



**APPLICATION OF THE NORMS OF THE WORLD TRADE ORGANIZATION ACTS ON
COPYRIGHT AND RELATED RIGHTS**

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Annotation

The article analyzes aspects of the activities of the World Trade Organization, which is an international organization, related to the protection of intellectual property, in particular, car rights and related rights, features of trade turnover of intellectual property objects, transactions in trade areas of intellectual property (TRIPS). The proposals related to the impact of this document on the development of national legislation in this area, its role in the development of new norms in the field of copyright and related rights are presented. The scientific and theoretical views of scientists on the industry and the personal views of the author are indicated.

Keywords: intellectual property rights, copyrights, related rights, exclusive rights, convention, agreement, term of protection of rights.

Introduction

Administrative reforms in all spheres implemented in our country are distinguished by the focus on the compactness of Public Administration, liberalization of the economy, consistent introduction of market laws, development of the social sphere. Increasing the economic power of the country directly depends on the legal protection of all forms of property.

The role of property among material property in economic prosperity cannot be overemphasized. Accordingly, the reforms carried out in the following times are aimed at ensuring comprehensive legal protection of property, in particular copyright and related rights. Copyright law is regulated not only by national legislative acts, but also by international legal acts.

International organizations engaged in the protection of copyright have directed their international legal activities to the legal exchange of objects of intellectual property rights, in particular, copyright and related rights all over the world. The World Trade Organization (WTO) also aims to expand the share of copyright and related rights objects in the international trade system, to create a specific system of protection in the creation and use of such objects.

After becoming a member of the BST, states are obliged to fulfill 18 agreements of this organization "referred to as multilateral trade agreements"[1]. In particular, the member states of the BST[2] will have to sign the trips Agreement and strictly adhere to it. The Trips Agreement, in turn, is an international agreement consisting of the most important norms of bilateral agreements aimed at the legal regulation of all objects of property rights. According to its peculiarity, this agreement is characterized by the fact that the International Act provides legal protection to objects that can not act



without other types of international acts according to the scope of the Act, which are clearly defined by their functions. The legal status of the Trips Agreement is of course directly related to the legal status of other international acts in which it is composed.

BST started its activity in 1st January, 1995 Year, the main function of the service market intellectual property control task was assigned to it[3].

The Trips agreement consists of Section 7 of Article 63, which contains provisions relating to the legal protection of both copyright and related rights, as well as industrial property samples. In particular, in articles 1-8 of the Trips Agreement, the principles that apply to the objects of copyright in the countries that are members of it, in articles 9-14, are aimed at the protection of copyright and related rights provisions relating to the regulation of legal relations on the rules of contracts are reflected in the rules. The main purpose of the BST is the liberalization of World Trade[4], while the purpose of the Trips Agreement is to comply with the rules intellectual property law at the time of international trade and service. According to this agreement, intellectual property rights are represented on the basis of national legislation and serve national interests. According to Akyulov, if the copyright agreement of the whole world intellectual Property Organization (BIMT) protects objects in a broad sense, the Trips Agreement establishes only property rights and the characteristics of their application in the commercial sphere.

According to the TRIPS Agreement, property objects, including works and performances, will also have a special value as a material commodity in the process of international trade. BST this sets out the task of obtaining and fulfilling international obligations through the rules of international trade, relying on the norms of Trips at the time when the objects are being converted[5].

O. Akyulov compared the TRIPS agreement with a number of conventions on copyright and related rights, outlining his conclusions[6]. The Trips agreement does not regulate all matters related to the objects of property, in which the commercial and commercial relations of the objects of property are regulated, the transaction is subject to exclusive rights and great attention is paid to the sanctions imposed on the illegal use of objects, says the scientist. O. it is possible to agree with this opinion of Akyulov[7], because in the Trips Agreement, even more than the rights of the authors, a large role is allocated to the objects of copyright.

The objects of copyright and related rights in the conditions of the market economy are also a source of substantial income. Due to this, both national legislation and international norms play an important role in the organization of international trade in these types of objects. While performing this task, the Trips agreement can also play the role of an international legal instrument.

Although the Trips agreement consists of norms of international acts related to another sphere, but the rules for the protection of the most important objects of copyright and related rights are laid down in this act in one system. This interpretation of the Trips agreement was reflected in the new law adopted in 2006 year[8].

According to Article 12 of the Trips Agreement, the member states of the BST, using the requirements of the Bern Convention on their territory, recommend that authors protect their property rights for at least 50 years after their death again. This rule is established in our national legislation as 70 years.



Article 14 of the Trips Agreement is devoted directly to related rights, according to which the scope of the rights of performers, tele-radio organizations, Phonogram producers and the procedures for their application are indicated. T.D.Matveeva believes that the norms of international acts are also reflected in the system of national law, they are distinguished by their manifestation of the international legal doctrine[9].

In the practical application of the Trips agreement, it is important to identify its printouts, to understand their essence and to apply them in practice. The Trips agreement also has its own printouts, similar to other international conventions and agreements specialized in copyright and related rights protection. These prints are "National order " prints;" continuous protection "prints;" land of protectionkinligi " prints, which determines the proportion of prints with the national legislation in which the trips agreement applies in practice.

