?

Methodology

Qualitative Method

This study takes a qualitative approach to examine the copyright implications of AI-generated content in ETDs in Bangladesh. It involves reviewing Bangladesh's existing copyright laws, such as the Copyright Act of 2000, and considering how they apply to AI-generated text. Additionally, the research includes interviews with legal experts, academics, and university officials to better understand the practical challenges surrounding the use of AI tools in academic work. Secondary research is also conducted, reviewing articles, legal documents, and reports on the copyright issues related to AI-generated content.

Copyright Ownership Perspectives

1

Under the Bangladesh Copyright Act, 2000, copyright ownership is exclusively granted to human authors, creating a legal void for AI-generated works.

2

Academically, attributing authorship to the researcher raises significant ethical concerns regarding originality and plagiarism.

5

This ambiguity leads to a three-way debate over whether ownership of such content should belong to the user of the AI tool, the developer of the AI, or the academic institution providing the resources.

3

Institutions may also assert ownership claims if their platforms are used to generate the content.

4

These conflicting perspectives highlight a critical lack of consensus and an urgent need for legal and policy reform in Bangladesh.

Copyright Ownership in ETDs

1. The copyright status of AI-generated text within Electronic Theses and Dissertations (ETDs) is a complex and unresolved issue in Bangladesh.
2. Legally, the Copyright Act of 2000 offers no protection, as it recognizes only human authors, leaving AI-produced content in a void.
3. This creates significant ambiguity over whether ownership belongs to the student user, the AI developer, or the academic institution.
4. From an academic standpoint, attributing authorship to the student raises serious ethical concerns regarding originality and constitutes plagiarism if not properly disclosed.
5. Furthermore, universities lack clear policies to govern the use of AI in ETDs, increasing the risk of academic dishonesty and ownership disputes.
6. This legal and institutional uncertainty ultimately undermines academic integrity and highlights an urgent need for comprehensive legal and policy reforms.

Copyright Ownership under Bangladesh Copyright Act, 2000

1. The Bangladesh Copyright Act, 2000 establishes that the human creator of an original work is recognized as the author and is the first owner of the copyright.
2. Ownership can be transferred from the author to an employer or commissioning party if the work is created under a specific contract or in the course of employment.
3. The law grants authors exclusive economic rights, including the rights to reproduce, distribute, adapt, and publicly communicate their work.
4. A fundamental principle of the Act is that it explicitly limits authorship and copyright ownership to human beings.
5. Consequently, works generated by machines or artificial intelligence are not granted any legal recognition or copyright protection under this framework.
6. This creates a significant legal gap that fails to address the ownership of content created by modern technologies like Generative AI.
7. The current law is therefore ill-equipped for the digital age, highlighting a pressing need for legislative reform to accommodate non-human authorship.

Results

1. **The research found that current copyright laws in Bangladesh do not specifically address the issue of content created by AI.**
2. **According to the Copyright Act of 2000, only human creators are recognized as authors, leaving a gap in the law when it comes to works generated by machines (Bangladesh Copyright Act, 2000).**
3. **Legal experts interviewed for the study agree that it's unclear who should own the rights to AI-generated content—whether it should be the person who created the AI, the person using the AI, or the institution that owns the AI.**
4. **Furthermore, many universities in Bangladesh do not have clear policies for handling AI-generated text in ETDs, which could lead to issues like plagiarism or unintentional copyright violations.**
5. **Additionally, plagiarism detection systems in Bangladesh's academic institutions are often not equipped to identify AI-generated content, making it difficult to enforce copyright laws and uphold academic standards.**

Results Contd...

Copyright Ownership in ETDs: Advanced vs. Developing Countries

Advanced Countries (e.g., US, UK, EU Nations):

Legal Perspective: Most jurisdictions, like the US and UK, adhere to a "human authorship" requirement, explicitly stating that copyright protection does not extend to non-human entities (U.S. Copyright Office, 2023). This typically leaves AI-generated works in the public domain or in a state of uncertain ownership.

Institutional Practice: Leading universities are proactively developing stringent policies that often require full disclosure of AI tool usage, set boundaries for acceptable assistance (e.g., not for core analysis or writing), and mandate proper citation of AI-generated content to avoid plagiarism (Harvard University, 2023).

Technological Adaptation: Institutions invest in and utilize advanced AI-detection software (though imperfect) alongside traditional plagiarism checkers to identify AI-generated text and uphold academic integrity standards (Smith, 2021).

Ongoing Debate: There is active, sophisticated debate among policymakers and legal scholars about potential new models, such as creating a sui generis (unique) right for AI-generated outputs or allocating rights to the user who provided the creative prompt (European Commission, 2022).

