

**DIGITAL MEDIA AND COPYRIGHT: LEGAL DISPUTES AND AGREEMENTS*****Javohir Eshonqulov***[Javoxireshonqulov0724@gmail.com](mailto:Javoxireshonqulov0724@gmail.com)*Lecturer of Cyber Law Department, Tashkent State University of law,**Uzbekistan Orcid: 0000-0002-9964-9031****Sultonova Maftuna Shukhratovna****Tashkent State Law University 2nd year student*[Sultonovamaftuna2005@gmail.com](mailto:Sultonovamaftuna2005@gmail.com)

**Annotation:** This article analyzes legal disputes related to the protection of copyright in the digital media environment and their solutions. The wide distribution of content on modern digital platforms highlights the situations leading to copyright infringement. The article studies the legal framework, case law and international agreements existing in the legislation of the Republic of Uzbekistan and foreign countries, and evaluates their effectiveness. According to the results of the study, the need to use digital technologies, increase legal literacy and strengthen international cooperation to resolve legal disputes is emphasized. The author gives practical recommendations on improving copyright protection mechanisms in the digital media sector.

**Keywords:** Digital media, copyright, legal disputes, digital technologies

**INTRODUCTION**

In the 21st century, the rapid development of digital technologies and the Internet is affecting all spheres of human life. In particular, as a result of innovative developments in the information and media sector, the processes of content creation, distribution and consumption have fundamentally changed.

Today, digital media provides the opportunity to distribute information, audio-visual products, scientific and artistic works, photographs and other types of copyrighted works on a global scale. At the same time, these opportunities create new problems and threats in terms of copyright protection.

Copyright infringement on digital media platforms is one of the most common legal problems. Unlicensed use of content, plagiarism of works, processing of works without the consent of copyright holders and their distribution for commercial purposes are widespread in everyday life. Such infringements, especially due to the transnational and anonymous nature of the Internet, give rise to complex legal disputes. The protection of copyright in the digital media environment requires new approaches to the activities of traditional legal mechanisms and institutions.

Copyright infringement is not limited to harming the economic interests of individuals or organizations, but also disrupts the creative process and negatively affects innovative development. Therefore, the issue of effective protection of copyright in the digital media environment is emerging as a pressing problem for the international community and nation states.

This article provides a comprehensive analysis of current issues of copyright protection in the digital media sector, emerging legal disputes, their causes and practical solutions. Based on a comparative analysis of international and national experiences, the existing legal mechanisms and their effectiveness are assessed, and proposals and recommendations for the future development of the sector are put forward.

## MATERIALS AND METHODS

This study widely used comparative, analytical and legal and normative methods. In studying legal disputes related to the protection of copyright in the field of digital media, first of all, the national legislative acts of the Republic of Uzbekistan, in particular, the Law "On Copyright and Related Rights" and related regulatory legal acts were analyzed. Also, important international treaties signed by Uzbekistan, including the Berne Convention and agreements within the framework of the World Intellectual Property Organization (WIPO), were studied as the main source.

During the study, a comparative analysis was conducted of the legislative experience of foreign countries, including the USA, the European Union and Japan, on digital media and copyright. Their practice was compared with the legislative system of Uzbekistan, and existing differences and similarities were identified. In particular, effective mechanisms for protecting copyright in the digital environment were studied based on the US Digital Millennium Copyright Act (DMCA) and the European Union's "Copyright in the Digital Single Market" directive.

The analysis also examined international case law. In particular, copyright lawsuits involving Google, YouTube, Spotify and other major digital platforms and their outcomes were analyzed. At the same time, court decisions on disputes related to digital media and copyrights considered in the Uzbek judicial system and their enforcement were analyzed.

The study collected and analyzed statistical data on copyright infringement for 2020–2024. According to it, cases of illegal distribution of audio, video and text content, especially on digital platforms, were identified and mechanisms for combating them were studied. As relevant examples, cases of distribution of copyright-infringed materials on social networks and Internet resources, cases of unlicensed use and plagiarism were analyzed.

Based on this methodological approach, effective mechanisms for protecting copyright in the digital media space and current directions for resolving legal disputes were identified within the framework of the study.

