



## **HISTORY OF COPYRIGHT RIGHTS IN THE FIELD OF SCIENCE IN UZBEKISTAN**

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**Annotation.** In this article, cases in the history of copyright in our country related to the protection of the works created by representatives of the field of science were analyzed and brought to scientific conclusion through certain sources and archival documents. The authors who conducted such scientific research are given examples of the normative legal framework for the payment of copyright fees for the works they created

**Keywords:** copyright, Science, Scientific Discovery, statesman, textbook, discoveries, manuscript, science, scientific literature

**Introduction:** After our country gained independence, the creation of a legal democratic state was chosen as one of our main goals. Based on historical experience, as is done in all areas, a number of laws have been adopted and scientific research has been carried out on the protection of copyright. During the period indicated in the article, it was located in a branch and subordination of the Uzbek branch of the All-Union Copyright Bureau. In particular, it is necessary to highlight cases related to the history of copyright and its protection in the field of science.

The presence of legal grounds for protecting the rights of authors cannot mean that the rights of authors are protected. Copyright protection in our country has a long history to this day. Along with other areas, copyright protection also operated on the basis of instructions and orders from the centrally located All-Union Copyright Bureau (UCB). The field of science occupies a special place in copyright protection.

Creating conditions for representatives of the field of science and legal protection of the works they create is one of the main tasks of every society. Legal norms that protect them play an important role in ensuring the rights of authors of scientific discoveries in society [1].

Copyright belongs to the employee who created the work in a scientific or other organization. In this case, the procedure for using the work is established by the organization, and in cases of payment to the author, the work is used. This is determined by the legislation of the USSR and union republics[2].

Copyright is recognized for legal entities in cases and within the limits established by the laws of the USSR and union republics; the author of a work created in the performance of an official assignment in a scientific or other organization has the right to this work; the use of a work of authorship by other persons is permitted only on the basis of an agreement concluded with the author or his heirs. Each published work may be translated into another language without the consent of the author while maintaining its integrity and content, while the right to receive payment for the use of a work translated into another language belongs to the author of



the original copy in specified cases. for the legislation of the Union republics establishes that the translator owns the copyright to the translation he makes [3].

It is necessary to emphasize the role of research institutes in the development of science in our country. In 1929, the All-Union Cotton Research Institute was created. The expansion of scientific research institutions led to the creation of a Republican Committee leading these organizations. This committee was created on October 4, 1932 by a resolution of the Central Executive Committee of the Uzbek SSR. On July 1, 1934, the Scientific Committee was assigned to the Council of People's Commissars of the Uzbek SSR.

Some problematic situations related to the payment of royalties to representatives of the field of science were observed in the early periods. For example: a permanent employee of an enterprise or institution who creates a work based on the tasks assigned to him in the employment contract does not receive copyrights, but his salary.

Particular attention should be paid to the issue of payment for the publication of works performed by employees of universities and research institutions in the course of official assignments. In 1936, this issue was directly resolved in the Copyright Law of the Uzbek SSR.

According to Article 14 of this law, it was stated that the presence of an author among the employees of an institution does not deprive him of copyright in works created by him in the course of performing the work provided for in the employment contract. However, subsequently it was prohibited to pay fees for scientific work performed by employees of scientific institutions and higher educational institutions in the course of official assignments [4].

The Presidium of the USSR Academy of Sciences clarified the issue of non-payment of fees[5] in certain cases. Including: a) manuscripts or individual official master's theses on the topics of institutes (laboratories), prepared by employees of the USSR Academy of Sciences to carry out the plan of research work, as well as planned and completed scientific work, were later defended as a dissertation; v) works of employees of the USSR Academy of Sciences, published in a series of materials of the institute; d) for special publications of small circulation (narrow departmental bulletins, dissertations, notes of scientific lectures, instructions, etc.), intended for a narrow circle of readers and custom publications, no fee is paid.

It should be noted as an exceptional case that the prohibition on the payment of the specified fee applies only to scientific work performed as part of an official assignment, and if the scientific work, at least partially, was performed outside of the official assignment, royalties were paid[6]. On January 9, 1940, the Science Committee, which united the activities of many scientific institutions of the republic, was transformed into the Uzbek branch of the USSR Academy of Sciences [7].

It can be noted that the creation of these organizations in our country is a positive situation for our authors working in the field of science.

Mirtov A., a professor at the Tashkent Pedagogical Institute, considered the manuscript "Russian Grammar for Groups of Uzbek Pedagogical Universities" for teachers to be an unfinished textbook and in need of serious revision[8].

