

THE RIGHT TO INTELLECTUAL PROPERTY IS AN INTEGRAL PART OF THE NEW UZBEKISTAN

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Abstract

This article provides a comprehensive analysis of the legal framework governing intellectual property rights in Uzbekistan. It examines both domestic legislation and international treaties, with particular attention to the principles of enhanced intellectual property protection enshrined in the Constitution of New Uzbekistan and related legal acts.

Keywords: Intellectual property, invention, selection, patent, industrial property, copyright and related rights, trademark, geographical indication.

Introduction

1. Cost. Intellectual property right is a right related to the result of intellectual (mental) activity. The owner of the property has the absolute legal right to use these intellectual property objects at his will, in any form and in any way. The use of intellectual property objects belonging to the right holder on the basis of absolute right by other persons is allowed only with the consent of the right holder (FK of the Republic of Uzbekistan, Article 1034). In relation to some objects (invention, industrial model, utility model, means of individualization (trade mark, company name, etc.)), the exclusive right is created and legally protected on the basis of a special document - patent, certificate issued by the authorized body of the state.

2. Methods

This article is covered on the basis of comparative-legal analysis, comparative-logical analysis, sequence, historical, impartiality methods, and it contains suggestions and proposals on the issues of violation of intellectual property rights and interests of subjects, which is one of the urgent problems of the society in Uzbekistan. conclusions are given.

3. Results of the research:

As the protection of human rights and freedoms in the new Uzbekistan becomes stronger and stronger, we should continue to preserve and protect our properties, which help to create opportunities that provide ease and relief to the lives of many people based on human scientific and creative abilities, like intellectual property. and helps to develop further.



The development of this field in our country not only creates healthy competition, but also helps to provide financial support to those engaged in scientific and creative activities with investment environment and partners.

The tasks defined in the "Strategy of Actions" put forward by the President included the support, protection and development of the developing field of intellectual property rights, not only serving the welfare of citizens, society and the state.

Intellectual property rights in the Republic of Uzbekistan are regulated by international documents and national legislation. Since 1991, Uzbekistan has been a full member of the World Intellectual Property Organization (WIPO) and 16 international agreements in the field of intellectual property. In particular, the Paris Convention for the Protection of Industrial Property (1883, Paris), the Convention on the Establishment of the World Intellectual Property Organization (14.07.1967, Stockholm), the International Convention for the Protection of New Varieties of Plants (2.12 .1961, Paris) and the Berne Convention for the Protection of Literary and Artistic Works (24.07.1971, Paris). Based on our national legislation, the Constitution of the Republic of Uzbekistan, the Customs Code (Chapter 56), the Civil Code (Section IV), the Code of Administrative Responsibility (177-1771-1772) and the Criminal Code (149). There are also special laws, such as:

- On legal protection of programs and databases created for electronic computing machines (ORQ 1060-XII-No. 06.05.1994).
- On legal protection of topologies of integrated microcircuits (O'RQ No. 218-II, 12.05.2001).
- On trademarks, service marks and names of the place of origin of goods (ORQ No. 267-II, 30.08.2001).
- On Inventions, Utility Models, and Industrial Samples (Regulation of State Register No. 397-II, August 29, 2002).
- On the achievements of selection (ORQ No. 395-II, August 29, 2002).
- On copyright and related rights (O'RQ No. 42-II, 20.07.2006).
- On competition (ORQ No. 319-II, 06.01.2012).

From legal documents:

1. Decision PQ-4168 of the President of the Republic of Uzbekistan dated February 8, 2019 "On measures to improve state management in the field of intellectual property".
2. Resolution PQ-4380 of the President of the Republic of Uzbekistan of July 1, 2019 "On measures to organize the activities of the Intellectual Property Agency under the Ministry of Justice of the Republic of Uzbekistan".

Objects of intellectual property rights are divided into industrial property and copyright and related rights.

An inventio - is a new idea, a technical solution, which in practice allows solving a specific problem in any field of technology and meets the specified criteria.

Industrial samples - an artistic or artistic-constructive solution that represents the appearance of the product.



A trademark- is a sign that serves to personalize goods (verbal, pictorial, volumetric, collective or other).

The place of origin of the goods- is the country, settlement, place or other geographical object used to define the goods, its special features are completely or mainly due to the natural conditions specific to this geographical object or other factors or natural conditions and these factors. The name determined by the combination is recognized as the name of the place of origin of the goods.

Within the framework of the action strategy, to increase the transparency of the procedures for registering the rights to trademarks, industrial designs and granting patents in the field of intellectual property, to ensure international recognition of the rights to intellectual property objects registered in Uzbekistan. practical work such as approval of action programs against the production and sale of counterfeit products, revision of standards (UzDSts) on the conformity of the quality of goods and composition of ingredients to their names and brands It serves to strengthen the protection of intellectual property rights, including in foreign markets, to eliminate unfair competition, and to protect the rights of producers and consumers.

In addition, in our updated Constitution, intellectual property is protected by law, everyone is guaranteed the freedom of scientific, technical and artistic creativity, the right to use cultural achievements, and the strengthening of the state's care for the cultural, scientific and technical development of society will be strongly protected in this field in the coming years. and serves as a major factor in its development. Also, in Article 79 of our Constitution on youth, the state is responsible for the formation and development of young people intellectually, creatively, physically and morally, for their education, health care, housing, employment, employment and recreation. It is of particular importance to create conditions for the realization of their rights.

Also, legal norms have been developed in our country in accordance with international agreements on copyright protection. However, the issue of the practical application of these norms is one of the sore points. The works of most famous writers and playwrights are being published without their permission and with errors. In particular, it has been observed in practice that the works of our writers O'tkir Hashimov and Odil Yaqubov were published without the permission of their heirs and there were protests. According to the Law of the Republic of Uzbekistan "On Copyright and Related Rights", the author's property rights are inherited. Copyright lasts for the lifetime of the author and for seventy years after his death, after which the work becomes public property. Even in the above-mentioned case, the norms related to this period are being violated.

Turning to another aspect of copyright protection, in today's globalization process, there are a number of ways to confirm the authorship of a copy of a work, which are as follows:

1. Sending the work created by the author to the author himself via official e-mail (Poor Mans Copyright); This method, in turn, can be classified as follows: the author dates, signs, and mails a copy of his work to himself. Received envelope will not be opened. If there is a dispute, the postmark confirms that the work was created before the date of submission.
2. Publish/print the work in print and electronic media
3. Notarization of the copy of the work.



Summary

In conclusion, it can be said that strengthening copyright protection in our country, being able to correctly apply the current legislation, effectively organizing the activities of the "Chamber for the Protection of Copyright Rights of Artists, Creators and Performers" and similar issues, first of all, depends on the legal literacy of the members of the society, their ability to demand their rights and their strict adherence to the established norms. We can consider several ways to develop legal literacy:

First of all, to develop the quality of legal education in the secondary education system;

Secondly, increasing the number of legal seminars conducted by authorized state bodies in cooperation with the mass media

Thirdly, issues such as interpretation of legislative documents in a language understandable to the people.

Decree No. PF-60 of the President of the Republic of Uzbekistan Shavkat Mirziyoyev dated January 28, 2022 on the Development Strategy of New Uzbekistan for 2022-2026, consisting of seven priority directions for 2022-2026 to ensure spiritual development and to bring the industry to a new stage of the planned Development Strategy of New Uzbekistan Goal 70 in the 5th priority direction: One of the tasks set for improving the state policy on youth is to raise the level of legal consciousness and legal culture of young people, and according to it, the relevant institutions and organizations will take specific measures on the current issue. their implementation is determined.

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