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The Impact of Artificial Intelligence on Copyright in Uzbekistan

Abdullaev Oybek

Master's Student of the International Law Faculty at the University of World Economy and Diplomacy

Samandar Samiev

Lawyer at the leading international law firm in emerging markets

Dilmurod Kholmatov

Master's Student of the Highest School of Economics

Abstract: This article examines the impact of artificial intelligence (AI) on copyright law in Uzbekistan, focusing on the challenges and opportunities posed by AI-generated works. While Uzbekistan's legal framework, particularly Chapter 59 of the Civil Code and the Law on Copyright and Related Rights, provides robust protection for traditional forms of authorship, it lacks explicit provisions addressing the complexities introduced by AI technologies. The analysis highlights key issues such as authorship, originality, and the applicability of economic and moral rights to AI-generated content.

By comparing Uzbekistan's approach with international practices, including those of the UK and the US, the article identifies gaps in the current legislation and explores potential reforms. It emphasizes the need for clear rules on ownership, licensing, and the rights of stakeholders involved in AI-driven creativity. The findings underscore the urgency of modernizing Uzbekistan's copyright law to foster innovation while safeguarding the rights of human creators, aligning the national legal framework with global trends.

Keywords: Artificial Intelligence, Copyright, Uzbekistan, Authorship, Originality, Moral Rights, Legal Reform.

Introduction

Artificial Intelligence has emerged as a transformative force in various domains, including the creative industries, where its applications are redefining traditional concepts of authorship and innovation. AI technologies, ranging from machine learning algorithms to natural language processing tools, are increasingly capable of generating original works of art, music, literature, and even software. These outputs often rival, and in some cases surpass, human-created works in quality and complexity. Such advancements are not merely technical; they raise fundamental

questions about the applicability and adequacy of existing copyright laws globally and within specific jurisdictions, such as Uzbekistan.

AI's growing role in creative industries has introduced novel challenges to copyright frameworks traditionally centered on human authorship. For instance, generative AI tools like OpenAI's GPT and DeepMind's AlphaFold have demonstrated the ability to produce content autonomously, sparking debates about whether such works can or should qualify for copyright protection. In jurisdictions like the United States, the courts have grappled with these issues, as evidenced by cases such as Naruto v. Slater,[1] which, while not AI-specific, established important precedents about non-human authorship. Similarly, the United Kingdom's Copyright, Designs and Patents Act 1988 explicitly addresses computer-generated works, assigning authorship to the person who made the necessary arrangements for the creation of such works.[2] This provision demonstrates an attempt to balance innovation with the foundational principles of copyright law.

The relevance of these global developments to Uzbekistan is significant. As a member of the Berne Convention,[3] Uzbekistan is obligated to align its copyright legislation with international standards, including ensuring protection for "original" works of authorship. Chapter 59 of the Civil Code of Uzbekistan,[4] which governs intellectual property rights, defines authorship in terms of human creativity, leaving unclear whether and how AI-generated works can be accommodated within the existing framework. This ambiguity is particularly pressing given the increasing adoption of AI technologies in Uzbekistan's creative and technological sectors.

Moreover, the increasing reliance on AI tools for content creation raises practical concerns about copyright infringement, licensing, and the protection of economic and moral rights. AI systems often train on massive datasets, which may include copyrighted material, potentially leading to disputes over unauthorized use. The Uzbek legal framework does not yet provide specific mechanisms to address such scenarios, a gap that becomes evident when comparing Uzbekistan's legislation to more developed approaches seen in jurisdictions like the EU and the UK, which are actively exploring AI's intersection with copyright law.

As AI continues to evolve, its integration into the creative industries underscores the urgent need for nuanced copyright regulations. The legal system in Uzbekistan faces the challenge of striking a balance between fostering technological innovation and protecting the rights of human creators. This paper seeks to address these issues by analyzing the current state of copyright law in Uzbekistan, identifying gaps in its ability to regulate AI-generated works, and proposing potential reforms to align with international best practices while preserving national interests.

