



## **COPYRIGHT PROTECTION IN SOCIAL NETWORKS: IMPORTANCE FOR UZBEKISTAN**

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### **Abstract**

The article examines the growing importance of copyright protection in social networks within the context of digital transformation in the Republic of Uzbekistan. It analyzes the relationship between information technologies and intellectual property, emphasizing that the rapid expansion of user-generated content increases the risks of copyright infringement. Particular attention is given to the concept of “making available to the public,” introduced through international instruments such as the WIPO Copyright Treaty and incorporated into Uzbek legislation. The author highlights constitutional guarantees of both freedom of information and protection of intellectual property, stressing the need to balance these principles. The article identifies legislative gaps and proposes reforms, including improving strategic planning documents, strengthening liability, clarifying institutional powers, enhancing user agreements, and fostering international cooperation among national authorities, courts, social media platforms, and World Intellectual Property Organization to ensure effective protection of authors’ rights online.

**Keywords:** Legal protection, globalization, content, exclusive right, making available to the public, user agreement.

### **Introduction**

At the present stage of development of the Republic of Uzbekistan, the importance of information technology and communications in all spheres of society is an axiom. This postulate is also indisputably recognized by all countries and international organizations.



Information technology is inextricably linked with the concept of “intellectual property”. The relationship between information technology and intellectual property can be traced in two aspects. Firstly, all the components of the digital economy are inherently the achievements of the creative thought of the authors of programs for electronic computing machines, inventions, utility models and other objects of intangible property. Secondly, modern intellectual property is closely related and functions in the information space, while requiring appropriate protection in the virtual space. Copyright objects are no exception here.

Today, more than 5.6 billion people use social media worldwide. This means that social networks have become a platform for use by every second inhabitant of the Earth out of three [9]. The widespread use of social media has led to widespread content turnover. A significant part of this content may be copyrighted. Therefore, you should pay attention to the legal issues that arise when distributing and using content.

According to a Youtube video hosting report, over \$70 billion has been paid to creators, artists, and media companies over three years (2021-2023). As of March 2025, the video hosting service has more than 125 million premium subscribers and music subscribers in 100 countries. This indicates a significant turnover of music and audiovisual works on YouTube [7].

In addition, there is copyright infringement in video hosting. According to Christy Tila's research, more than 980 million copyright claims were received in the first half of 2023, 976 million of which were not disputed [8]. This clearly shows the validity of the thesis **“the more content there is on social networks, the greater the risk of copyright infringement”**.

In this regard, consideration of the issue of copyright protection in social networks is an urgent issue in the field of intellectual property in Uzbekistan.

### **Features of copyright protection in social networks**

According to the doctrine of intellectual property law, copyright extends to the original form of presentation in any objective form. At the same time, in order to be recognized as a work protected by copyright, the content must be original and have a degree of creativity. Therefore, ordinary and well-known information in the form of content cannot be a work of art only in form.



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Content can be considered as a work in electronic form related to the field of science, literature and art. That is, the content can be in the form of text, video or audio, or pictures. Therefore, by creating and posting original and creative content on social media, the content creator acquires the copyright to it. In turn, the content spreads quickly due to reposts or "likes". Therefore, it is important to protect content on social networks. However, traditional protection measures are not always effective in protecting copyright on social media.

The scientific community also points out the importance of copyright protection on social media. Sh. Tillaboyev in his article argues that traditional intellectual property frameworks struggle to keep pace with the rapid spread of digital content online. It highlights challenges such as unauthorized sharing, user-generated content, and platform liability. The author emphasizes the need for updated legal approaches that balance creators' rights with freedom of expression and technological innovation in social media environments [10].