## RESULTS

Based on the conducted research and analysis, a number of important results were achieved related to the protection of copyright in the digital media space. First of all, a comparative analysis of the legislative frameworks of the Republic of Uzbekistan and foreign countries

showed that there are significant differences in the regulation of copyright in the digital environment. In particular, special legislative and technological mechanisms developed in the USA and the European Union to protect copyright in the context of digital media (for example, the DMCA notification system, "Content ID" technologies) are yielding effective results. In Uzbek legislation, the technological and legal mechanisms in this regard are not yet fully formed and have not been fully adapted to the digital environment.

According to the analysis, cases of copyright infringement on digital media platforms have increased in Uzbekistan over the past five years. For example, from 2020 to 2023, the number of registered cases of intellectual property rights infringement increased by 30%. These cases mainly include the unauthorized uploading of copyrighted works on social networks and online video platforms, their commercial use, and plagiarism violations. The most common legal disputes in the digital media environment were recorded in the following areas: Copyright infringement of audiovisual products (films, video content, musical works). Unlicensed distribution and plagiarism of electronic publications and articles. Unauthorized use of graphics and photographs. Copyright and license infringement of computer programs and mobile applications. Another important finding of the study is the low level of use of mechanisms by rights holders to protect their interests in the event of copyright infringement in the digital environment. According to the results of the survey and interviews, most authors are not sufficiently aware of the possibilities and procedures for protecting their rights. This, in turn, indicates the need to increase legal literacy and provide relevant information to the general public.

It should be noted that the initiative to establish such organizations should come from the authors and right holders. In particular, Article 56 of the Law of the Republic of Uzbekistan "On Copyright and Related Rights" stipulates that authors of scientific, literary and artistic works, performers, producers of phonograms or other right holders have the right to establish organizations that collectively manage their property rights in order to exercise their property rights.<sup>1</sup>

One of the main requirements for organizations that manage property rights on a collective basis is transparency in their activities and payment of collected royalties on the established terms and within the established deadlines. Accordingly, and in connection with the fact that the number of such organizations has been increasing in Uzbekistan in recent years, it would be expedient to assign the procedure for adopting and registering the Government Resolution "On State Registration of Organizations That Manage Property Rights on a Collective Basis and Regulation of Their Activities" to the authorized body in the field of copyright. In particular, in countries such as the Republic of Belarus, Singapore, and the Philippines, there is experience in registering (accrediting) organizations that manage property rights on a collective basis by the authorized body for intellectual property. At the same time, it would be expedient to determine the minimum number of founders and authorized capital of organizations that manage property rights on a collective basis in order to protect the interests of copyright holders. After all, the

<sup>1</sup> Qonunchilik ma'lumotlari milliy bazasi, [National Legislative Database] 21.04.2021 y., 03/21/683/0375-son, 21.08.2021 y., 03/21/709/0808-son. [Available at: <https://www.lex.uz/acts/10229441>]

Law "On Copyright and Related Rights" also states that the conditions and procedure for state registration of these organizations are determined by the Cabinet of Ministers.<sup>2</sup>

The study identified a need to strengthen copyright protection mechanisms for the digital environment in Uzbek legislation and implement international experience. In particular, there is a need to introduce electronic monitoring systems, simplify the procedures for identifying and prosecuting copyright infringers, and increase the speed and efficiency of judicial proceedings.

## DISCUSSION

The rapid development of digital media technologies requires new approaches to the protection of copyright. As noted in the introduction, the expansion of digital information exchange and content distribution capabilities has allowed creators to reach a global audience, but at the same time has increased the likelihood of infringement of their intellectual property rights. The main reason for this is the transnational and anonymous nature of the Internet environment, that is, the geographical and legal boundaries between the author of the content and the user have almost disappeared.

Research has shown that currently, copyright disputes in the digital media sector are mainly in three areas:

1. Unlicensed use of works - the use of works without the consent of the author or without obtaining an appropriate license, their copying and distribution.
2. Plagiarism and intellectual property theft - the appropriation of a creative product, the appropriation of authorship or distribution on behalf of another person.
3. Illegal commercial activity – generating revenue through copyright-infringed content, such as providing illegal content through advertising and paid subscriptions.