Copyright regulation plays a pivotal role in Uzbekistan's legal and economic framework, particularly as the country strives to modernize its creative and technological sectors. As a signatory to the Berne Convention, Uzbekistan is committed to upholding international standards for the protection of literary and artistic works, ensuring that authors enjoy moral and economic rights over their creations. This international obligation is reflected in domestic legislation, particularly Chapter 59 of the Civil Code, which governs intellectual property rights. The provisions of this chapter provide the foundation for addressing issues related to copyright, including authorship, originality, and protection against infringement.[5]

However, while Uzbekistan's legal framework effectively governs traditional forms of authorship and creation, it does not yet account for the challenges posed by AI-generated works. The concept

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[1] Naruto v Slater [2018] 888 F3d 418 (9th Cir).

[2] United Kingdom Copyright, Designs and Patents Act 1988, s 9(3).

[3] Berne Convention for the Protection of Literary and Artistic Works (adopted 9 September 1886, entered into force 5 December 1887) 1161 UNTS 30.

[4] Civil Code of the Republic of Uzbekistan, Chapter 59, art 971.

[5] Civil Code of the Republic of Uzbekistan, Chapter 59, art 971.

of authorship, as outlined in Article 971 of Chapter 59, presumes human creativity as a prerequisite for copyright protection. This human-centric approach creates a legislative gap when applied to content produced autonomously by AI systems.[6] For example, if an AI-generated painting, poem, or musical composition originates from an algorithm rather than a human, current Uzbek law does not provide clear guidance on whether such works qualify for protection.

This gap has practical implications for the growing adoption of AI technologies in Uzbekistan. Local industries, particularly those in software development and digital media, increasingly rely on AI tools for content generation and innovation. Without explicit legal provisions addressing AI-generated works, disputes over authorship and ownership may lead to uncertainty, stifling creativity and investment in these sectors. Furthermore, the Civil Code lacks mechanisms to address secondary issues arising from AI usage, such as liability for copyright infringement when an AI system utilizes existing protected works in its training datasets.[7]

Comparative insights from jurisdictions like the United Kingdom, where computer-generated works are explicitly recognized under Section 9(3) of the CDPA, illustrate a potential path forward for Uzbekistan. Incorporating similar provisions into Chapter 59 could provide a legal framework that accommodates the unique nature of AI-generated content while maintaining consistency with international obligations.[8] Addressing these challenges is crucial for fostering innovation and ensuring that Uzbekistan's copyright system remains relevant in an era of rapid technological advancement.

Given the evolving role of AI in creative processes and the gaps in Uzbekistan's copyright legislation, this research seeks to explore the following critical questions:

1. Can AI-generated works be protected under the copyright framework of Uzbekistan?

This question examines whether current copyright laws, including Chapter 59 of the Civil Code, provide a basis for recognizing AI-generated content as protectable works. The analysis will consider whether the concept of authorship can be expanded to include non-human creators or their operators.

2. What legislative gaps exist in regulating AI and copyright in Uzbekistan?

This inquiry addresses the shortcomings of Uzbek law in managing issues related to AI-generated works, including authorship, originality, and infringement. It also explores whether adopting international best practices, such as those found in the UK and EU, could help bridge these gaps.

The answers to these questions will provide a foundation for understanding the broader implications of AI on copyright law in Uzbekistan and propose recommendations for legislative reform.

Material and methods

The analysis of the legal framework governing copyright in Uzbekistan forms the cornerstone of understanding how existing laws interact with the challenges posed by AI-generated works. This section examines the domestic legislation, including the Civil Code (particularly Chapter 59 on intellectual property rights) and the Law on Copyright and Related Rights, alongside the international treaties Uzbekistan has ratified, such as the Berne Convention and the TRIPS Agreement.

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[6] Ibid.

[7] Berne Convention for the Protection of Literary and Artistic Works (adopted 9 September 1886, entered into force 5 December 1887) 1161 UNTS 30.

