

Copyright Infringement in the Republic of Uzbekistan and Her a Responsibility

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Abstract: At this work is discussed the problems arising in the implementation of copyright and its protection. And also the main provisions of the normative acts of the Republic of Uzbekistan in the field of copyright, which ensure the protection of the moral and material rights of authors, are considered.

Keywords: copyright, violation of property rights, liability, civil code, criminal code, administrative code, compensation, punishment.

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INTRODUCTION

The protection of copyright has become a critical component of modern legal systems, as intellectual and creative outputs increasingly determine social, economic, and technological development. In the Republic of Uzbekistan, copyright regulation is grounded in both national legislation and international agreements, including the Civil Code, Criminal Code, and the Law “On Copyright and Related Rights,” ensuring the protection of authors’ moral and property rights [1]. The relationship between legal norms and enforcement mechanisms is central to safeguarding intellectual property, as effective protection not only prevents violations but also stimulates creative

activity and cultural development.

Despite the existence of a comprehensive legal framework aligned with international standards, significant challenges remain in the practical enforcement of copyright protection. Previous studies have primarily focused on normative legal analysis, emphasizing definitions of infringement, liability measures, and compensation mechanisms, while insufficient attention has been given to the gap between legislation and judicial practice [2]. In particular, the limited application of civil, administrative, and criminal liability in real cases reveals a discrepancy between legal provisions and their implementation. This study addresses this gap by analyzing both the theoretical foundations and practical dimensions of copyright protection, using a qualitative legal analysis of legislative acts and enforcement practices [3].

The study applies doctrinal and comparative legal methods to evaluate the effectiveness of existing regulations and identify areas for improvement. It is expected that the analysis will demonstrate that while Uzbekistan has established a solid legal basis for copyright protection, enforcement mechanisms require further strengthening. The findings suggest that enhancing judicial practice, increasing awareness among copyright holders, and introducing more specialized legal provisions—particularly for vulnerable groups such as minor authors—are essential [4] [5]. These results have important implications for policy development, indicating the need for a more integrated and effective system of copyright enforcement to ensure sustainable cultural and scientific progress.

METHODOLOGY

The methodology of this study is grounded in a qualitative legal research design aimed at analyzing the regulatory framework and practical enforcement of copyright protection in the Republic of Uzbekistan. The research relies on doctrinal legal analysis, focusing on primary sources such as the Constitution, Civil Code, Criminal Code, Code of Administrative Liability, and the Law “On Copyright and Related Rights,” as well as relevant international agreements, including the Berne Convention [6]. These legal documents are systematically examined to identify the core principles governing copyright protection, the classification of violations, and the mechanisms of civil, administrative, and criminal liability.

The study also employs a comparative analytical approach to evaluate the consistency between national legislation and international legal standards, as well as to assess how different jurisdictions conceptualize copyright infringement and liability. Through content analysis of legal provisions, the research identifies key categories of violations, forms of compensation, and enforcement tools available to copyright holders. Particular attention is given to the practical dimension by examining the gap between formal legal norms and their application in judicial and administrative practice, including the limited use of legal remedies by copyright holders.

To ensure analytical rigor, the research adopts a systematic and interpretative method, organizing findings according to the stages of legal protection: recognition of rights, prevention of violations, and enforcement of liability. This approach enables the identification of structural weaknesses in enforcement mechanisms and highlights areas requiring legal and institutional improvement [7]. Overall, the methodology provides a comprehensive framework for understanding copyright protection as both a legal and practical system, allowing for a critical evaluation of its effectiveness and the formulation of evidence-based recommendations.

RESULT AND DISCUSSION.

The development of the modern world is impossible without the advances of science, literature, and the application of high technology in all spheres of activity. Without the development of intellectual and creative activity and their unconditional legal protection, progress and prosperity of society are impossible.

