



The Peerian Journal

Open Access | Peer Reviewed

Volume 8, July, 2022.

Website: www.peerianjournal.com

ISSN (E): 2788-0303

Email: editor@peerianjournal.com

Copyright Protection Is One Of The Most Important Issues In Art

Alimov Nodir Yunusovich,

Associate Professor of the Department of "Social Sciences, Pedagogy and Vocational Education" of the National Institute of Arts and Design named after Kamoliddin Behzod

Annotation: The production of counterfeit products and the fight against its sale, the observance of the rights of authors and copyright holders is one of the important issues not only in jurisprudence, but also in art history.

Key words: copyright, property rights, personal non-property rights, copyright holders, authors, counterfeit products, intellectual property agency.

Today, the implementation of complex measures includes increasing the intellectual knowledge of the younger generation, introducing students to the cultural and educational heritage [1, 54].

On January 28, 2022, the President of the Republic of Uzbekistan Shavkat Mirziyoyev signed Decree PF-60 "On the Development Strategy of New Uzbekistan for 2022-2026", which defines the development of the country for the next five years. This document sets 100 goals, including the development of proposals for the harmonization of national legislation in the field of intellectual property protection with the requirements of the agreements of the World Trade Organization in order to join this organization and deepen the integration process with the Eurasian Economic Union. One of the two most important requirements for membership in the World Trade Organization is to ensure an adequate level of protection of intellectual property rights in the candidate country for membership.

Since most of the staff and students of the National Institute of Arts and Design named after Kamoliddin Behzod are authors, it is desirable that they have a thorough knowledge of legal knowledge in the field of copyright, related rights and patent law, which are integral parts of intellectual property law.

The granting of copyright and related rights creates the necessary conditions for the development of creativity, allows the recognition of authors and the receipt of material rewards due to them. This state protection system ensures that the works of authors are not illegally distributed, which in turn allows people all over the world to enjoy cultural richness and purchase original, high-quality products.

Copyrighted works of art and spirituality must be made available to the public, and these works must be of high quality in every sense. This requires finances: therefore, the authors, not being able to reproduce and sell their works, transfer their property rights to other persons under certain conditions under a license agreement. According to Article 19 of the Law of the Republic of Uzbekistan "On Copyright and Related Rights", the author owns the following property rights (exclusive rights): the right to distribute, the right to bring to the public, the right to rent, the right to import, the right to communicate by cable, the right to rework, the right to public display, the



The Peerian Journal

Open Access | Peer Reviewed

Volume 8, July, 2022.

Website: www.peerianjournal.com

ISSN (E): 2788-0303

Email: editor@peerianjournal.com

right to public performance, the right to broadcast, the right to translate, the right to re-communication to the public, the right to remuneration [2, 78].

Legal entities and individuals, except for the cases provided for by this law, may use the work only under an agreement with the right holder or other authorized person, including under an agreement with organizations managing property rights on a collective basis, or, in their absence, under an agreement with the organization that performs the functions and duties of these organizations.

According to the requirements of the agreements of the World Intellectual Property Organization, the protection of property rights in the field of copyright is minimally limited to 50 years after the death of the author. In our national legislation, this period is 70 years after the death of the author. The longer the period of protection, the greater the chance that the author himself and his heirs will receive economic benefits.

In addition to property rights, copyright includes personal non-property rights. According to Article 18 of the Law of the Republic of Uzbekistan "On Copyright and Related Rights", the author of the work owns the following personal non-property rights : the right to be recognized as the author of a work, the right to an author's name, the right to publish or allow the publication of a work in any form, the right to withdraw a work, the right to protect a work, including its title, from any distortion or any other encroachment that could damage the honor and dignity of the author .

The author or copyright holder of a work may carry out an administrative or judicial procedure by inspecting the premises to detect traces of counterfeit copies of the original protected work that were illegally stored or produced by the offender. The right holder may prohibit such activities in court and demand compensation for damage caused as a result of the loss of material gain, as well as the disclosure of the real name of the author.

The author has the right to exercise his rights independently at his own discretion, and can also protect his rights through organizations that manage the property rights of authors on a collective basis. In order to ensure the property rights of authors, performers, producers of phonograms and other right holders in organizations where their implementation on an individual basis is difficult (in public performance, as well as on radio and television, in mechanical, tape recorder, digital, etc.), organizations that manage property rights of authors on a collective basis represent the interests of holders of copyright and related rights within the powers granted to them under an agreement with the right holders.

Currently, the following organizations operate that manage the property rights of authors on a collective basis: the Agency for Intellectual Property under the Ministry of Justice of the Republic of Uzbekistan, the Society for the Protection of Copyright and Related Rights of the Republic of Uzbekistan, the Chamber for the Protection of Copyrights of Artists, Creators and Performers.

It is expedient for authors to conclude agreements on the management of property rights with the above organizations in order to protect their rights and legitimate interests and pay remuneration to users. The conclusion of this agreement will allow the effective implementation of copyright and receive a constant remuneration for the use of works.