Through the National Order print order established in the Trips Agreement, another universal contract rule is also applied in practice at the same time. This printship applies to both the authors and the works created by them, as well as to all objects issued by international trade. The National Order printship envisaged in the Bern Convention differs from the National Order printship installed on the trips by the territory of application, mode of application and mode of application.

According to the Bern Convention, the member-states will give priority to the objects of copyright in the trips Agreement, while foreign authors, like their authors, will be given priority to the same regime. For example, Article 1(3) of the trips established the adequate levels of protection under which the relevant norms of the Roman convention are issued, enshrining the right of individuals and legal entities producing Phonograms on the basis of the print of the "National Order". In accordance with Articles 5(3) and 1(3) of the trips Agreement, the following norm is reflected in the national legislation aimed at ensuring the interests of foreign subjects: "if the international treaty of the Republic of Uzbekistan contains provisions other than the legislation of the Republic of Uzbekistan on copyright and related rights, the rules of the international treaty will be applied". This rule provides for the priority of the trips agreement with no obstacles. As an example, the whole world knows today that the achievements of the USA, Great Britain, France and other countries have yielded great results in the introduction of high technologies and the involvement of high-level activities in it[10]. This situation may arise when the authors are created a legal and favorable regime on the basis of such international acts.

In the TRIPS Agreement, there is a relative concept between the provisions of other Universal agreements with respect to the objects of a particular type of protection. For example, in relation to the works created by persons who organize the creation of Derivative Works, parts of works, works established by law, the copyright rights will belong to them. This rule meets the requirements of Articles 2(5) of the Bern Convention and 10(2) of the TRIPS Agreement.

One of the main features of the TRIPS Agreement is the Prohibition of its improper application when the rights are established, and secondly, when the rights are implemented. For example, Article 14 of the TRIPS Agreement states that member states should provide "the right to ban"when using



performers, Phonogram producers and third parties from works belonging to them to broadcasting organizations. It should be said that this rule is also reflected in the new legislation of our respkblk.

In a number of articles of the legislation, the sentence “mass execution” is threeraydi. TRIPS Agreement 14(1), (2), (3)-according to the request of the articles, the sentence “mass execution” was replaced by the so-called “repetition”. In general, in our republic, the process of bringing national legislation closer to the requirements of trips and other agreements continues. The legal strengthening of this process provides even more opportunities for the full fulfillment of the obligations of our state in the international conventions and treaties.

This requirement allows to determine the legal status of foreign subjects in the territory of the Republic, while engaged in creative activity. The T.Umarov identified the scale of a number of problems in providing recommendations and conclusions on the solution of legal problems of bringing the legal status of an individual to the level of developed countries and proposed ways to solve them[11]. The basis of the TRIPS Agreement lies in the ideas of improving the methods of protection of exclusive rights and creating a viable DC[12].

According to the above, it can be said that international acts on the sphere are aimed at regulating international legal relations on the one hand, while on the other hand they also show the legal nature of the International Organization. The main thing for the legal nature of the International Organization is that its goals, principles of activity, powers, structure, etc., will be based on the agreed contract[13].

In conclusion, it is possible to indicate the following. After Uzbekistan becomes a member of the BST, along with other international acts, the rules of the TRIPS Agreement will also be in force. Membership in the TRIPS Agreement is also directly related to the signing of a number of other international acts.

If the activity is carried out in accordance with international legal standards, legislative techniques, in the membership of international acts developed by international organizations and joined by our republic, any future disagreements and misunderstandings will be received [14].

In order for the rules of the act on copyright and related rights of the BST to be fulfilled and to comply with the printouts, it is necessary to find solutions to a number of the following problems:

first of all, in our Republic, national legislation on copyright and related rights and international acts, in particular, in order to comply with the TRIPS Agreement without deviations, it is necessary to establish new norms that define the legal responsibility related to the laws of the sphere;

secondly, as established in the trips, it is necessary to specify the author's right to the internal normative acts of the tax office, the authorities of the border service and the procedures for the withdrawal and withdrawal of objects of identical rights, the “special registration procedure” for the importation or withdrawal of such objects into the Republic;

third, it is necessary to create a system of control over how third parties use the objects of copyright and related rights in places;

from the four, according to the TRIPS Agreement, when using the objects of copyright and related rights, it is necessary to strictly switch to a license-contractual relationship.



If the above-mentioned problems are solved, the international obligations of the Republic on copyright and related rights, in particular, its implementation during the period of membership in the TRIPS Agreement, will be ensured[15].

If the above-mentioned legal and organizational problems related to the TRIPS Agreement are solved, the Republic can fully ensure the rights of the authors and performers, increase the state budget from the share of profits and revenues obtained, in fulfillment of international obligations related to copyright and related rights, in prevention of new problems during the membership of the BST. The national legislation of the states based on the market economy remains one of the main tasks of the tripsee agreement, the Coordination of the requirements, the increase of the state's responsibility in the protection of copyright and related rights.

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