Developing Countries (e.g., Bangladesh, as a case study):

Legal Perspective: Copyright laws (e.g., Bangladesh Copyright Act, 2000) are outdated and silent on AI, also requiring human authorship (Ministry of Law, Justice and Parliamentary Affairs, 2000). This creates an identical legal void but within a system that has less capacity for rapid reform or judicial interpretation.

Institutional Practice: There is a widespread lack of formal policies. Universities often have no clear guidelines on disclosure, acceptable use, or ownership of AI-assisted work, leading to ad-hoc decisions and high risk of academic misconduct (Rahman, 2022; Shaikh & Hossain, 2023).

Technological Gap: Plagiarism detection systems are often outdated and lack AI-recognition capabilities, making it nearly impossible to enforce existing academic integrity rules against AI-generated plagiarism (Smith, 2021).

Primary Challenge: The focus is on awareness and foundational capacity building rather than nuanced debate. The urgent need is for basic legal reforms, creating simple clear policies, and acquiring affordable technological tools to address the challenge (Shaikh & Hossain, 2023).

Summary: While both advanced and developing countries face the same core legal problem of the "human authorship" requirement, advanced countries are focused on managing and ethically integrating AI through policy and technology, while developing countries are struggling with a complete lack of preparedness and foundational frameworks.

Discussion

1. Bangladesh's Copyright Act, 2000, does not recognize AI as an author, creating a legal void.
2. There is no consensus on whether ownership belongs to the user, developer, or institution.
3. Students using GenAI in ETDs risk plagiarism and misattribution due to a lack of clear rules.
4. Universities lack comprehensive policies to govern the ethical use of AI in academic work.
5. Existing plagiarism detection tools are ineffective at identifying AI-generated content.
6. This ambiguity undermines academic integrity and creates uncertainty for students and supervisors.
7. Legal experts and academics agree current frameworks are unprepared for AI-generated content.
8. The situation creates a high potential for authorship disputes and copyright infringement.
9. There is an urgent need for legal reform to explicitly address AI-generated works.
10. Institutional guidelines and advanced detection technology are critically needed to uphold standards.

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Legal Framework and Challenges for GenAI Content in ETDs (Bangladesh)

- **Human-Centered Law:** The Bangladesh Copyright Act, 2000 identifies only human creators as copyright owners. AI-generated text is excluded, leaving a legal gap for ETDs produced with GenAI (Bangladesh Copyright Act, 2000).
- **Ambiguity in Authorship:** When students use GenAI in ETDs, it is unclear whether ownership belongs to the student, the AI developer, or the university, as the law provides no direct guidance (Rahman, 2022).
- **Academic Integrity Concerns:** The absence of explicit institutional policies on GenAI use increases risks of plagiarism, misattribution, and ethical breaches in academic submissions (Shaikh & Hossain, 2023).
- **Institutional Ownership Issues:** Universities may attempt to claim rights over AI-assisted ETDs created using their resources, but there is no standardized framework across institutions.
- **Detection Limitations:** Plagiarism detection systems in Bangladesh are not designed to identify AI-generated outputs, making it difficult to monitor originality (Smith, 2021).
- **Urgent Reform Needs:** Without legal and academic reforms, uncertainty over authorship, accountability, and copyright enforcement will persist, threatening academic credibility in the era of AI-driven research.

Conclusion and Recommendations

Bangladesh's existing copyright framework does not adequately address the complexities of AI-generated content in ETDs, making reform essential. To ensure academic integrity and clarity, several actions are recommended:

- **Legal Reform:** Amend the Bangladesh Copyright Act, 2000 to explicitly define ownership and authorship of AI-generated works, determining whether rights belong to the student, user, or institution (Bangladesh Copyright Act, 2000).
- **Institutional Policies:** Universities should adopt comprehensive guidelines for GenAI use in ETDs, including citation practices, ethical standards, and clear boundaries for acceptable use (Rahman, 2022).
- **Capacity Building:** Organize workshops and training programs for students and faculty to enhance understanding of copyright responsibilities, plagiarism risks, and proper AI usage (Shaikh & Hossain, 2023).
- **Technology Integration:** Invest in advanced plagiarism detection systems with AI-recognition capabilities to ensure originality and compliance with copyright standards (Smith, 2021).
- **Academic Transparency:** Establish integrity charters that require disclosure of AI involvement in research to promote accountability and trust.
- **Collaborative Governance:** Encourage cooperation among policymakers, universities, and legal experts to create a harmonized national framework for managing GenAI in academic settings.

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25-26 September, 2025