The Berne Convention is one of the main international treaties for the protection of copyright in works of science, literature and art. All States parties to the Convention are equal in terms of obligations, legal capacity or privileges.



The Peerian Journal

Open Access | Peer Reviewed

Volume 8, July, 2022.

Website: www.peerianjournal.com

ISSN (E): 2788-0303

Email: editor@peerianjournal.com

It should be noted that the intellectual property sector is becoming an important part of the economy of each country. Therefore, the development of intellectual property protection, strengthening the fight against counterfeiting is an urgent task. "Counterfeiting" in intellectual property practice means the reproduction, reprint, forgery and distribution of a work without the permission of the copyright holder.

In our country, appropriate measures are being taken to comply with the norms of the Berne Convention, to eliminate the material and moral damage caused to authors and copyright holders [3, 27]. However, there are cases of smuggling, unauthorized copying and sale of works on the territory of our country. In some cases, published works are used without permission from the author.

In this case, first of all, the authors should apply to the relevant authorities to restore their violated rights. National legislation provides appropriate sanctions for copyright infringers [4, 917]. For example, unlicensed DVDs, songs, movies stored in CD memory are sold in our markets. This is detrimental to authors, as well as to copyright holders (for example, Taron Records, which records a work, pays the author an honorable amount, and sells the work). The reason is that the seller who sells this counterfeit on the market sells "his product" at a price 2-3 times cheaper than the author, because he does not deduct royalties, does not pay taxes, and does not use high-quality discs. The consumer tries to buy the product cheaper, some do not distinguish the difference in quality. Due to the cheapness of the goods, the seller of counterfeit products can sell a large number of "pirated" discs. As a result, when a disk is inserted into a computer, laptop or other equipment, the image jumps during viewing, the sound and the image do not match [5, 52].

Since the start of the pandemic, more and more people have switched to using the services of Internet providers. Providers provide a catalog of audio and video films. The legitimacy of these hosted resources is also questionable [6, 62].

In our country, there are a number of organizations that protect the rights of intellectual property owners, authors and ensure the rule of law in this area: the Agency for Intellectual Property under the Ministry of Justice, the General Prosecutor's Office, the State Tax Committee, the Ministry of Internal Affairs, the State Customs Committee, courts, advocacy. In addition, it is advisable to allow Encourage the creation of private firms to prevent infringement and enforce intellectual property rights. If this is done, these firms will protect the rights of the copyright holder, the author and work effectively for their own profit [7, 17].

In conclusion, I would like to emphasize that in the process of transition to market relations, it is necessary to create both legal and practical conditions for all members of society, especially authors. Due to "plagiarism", illegal use and other illegal actions, the author, the copyright holder suffers both moral and material damage. From the point of view of art criticism, this situation has a negative impact on the spirit of creativity, hindering the creation of works of world significance. Strengthening the fight against counterfeiting will force the "pirates" to move to legal activities, to cooperate with authors and copyright holders, that is, to conclude agreements with them, and will also increase the observance of the rule of law by members of society.



The Peerian Journal

Open Access | Peer Reviewed

Volume 8, July, 2022.

Website: www.peerianjournal.com

ISSN (E): 2788-0303

Email: editor@peerianjournal.com

List Of Used Literature:

1. Utanova, U. A. (2019). Scientifically-Philosophical Analysis Of Cultural And Spiritual Heritage. International Journal on Integrated Education, 2(1), 53-55.
2. Abdullakhodjaev, G. T. (2021). Protection Of Moral And Material Rights Of Copyright Subjects. The American Journal of Social Science and Education Innovations, 3(03), 73-80.
3. Alimov N. Yu. COPYRIGHT PROTECTION THROUGH BLOCKCHAIN //Actual scientific research in the modern world. – 2019. – no. 5-6. - S. 26-28.
4. Alimov, N. Y. (2021). Architectural project-As an object of copyright. ASIAN JOURNAL OF MULTIDIMENSIONAL RESEARCH, 10(4), 914-918.
5. Yunusovich, A. N. Occasional Use Of Others Work. The American Journal of Social Science and Education Innovations, 3(05), 47-52.
6. Utanova U. “KOMPYUTER AXBOROT MADANIYATI”-SUBMADANIYATNING VUJUDGA KELISHI // Kamoliddin Behzod nomidagi Milliy rassomlik va design institute AKHBOROTNOMASI ilmiy-amaliy journal. - 2021. - V. 5. - No. 03. - S. 62-66.
7. Umarova M. SOCIO-ECONOMIC REFORMS DURING THE GOVERNMENT OF BUKHARA EMIR SHAKHMURAD // SOCIAL SCIENCES IN THE MODERN WORLD: POLITICAL SCIENCE, SOCIOLOGY, PHILOSOPHY, HISTORY. - 2020. - S. 17-20.