H. Boshier argues that effective copyright protection on social media must reconcile traditional legal principles with the participatory and highly shareable nature of digital platforms. From his perspective, copyright remains fully applicable online, and unauthorized reposting, reproduction, or communication of protected works constitutes infringement even within socially normalized sharing practices. He emphasizes that platforms such as Instagram play a crucial intermediary role and should adopt clearer licensing frameworks, transparent terms of use, and robust notice-and-takedown mechanisms to safeguard authors' rights. The author further stresses the need for user education, as many infringements stem from misunderstanding rather than deliberate piracy. Ultimately, the author advocates strengthening enforcement tools while promoting legal awareness to ensure meaningful protection of creators in the social media environment [11].

Jessica Gutierrez Alm argues that copyright protection in social media environments must be strengthened and clarified to address the structural imbalance between creators, users, and platforms. From the author's perspective, current U.S. copyright law inadequately reflects the realities of user-generated content, where routine acts such as sharing, reposting, or pinning may technically constitute infringement. While platforms benefit from broad licenses granted through Terms of Use and enjoy safe-harbor protection under the Digital Millennium Copyright Act, individual users often bear legal risk without fully understanding the implications of their actions. The



author contends that this framework undermines meaningful protection of authors' rights and calls for legislative reform to better define permissible uses, allocate responsibility more fairly, and ensure that copyright law remains effective in the social media context [12].

The importance of copyright protection in social media lies in safeguarding creators' economic and moral rights in an environment where content is shared instantly and widely. Mihir Kumar explains that social media platforms encourage rapid reposting, remixing, and redistribution of digital works, often without authorization or proper attribution. This widespread practice increases the risk of infringement and diminishes creators' control over their works. Effective copyright protection is therefore essential to ensure fair compensation, maintain creative incentives, and promote responsible digital behavior. The author also stresses the need for clearer legal frameworks and stronger enforcement mechanisms to balance technological innovation with the legitimate rights of authors in the digital age [13].

Thus, traditional copyright mechanisms do not fully correspond to the realities of social networks. The rapid spread of digital content, the practice of reposts and user-generated content create a risk of violations and blur the boundaries of responsibility. At the same time, copyright remains valid in the online environment, and platforms should play a more active intermediary role by implementing transparent licenses and effective procedures for removing infringing content. In addition, the need to reform legislation and improve the legal literacy of users is emphasized for a fair distribution of responsibility and reliable protection of the rights of authors.

### **The legal basis of copyright protection in social networks in Uzbekistan**

In the Republic of Uzbekistan, article 33 of the Constitution guarantees everyone freedom to search, receive, and disseminate information. In turn, the State creates conditions for providing access to the worldwide Internet information network [1].

At the same time, article 53 of the Basic Law states that intellectual property is protected by law [1]. Therefore, the issue of copyright protection in social networks follows from the essence of the constitutional status of intellectual property. Freedom of information circulation on the Internet does not mean complete freedom of circulation with potential infringement of intellectual property rights. If information is distributed in violation of copyright, the distributor cannot invoke freedom of expression/information as a justification. For example, if a social network user posts



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a book by a famous writer on his channel without his consent, then the user's actions will be assessed as copyright infringement on the book.

In general, posting someone else's work in the form of content on social networks is a violation of the authors' rights. This kind of violation can be of two types.

The first type is the placement of someone else's work under the guise of their own content. For example, a user posted someone else's poem on his blog without specifying the name of the real poet or specifying his name. In this case, there is a violation of personal non-property rights, namely the poet's right to be recognized as the author of his poem.

The second type is the placement of someone else's work with the author's name. For example, posting an electronic version of a writer's book on a blog. In this case, the blog owner does not hide that this book is by a certain writer, but the blog owner did not receive permission to post it. This action constitutes “making available to the public”.

The right to “making available to the public” arose relatively recently. The Berne Convention provides for such rights as communication to the public by wire, broadcasting or any other communication to the public [5]. The Berne Convention did not provide for Internet-related rights. Therefore, at the initiative of WIPO, special international agreements were adopted in the late 90s of the 20th century. One of them is the WIPO Copyright Treaty. In this international act, the concept of "communication to the public" was expanded. Along with this, a new right arose - “making available to the public” [6], which was reflected in the legislation of Uzbekistan in 2006. The right to “making available to the public” under Uzbek law means making works publicly available by wire or wireless means in such a way that users of telecommunication systems can access them from anywhere and at any time of their own choosing. Therefore, the unlawful and unauthorized posting of a copyright object on social media should be considered as “making available to the public”.