International experience provides effective methods for protecting copyright on digital media platforms. For example, the "Notice and Takedown" system operating under the US Digital Millennium Copyright Act (DMCA) or the "Copyright Directive" (2019/790/EC) adopted in the European Union imposes clear obligations on digital platforms to protect copyright. Through this, authors are required to take prompt action when they discover that their works are being used illegally, and platforms are required to remove or block this content. The legislation of the Republic of Uzbekistan also contains legal frameworks for protecting copyright. In particular, the Law "On Copyright and Related Rights" and Uzbekistan's accession to international treaties (Berne Convention, etc.) indicate that certain progress has been made in this area. However, in practice, mechanisms and procedures that are appropriate for the digital environment have not been sufficiently developed. The competence and technical support of the judicial system and law enforcement agencies in this regard also require development.<sup>3</sup>

In addition, the low level of legal literacy of rights holders in resolving disputes arising in digital media is highlighted as a significant problem. Many authors and creators do not have complete

<sup>2</sup> Алмосова Шахноза (2020). Защита прав интеллектуальной собственности по Конституции и государственным программам. Review of law sciences, 2 (Спецвыпуск), 72-76. doi: 10.24412/2181-919X-2020-72-76

<sup>3</sup> Юлдашов А., Чориев М. Договорно-правовые отношения в области авторского права и ответственности за нарушение авторского права: национальный и зарубежный опыт //Общество и инновации. - 2020. - Т. 1. - №. 1/с. - С. 511-522.

information about their legal remedies, the procedure for applying to the court or other bodies. This, in practice, leads to many legal claims not being filed and, as a result, violations not being punished.

During the discussion, it was found that the effectiveness of legal protection depends not only on legislation and judicial practice, but also on technological infrastructure. For example, while large platforms such as YouTube and Facebook have implemented “Content ID” or “Rights Manager” systems, most digital platforms and media outlets operating in Uzbekistan do not use such automated systems. This limits the ability of users to protect their rights online.

It should be emphasized that, as noted in the introduction, copyright protection determines not only the financial interests of individuals or companies, but also the creative and innovative potential of society as a whole. If authors believe that their rights are guaranteed, they will be more willing to create new works and contribute to the digital economy.

The following points can be made as a conclusion to the discussion:

It is necessary to introduce international standards and best practices in the field of copyright protection in the digital media sector into the legislation of Uzbekistan.

It is important to strengthen cooperation between state bodies and digital platforms, create and develop automated legal monitoring and “Notice and Takedown” systems.

It is necessary to increase the legal literacy of authors, implement large-scale advocacy and training programs.

It is important to develop clear and understandable legal rules for users of digital platforms and introduce mechanisms to guarantee the implementation of these rules.

In general, the issue of digital media and copyright is complex and multifaceted, and its solution can only be achieved through a comprehensive and systematic approach.

## CONCLUSION

The rapid development of the digital media industry requires a review of copyright protection based on modern approaches and mechanisms. The study revealed that copyright infringement on digital platforms is widespread and this problem is relevant not only in Uzbekistan, but also worldwide.

Although the Republic of Uzbekistan has legal frameworks for copyright protection, there are problems with their effective application in practice, especially in the digital environment. The current legislation lags behind international standards and, compared to the experience of global platforms, is technologically underdeveloped. As a result of the complexity and length of dispute resolution processes in the event of copyright infringement, creators and right holders often do not use the opportunity to protect their rights.

Analyzing the advanced experience of foreign countries, it was found that in many developed countries, copyright protection mechanisms are provided through automated systems, and such systems allow creators to quickly and effectively protect their rights. In Uzbekistan, the lack of

such mechanisms and the lack of clear definition of the responsibilities of digital platforms in this area remain a problem.

The results of the study showed that copyright protection in the digital media environment should be implemented through the harmonization of national legislation, international experience and technological solutions.

In general, a comprehensive and systematic approach is required for the effective protection of copyright in the digital media sector. This will serve to increase Uzbekistan's competitiveness in the field of intellectual property, develop the creative environment, and strengthen the potential of the digital economy.

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