



## INTELLECTUAL PROPERTY AND ITS ROLE IN CIVIL LEGAL RELATIONS

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### Abstract

This article analyzes the following issues from a legal point of view. Changes in the content of property rights in the conditions of market relations, the expansion of the range of property objects, the economic stability of the country, the need for new modern approaches in this area. Creation of legal bases. The need for a new legal consciousness and legal thinking. The concept of intellectual property, its essence, practical importance, its place in the economic development of society.

**Keywords:** Civil legal relations, economic system, law, ownership forms, ownership relations, state, disposal, private property, owner, object, intellectual property rights.

### Introduction

In our country, special attention is paid to the development of the intellectual property sector, reliable protection of the legitimate interests of authors and other right holders. In this regard, the removal of property from state ownership led to the formation of private property and a class of owners. In particular, changes in the content of property rights made it possible to expand the scope of property objects. As a result, a new system - the intellectual property rights family - emerged and its legal basis was created. Norms on the promotion of intellectual property are also included in our Basic Law. In particular, Article 53 of the Constitution of the Republic of Uzbekistan guarantees everyone the freedom of scientific, technical and artistic creativity, the right to use cultural achievements, and strictly stipulates that intellectual property shall be protected by law and that the state shall take care of the cultural, scientific and technical development of society. [1.33 p.] The development of intellectual property as an important component of a market economy and one of the main factors of its development, the creation of legal foundations for its protection, and the establishment of international cooperation have been identified as important





directions in the development of the country. In this area, first of all, the Civil Code of the Republic of Uzbekistan. Within the framework of the laws of the Republic of Uzbekistan “On Copyright and Related Rights”, significant attention was paid to establishing cooperation relations with the World Intellectual Property Organization. The concept of intellectual property rights in the implementation of civil legal relations It is important to bring it to the attention of citizens , to reveal its meaning and significance . In this regard Qualified legal scholars , B. Toshev, O. Okyulov, I. Zokirov, I. Rustambekov, N. Rakhmonkulova, A. Ramatov and others have a special place .

“Intellectual property rights are the legal basis for strengthening the economic potential of the Republic of Uzbekistan, strengthening its scientific and technical power, and facilitating cultural and educational cooperation with different countries”[2.3.b]. They are also a set of property rights related to the material or ideological results of creative activity and their use”[3.172.b].

This property right, unlike purely material property rights, is considered important in the economic and spiritual life of society. Professor I.B. Zakirov's Civil Law [4.13.b] states that “Intellectual activity is considered creative activity, and in everyday cases it is the product of the activities of intellectual workers, writers, poets, scientists, artists, engineers, technologists, etc.” These results have the characteristics of novelty, originality, and uniqueness. As is known, the results of human intellectual activity differ from commonly used objects in terms of their creation process and their properties. Therefore, they require legal protection in civil legal relations as separate property objects. Although the expression of these objects in legal norms is expressed in the form of a theory, idea, or intangible form, they are perceived by people as having an objective existence. Therefore, an idea or knowledge expressed in an objective form may be embodied in a material carrier, in a material expression, for example, a drawing, model, apparatus, or device. However, in this case, the idea plays a primary role, and the material basis plays a secondary role. It follows that the rules do not apply to intellectual property objects in the form of an idea or theory, as they do to ordinary material objects. The object of intellectual property constitutes an important institution of civil law.

Intellectual property and its legal status are defined in the norms established in Articles 1031 to 1111 of the Civil Code of the Republic of Uzbekistan.[5.76.b]





According to Article 1031 of this law, the results of intellectual activity include:

**1. Results of intellectual activity:**

- science, literature, works of art, broadcasting and presentation;
- creations, phonograms and broadcasts, shows of the organizers;
- programs and databases for electronic computers;
- integrated circuit topologies, inventions, utility models;
- industrial samples;
- selection achievements;
- undisclosed information, including trade secrets;

**2. Means of reflecting the private characteristics of goods and services of participants in civil circulation:**

- company name;
- trademarks;
- name of the place where the goods are produced;

In the process of protecting the above-mentioned property objects, we believe that it is necessary to understand the following concepts. As mentioned above, intellectual property objects are primarily manifested in the form of ideas, knowledge, and information. These objects can be used by an unlimited number of people at the same time for the economic benefit of an individual and society. Therefore, the rule on the permanence of property rights does not apply to them. [6..468.b] Rather, the term of validity is determined as a rule until the period of its transformation into social property.

After the specified period, the intellectual property owner's rights to the property are terminated. As a result, the work becomes public property. For example, according to Article 38 of the Law "On Copyright and Related Rights", copyright is valid for the entire life of the author (co-author) and, after his death, for 50 years from January 1 of the following year. This rule also applies to other types of intellectual property, depending on their nature.

In conclusion, it can be said that today the legal status of intellectual property objects, the scope and content of the powers of legal owners in relation to property objects are expanding and strengthening in legislation. As a clear example of this, among the updated constitutional norms, intellectual property is guaranteed to be protected by law. Therefore, it is essential to deeply understand the content and essence of existing legal norms.





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