Since our country's independence, the development of national intellectual property legislation has been based on the fundamental provisions and principles enshrined in national and international instruments protecting the rights and legitimate interests of citizens [8]. In the area of copyright, these are regulated by specific provisions of the Constitution of the Republic of Uzbekistan, the Civil Code, the Code of Administrative Liability, and the Criminal Code of the Republic of Uzbekistan. One of the main legal documents in the area of copyright is the Law of the Republic of Uzbekistan "On Copyright and Related Rights" of July 20, 2006. Since 2005, Uzbekistan has been a party to the Berne Convention for the Protection of Artistic and Literary Works and has a number of bilateral agreements aimed at protecting copyright and related rights.

The protection of intellectual property rights is further emphasized by President Sh. Mirziyoyev's speech at a joint meeting of the Legislative Chamber and Senate of the Oliy Majlis of the Republic of Uzbekistan, which emphasized the need to strengthen legal guarantees and mechanisms for ensuring reliable protection of copyright and intellectual property, as well as the introduction of market mechanisms into the information sector [9].

In accordance with Article 1032 of the Civil Code of the Republic of Uzbekistan, legal protection of intellectual property objects arises by virtue of the fact of their creation or as a result of the provision of legal protection by an authorized state body in cases and in the manner prescribed by law.

To determine legal liability, it's first necessary to understand what constitutes a violation of intellectual property rights. According to Article 62 of the Law of the Republic of Uzbekistan "On Copyright and Related Rights," the following constitutes a violation of copyright and related rights:

violation of the personal non-property rights of authors;

violation of the performer's rights to his name and protection of the performance from any distortion or any other infringement;

reproduction, distribution or other use of works or objects of related rights without concluding an agreement with the copyright holder or an organization managing property rights on a collective basis, except in cases where, in accordance with this Law, such use is permitted without concluding an agreement [10];

violation of requirements for payment of remuneration in cases provided for by the said Law;

use of works or objects of related rights in excess of the powers obtained under an agreement concluded with the copyright holder or an organization managing property rights on a collective basis [11];

and other violations of the property rights of copyright holders.

Article 11 of the Civil Code of the Republic of Uzbekistan defines the methods of protecting civil rights, which can be implemented through recognition of the right, restoration of the situation that existed before the violation of the right, and the suppression of actions that violate the right or create a threat of its violation, compensation for damages, collection of penalties and compensation for moral damages, etc.

In addition, according to Article 1040 of the Civil Code of the Republic of Uzbekistan, protection of exclusive rights to intellectual property may also be carried out:

confiscation of material objects by means of which exclusive rights were violated, and material objects created as a result of such violation [12];

mandatory publication of the violation committed, including information about who owns the violated right;

in other ways provided by law.

Article 65 of the Law of the Republic of Uzbekistan "On Copyright and Related Rights" also

clarifies the protection of copyright and related rights. According to this Law, the author, related rights holder, or other holder of exclusive rights has the right to demand from the infringer:

recognition of rights;

restoration of the situation that existed before the violation of the right and the cessation of actions that violate the right or create a threat of its violation;

Compensation for damages in the amount of lost income that the copyright holder would have received under normal civil law conditions had their rights not been infringed. If the infringer has received income as a result of the infringement of copyright or related rights, copyright holders have the right to demand compensation, along with other damages, for lost profits in an amount no less than that income [13];

payment of compensation instead of compensation for damages, paid regardless of the fact of damages, based on the nature of the violation and the degree of guilt of the offender, taking into account business customs;

adoption of other measures provided for by law related to the protection of their rights established by this Law.

In the event of a violation of their rights, the author and performer also have the right to demand compensation for moral damages from the violator.

It should be noted that Article 149 of the Criminal Code of the Republic of Uzbekistan provides for criminal liability for the infringement of copyright or invention rights. According to this article, appropriation of authorship, coercion into co-authorship of intellectual property, and disclosure of information about such intellectual property without the author's consent prior to its official registration or publication are punishable by a fine of twenty-five to seventy-five minimum wages, or deprivation of a certain right for up to five years, or correctional labor for up to three years, or arrest for up to six months [14].