During his stay in Tashkent, Professor A. Mirtov gave a lecture on the need to publish this textbook, which is very necessary for the Uzbek groups of pedagogical institutes of the Uzbek SSR, on the broad pedagogical content collected by the Ministry of Education.

Since the day the manuscripts were submitted, A. Mirtov has not received any comments from the Ministry of Education about the low quality of textbooks, and also has not received



royalties or amounts based on the volume of material presented. at the minimum requirement of Professor A. Mirtov, the fee was set at 36 000 rubles.

Taking into account the above, the Uzbek branch of the BMKHB contacted the Ministry of Education of the Uzbek SSR to find out whether they intended to pay the copyright to the author and asked for information [9].

On March 14, 1947, the Council of Ministers of the USSR adopted a resolution on state verification and registration of discoveries in the USSR. The “Committee of Inventions and Discoveries” was entrusted with the task of registering inventions and discoveries created by the authors, as well as their protection [10].

Resolution of the Council of Ministers of the USSR dated February 23, 1956 No. 274 established the registration of a number of research institutes and higher educational institutions under the Ministry of Agriculture of the Uzbek SSR.

According to reports from research institutes, the research work carried out was grossly violated. including: in 1959, 231 scientific research topics were completed, of which only 7 topics were registered with the Committee on Inventions and Discoveries; Of the 279 items completed in 1960, none were listed. Non-registration of research results has caused problems associated with the inability of authors to obtain copyrights and the unprotectability of research results.

The decision was made in order to strengthen control over the implementation of the resolution of the Council of Ministers of the USSR on the accounting of scientific research and experimental work performed by research institutes and higher educational institutions of the Ministry of Agriculture of the Uzbek SSR, and to ensure protection of state priority and copyright for these works.

Heads of research institutes and educational institutions must submit to the appropriate department of the Ministry of Agriculture of the Uzbek SSR, before December 1, 1961, annotations on research work carried out in 1959 and 1960 for registration with the Committee of Inventions and Discoveries. Under the Council of Ministers of the USSR, copyright protection prohibits the publication of scientific research works in the open press until registration with the Committee for this purpose[11].

Educational development efforts in the late 1960s also increased the demand for quality textbooks. Taking into account the high requirements for stable all-Union school textbooks, as well as the need to publish them in mass circulation, Resolution of the Council of Ministers of the USSR of June 3, 1967 No. 502 “On measures to improve the preparation and publication of school textbooks and issue them to students”, according to which, in order exceptions, the authors of “Sustainable All-Union School Textbooks” are paid a double fee[12].

The standard regulations on competitions for the creation of textbooks for secondary schools of the USSR were approved by Decree of the USSR Ministry of Education No. 15 of February 22, 1968 and amended by order of the same Ministry No. 15. 25 of May 6, 1969.

In order to stimulate work on the creation of high-quality textbooks for higher, secondary specialized and secondary educational institutions, additional USSR State Prizes of 5,000 rubles each were established[13].

Authors who received state awards were awarded the specified amount of money.

Resolution of the Council of Ministers of the Uzbek SSR dated June 16, 1980 No. 425 on the rates of royalties for the publication of works of science, literature and art was adopted. In order to further regulate the payment of royalties for the publication of works of science, literature and art: rates of royalties for the publication of artistic, political, scientific, production



and technical, educational and other literature, music and musical and literary literature. works and editing of these works, and the amount of payment for the review was determined.

However, fees for the use of official works are not required in all cases. For the publication of planned scientific works, with the exception of textbooks (after they are recognized as textbooks), royalties, as a rule, are not paid. Permanent employees of industrial enterprises who create “official” works of decorative and applied art are paid if they are repeated, but in a smaller amount.

The author's right to payment for the publication of an “official” work is exercised as follows: at the request of the publisher (or, accordingly, the editors of the journal), the author must submit a certificate stating that his work is not planned, the work was created in a scientific institution or university to fulfill an official assignment, or the dissertation was completed at the workplace. The publication of textbooks or teaching aids is in any case paid.

If the organization refuses to issue a certificate or incorrectly classifies the work as planned scientific work, the author may request that the dispute be considered in court[16]. In case of violation of the rights of authors, there was an opportunity to restore their violated copyrights. Archival documents examine information that the above-mentioned author, Professor A. Mirtov, also went to court.

In conclusion, it can be emphasized that copyright protection in our country has a long history. In particular, it can be noted that in the activities of the Uzbek branch of the All-Union Directorate for the Protection of Copyright on issues of protecting the rights of authors in the field of science, there were positive and negative situations. During this period, the creation of works and scientific research by our local authors was carried out under the influence of the ideological struggle of the Soviet state.

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