[8] United Kingdom Copyright, Designs and Patents Act 1988, s 9(3).

Chapter 59 of the Civil Code of Uzbekistan

Chapter 59 of the Civil Code establishes the foundational principles for intellectual property rights in Uzbekistan, including copyright. Article 971 defines the core concept of authorship, explicitly linking it to human creativity. Under this framework, only individuals who have directly contributed to the creation of a work are entitled to be recognized as authors.[9] This human-centric approach, while aligned with traditional interpretations of copyright, presents significant challenges when applied to works autonomously generated by AI systems.

Furthermore, the Civil Code outlines the criteria for originality, requiring that a work reflect the unique intellectual effort of the author. These requirements for originality exclude derivative or mechanical outputs, creating a grey area for AI-generated content. For example, if an AI produces a novel or a painting without direct human intervention, it is unclear whether such outputs meet the Civil Code's originality standards. This ambiguity underscores the need for legislative clarity on whether the operators or developers of AI systems can be considered authors under existing provisions.[10]

Law on Copyright and Related Rights

The Law on Copyright and Related Rights, adopted in Uzbekistan to provide detailed regulations on copyright issues, complements the Civil Code by elaborating on the rights and responsibilities of authors. While the law addresses traditional forms of authorship comprehensively, it does not explicitly recognize computer-generated works or provide guidance on how to attribute authorship in the context of AI. This gap could lead to disputes over the ownership of AI-created content, particularly in collaborative environments where AI is a co-creator alongside humans.[11]

Article 7 of the Law specifies that the author of a work is the individual whose creative labor results in the creation of a work of art, literature, or science. This definition explicitly ties authorship to human creativity and labor, aligning with the traditional understanding of copyright. While this clarity is sufficient for works created entirely by humans, it becomes problematic in the context of AI-generated content, which may be created with little to no direct human involvement.

For example, in collaborative environments where an AI is used as a co-creator, the absence of specific provisions addressing non-human contributions creates uncertainty about whether the programmer, operator, or user of the AI system can claim authorship under Article 7. This gap risks disputes over ownership and could deter investment in AI-driven creative processes.

Article 6 of the Law requires that a work eligible for copyright protection must be original and result from the creative effort of the author. The emphasis on originality is consistent with international standards, such as the Berne Convention. However, the Law does not provide criteria for determining originality in works generated by AI.

AI-generated content often draws upon large datasets, potentially incorporating elements of pre-existing works. While the resulting output may appear novel, its originality is inherently tied to the algorithm's design and the data it processes, rather than the independent intellectual effort of a human creator. This lack of clarity could lead to the exclusion of AI-generated works from protection or disputes over whether such works meet the originality threshold outlined in Article 6.

The Law extensively details the moral and economic rights granted to authors. Article 12 guarantees authors the right to attribution and the protection of their work's integrity. Article 14 further grants economic rights, including reproduction, distribution, and public performance.

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[9] Civil Code of the Republic of Uzbekistan, Chapter 59, art 971.

[10] Ibid.

[11] Law of the Republic of Uzbekistan "On copyright and related rights" LRU-42, arts 6–7.

In the context of AI-generated works, these rights become challenging to apply. For instance:

➢ *Attribution (Article 12):* It is unclear who should be attributed as the creator of an AI-generated work—the programmer, the operator, or the entity commissioning the work.

➢ *Economic Exploitation (Article 14):* The absence of specific provisions for assigning ownership of economic rights in AI-generated content leaves such works in a legal void, complicating licensing and revenue-sharing agreements.