Despite the existence of the concept of “making available to the public”, measures to protect these rights at the legislative level have not been disclosed. In this regard, it is necessary to take a number of legal measures.

**First**, the legal mechanisms for copyright protection on social media should be improved. To this end, it is necessary to develop strategic documents.



In accordance with the Decree of the President of the Republic of Uzbekistan No. PD–21 dated February 02, 2026 “On additional measures to consistently continue and bring to a new stage of reforms within the framework of the country's priority development directions until 2030”, it is planned to develop a new edition of strategic planning documents instead of the existing strategic planning documents within the framework of the Uzbekistan 2030 Strategy that have lost their relevance [3]. One of these documents is the Strategy for the development of Intellectual Property in the Republic of Uzbekistan for 2022-2026 [4]. When developing a new version of the strategy and adopting a strategy for subsequent years, it is advisable to designate a separate area devoted to copyright protection on the Internet and social networks. Because in the context of digitalization, electronic versions of works are becoming more widespread than traditional forms. In our opinion, it seems appropriate to amend the Law of the Republic of Uzbekistan "On Copyright and Related Rights", specifying special rules on copyright issues on the Internet and social networks.

**Secondly**, it is necessary to pay attention to user agreements. The relationship between the user and the owner of the social network is regulated by the user agreement. This is a public offer that sets the rules for using a social network. It is necessary to define the basic requirements for such user agreements, including provisions concerning copyright protection. In addition, user agreements should provide for measures to identify and label content in order to record the time and the user who created the unique and creative content.

**Thirdly**, responsibility for copyright infringement on social media should be strengthened. To do this, it is necessary to classify offenses based on the degree of public danger (for example, simply sending an electronic version of a work to another user on a social network is less dangerous than posting copyright-infringing content on publicly accessible blogs). Also, when resolving the issue of liability, along with compensation for economic damage, it is necessary to provide for such additional measures as the obligation to remove illegal content, public information about the illegality of the content.

**Fourthly**, law enforcement practices should be strengthened. In particular, it is necessary to differentiate the powers of the authorized bodies and the court. Today, the authorized body in the field of intellectual property is the Ministry of Justice, and in the field of informatization – the Ministry of Digital Technologies. Therefore, it is important to specify the specific powers of these ministries. In turn, any restriction of



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the user's rights (except for short-term and non-urgent measures) must be carried out by a court decision. It is in court that the issue of recognizing content as the result of copyright infringement and the need to remove it must be resolved.

**Fifthly**, it is necessary to create a mechanism for triple cooperation “national authorities and the court – WIPO – owners of social networks”. As a rule, court decisions to block or delete content on social networks require action by the administrators (i.e. owners) of social networks. Since the management of social networks is not carried out at any state level. Social media platforms can be used anywhere in the world, so copyright infringement on social media is transnational in nature. Therefore, cooperation is needed between national authorities and the courts on the one hand and the owners of social networks on the other hand. WIPO should act as a kind of mediator, which will determine global rules of cooperation in order to harmonize practices in the world and prevent arbitrariness.

## **Conclusion**

In conclusion, it can be noted that copyright protection in social networks requires enormous efforts from both the state and the authors themselves. When creating content, it is necessary to keep in mind the possible risks and legal consequences. Therefore, it is important to create effective and operational legal measures that will help protect copyrights in social networks. In addition, the efforts of states will be in vain without a close dialogue and cooperation with the owners of social networks, since the turnover of content on social networks is not limited to the borders of one state. In this regard, Uzbekistan, like other countries, should establish close cooperation with the owners of social networks to protect the rights of authors.

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