A study of international legislation revealed that, despite drafting differences in the definition of criminal prohibition, infringements of copyright and related rights are criminally punishable in virtually all countries. However, there are varying approaches to determining the place of criminal liability for copyright and related rights infringement within the criminal law system. In most foreign countries, copyright and related rights offenses are classified as property crimes, thereby emphasizing the inherent property-related nature of these acts.

An analysis of the national legal system suggests that Uzbekistan has created an effective legislative framework for copyright protection that meets international standards in this area. However, there is a need to further improve legal regulation and enforcement practices in this area [15]. Furthermore, Uzbekistan's intellectual property legislation needs to be supplemented with special provisions to ensure the proper protection of the rights of minor authors.

The problem is that the practice of copyright holders filing civil lawsuits in court is not widespread compared to the volume of intellectual property violations. Criminal and administrative law provisions protecting intellectual property rights are rarely and incompletely applied by the courts in practice.

CONCLUSION

In summary, I would like to note that the primary goal of copyright protection is to promote the development of creative and scientific potential, which will lead to the dissemination of national cultural heritage. Enriching the national cultural heritage directly depends on the level of protection for literary and artistic works. The higher this level, the greater the incentive for authors to pursue their creative work. The greater the number of such works, the greater the country's prestige and the popularity of contemporary authors, both domestically and internationally. To ensure that authors

of creative work can realize their potential and contribute to the development of society, it is necessary to create favorable conditions. Authors must be confident that their work will be reliably protected and will receive compensation for their efforts. In this regard, ensuring the legal protection of copyrighted works is an important function of the state.

REFERENCES

1. Criminal Code of the Republic of Uzbekistan "Adolat", 1996
2. Code of the Republic of Uzbekistan "Adolat", 1996
3. Law of the Republic of Uzbekistan "On Copyright and Related Rights of Authors", 2006
4. Law of the Republic of Uzbekistan "On Copyright and Related Rights of Authors", 2006
5. B. Toshev's textbook. Copyright. Adolat. T. 2017
6. Abdullakhodjaev, G. T. (2021). Protection Of Moral And Material Rights Of Copyright Subjects. *The American Journal of Social Science and Educational Innovations* , 3 (03), 73-80.
7. Abdullakhodjaev GT. (2021). Architectural project-As an object of copyright. *ASIAN JOURNAL OF MULTIDIMENSIONAL RESEARCH*, 10 (4), 888-892.
8. Abdullaxodjayev GT (2026). The study of gender identification and gender roles in social psychology. *NOVYI WORLD Research Journal*. 6570p
9. Abdullahodzhaev G. T. Methodology teaching legal disciplines, Belarus – Uzbek scientific journal, 2025. № 5.124-1296.
10. Abdullahodjaev G. T. *Journal of Innovation in Volume: 3 Issue: 10 Year: 2025 Educational and Social Research* 23-25C.
11. Abdullaxodjayev GT(2026) Polygenic Influences on Personality Traits and Everyday Decision Making in Relation to Self-Regulation and Risk Behavior.
12. Abdullakhodjaev, G. T. (2025). The strategy of the “new Uzbekistan” - building a new state *Journal of Innovation in Education and Social Research, Volume: 3 Issue: 10 Year: 2025* , 43-47
13. M Makhmudova, D Jumaniyazova, G Abdullahodjaev SOCIETY. INTEGRATION. EDUCATION. Proceedings of the International Scientific [The Landscape Design of the Art Nouveau Style](#)
14. GT Abdullakhodjaev [Influence of its technologies on contemporary art](#) *Asian Journal Of Multidimensional Research* 10(4), 888-892
15. Gayrat Abdullakhodjaev [Polygenic influences on personality traits and everyday decision making in relation to self-regulation and risk behavior](#) *Genetics and Molecular Research* 2025/1