International Treaties: Berne Convention and TRIPS Agreement

Uzbekistan's commitment to the Berne Convention and the TRIPS Agreement reflects its alignment with global intellectual property standards. The Berne Convention, one of the most influential treaties in copyright law, emphasizes the protection of original works and the moral rights of authors. However, it does not directly address the implications of non-human creators, leaving member states, including Uzbekistan, to interpret its provisions within their national contexts.[12]

Similarly, the TRIPS Agreement establishes minimum standards for copyright protection but does not define authorship in a manner that accommodates AI-generated works. For Uzbekistan, these international obligations create both an opportunity and a challenge: while they provide a framework for adopting best practices, they also require careful adaptation to address domestic realities, including the integration of AI technologies.[13]

Relevance to AI-Generated Works

The current Uzbek legal framework, informed by both domestic laws and international commitments, remains silent on key issues concerning AI-generated works. This lack of recognition creates significant uncertainty regarding the applicability of copyright protections to such outputs. By analyzing these legal texts and treaties, this paper aims to identify gaps in the existing system and propose solutions that align with both international standards and Uzbekistan's unique legislative environment.

The experiences of other jurisdictions in addressing the challenges posed by AI-generated works provide valuable lessons for Uzbekistan. Countries like the United Kingdom and the United States have developed varying approaches to AI and copyright, offering insights into how different legal systems grapple with the tension between technological innovation and traditional concepts of authorship and originality.

The United Kingdom's Approach

The UK's CDPA takes a unique position on computer-generated works. Section 9(3) of the CDPA explicitly provides that for works generated by computers in the absence of human authorship, the person who made the necessary arrangements for the creation of the work is deemed the author[1]. This provision reflects a pragmatic approach to authorship by acknowledging the role of human contributors in enabling the creation of such works.

This framework could serve as a model for Uzbekistan, where existing copyright laws focus exclusively on human creativity. By adopting similar provisions, Uzbekistan could resolve ambiguities surrounding the authorship of AI-generated works, particularly in cases where human input is limited to designing or programming the AI system. However, this approach has its limitations, as it may overlook the collaborative nature of many AI-generated works, where multiple individuals or entities contribute to the creative process.

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[12] Berne Convention for the Protection of Literary and Artistic Works (adopted 9 September 1886, entered into force 5 December 1887) 1161 UNTS 30.

[13] Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (adopted 15 April 1994, entered into force 1 January 1995) 1869 UNTS 299.

The United States' Perspective

The US, by contrast, adheres to a more rigid interpretation of authorship under its Copyright Act. The US Copyright Office and federal courts have consistently emphasized that copyright protection is limited to works created by human authors. In Naruto v. Slater, the Ninth Circuit Court rejected the idea that a non-human entity, in this case, an animal, could claim authorship.[14] While this case did not involve AI, its reasoning has been extended to discussions about AI-generated works, reinforcing the human-centric approach to copyright.

This stance raises important questions for Uzbekistan. If Uzbekistan were to adopt a similar interpretation, many AI-generated works might remain unprotected under current copyright laws. This could discourage investment in AI technologies and limit the country's ability to foster innovation in creative industries. At the same time, the US approach highlights the importance of preserving the foundational principles of copyright law, including its emphasis on human creativity and moral rights.

The comparative analysis underscores the need for Uzbekistan to strike a balance between these two approaches. The UK model's recognition of computer-generated works offers a practical solution to the challenges posed by AI, while the US model highlights the risks of deviating too far from traditional principles of copyright. A hybrid approach, tailored to Uzbekistan's legal and cultural context, could address these challenges effectively, ensuring that both human and AI-generated creativity are appropriately recognized and protected.

The integration of scholarly perspectives is critical to understanding the broader implications of AI on copyright law. Academic discourse provides nuanced insights into the evolving nature of authorship, originality, and ownership in the context of AI. For example, scholars have debated whether traditional notions of creativity can accommodate non-human entities and whether existing copyright frameworks require fundamental reform to address the unique characteristics of AI-generated works.[15]

One area of scholarly consensus is the need to redefine originality in the context of AI. Many argue that the concept of originality, traditionally linked to human intellectual effort, must evolve to reflect the role of algorithms and datasets in the creative process.[16] This perspective is particularly relevant to Uzbekistan, where copyright law still relies on conventional definitions of originality under Chapter 59 of the Civil Code. By incorporating these insights into legislative reforms, Uzbekistan can align its legal framework with the realities of AI-driven creativity while maintaining its commitment to international copyright standards.

Furthermore, scholarly articles emphasize the importance of balancing innovation with the protection of creators' rights. While AI-generated works present opportunities for technological advancement, they also raise ethical and legal concerns about authorship, ownership, and the potential displacement of human creators. These concerns resonate with Uzbekistan's broader goals of fostering innovation while safeguarding the rights of its creative industries.

Results

The copyright framework in Uzbekistan, primarily governed by Chapter 59 of the Civil Code, establishes clear principles for protecting intellectual property. However, it lacks provisions explicitly recognizing or addressing AI-generated works. Article 971 of the Civil Code defines authorship in terms of human creativity, emphasizing that the author must be a natural person.[17]

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[14] Naruto v Slater [2018] 888 F3d 418 (9th Cir).
[15] Lionel Bently and Brad Sherman, Intellectual Property Law (5th edn, OUP 2018) 41–43.
[16] Mira Burri, 'The Protection of Creative Content in the Age of Artificial Intelligence' (2019) 10 JIPITEC 20, 22.
[17] Civil Code of the Republic of Uzbekistan, Chapter 59, art 971

This foundational assumption excludes AI systems from being recognized as authors, creating ambiguity for content produced autonomously by such systems.

Additionally, the concept of originality, as outlined in the Civil Code, further complicates the status of AI-generated works. Originality requires that a work reflects the unique intellectual effort of the author, a criterion traditionally associated with human mental activity. Since AI-generated content often relies on pre-existing data and algorithms, questions arise about whether such works meet the originality threshold under Uzbek law. For example, if an AI system generates a painting or musical composition, it is unclear whether the programmer, operator, or end-user can claim authorship or whether such works fall outside the scope of copyright protection altogether.

The absence of explicit provisions addressing AI-generated works leaves significant gaps in Uzbekistan's copyright framework, which may hinder the development and regulation of creative industries utilizing AI technologies. This gap becomes more evident when Uzbekistan's legislation is compared to jurisdictions with more advanced approaches to AI and copyright.

Jurisdictions like the United Kingdom and the United States provide contrasting models for addressing the copyright challenges posed by AI-generated works. In the UK, CDPA offers a forward-looking solution by recognizing computer-generated works. Section 9(3) of the CDPA specifies that for computer-generated works where there is no human author, the author is deemed to be the person who made the arrangements necessary for the creation of the work.[18] This provision ensures that such works are protected under copyright law while attributing ownership to a human entity, typically the programmer or operator of the AI system. Uzbekistan's Civil Code lacks any analogous provision, leaving AI-generated works in a legal vacuum.

In contrast, US copyright law maintains a strict human-centric approach to authorship. The US Copyright Office has consistently denied protection for works created without human involvement, as reinforced by cases like Naruto v. Slater.[19] This approach underscores the limitations of copyright law in addressing AI-generated works and raises concerns about whether such content can be adequately protected or commercialized. For Uzbekistan, adopting the US model would likely exacerbate the existing gaps in its copyright framework, as it would provide no pathway for recognizing AI-generated works.

These international examples highlight the disparity between Uzbekistan's copyright laws and jurisdictions that have begun addressing AI's impact. While the UK's pragmatic approach could serve as a model for legislative reform in Uzbekistan, the US framework demonstrates the challenges of adhering strictly to traditional notions of authorship.

The lack of clear provisions for AI-generated works in Uzbekistan not only creates legislative gaps but also poses significant challenges in enforcement. One major issue is identifying rightful ownership of AI-generated content. Since the Civil Code does not address scenarios where multiple parties contribute to the creation of an AI-generated work (e.g., programmers, operators, or users), disputes over ownership are likely to arise in collaborative environments.

Furthermore, the applicability of economic and moral rights to AI-generated works remains unclear. Economic rights, which grant the author the ability to exploit their work commercially, are difficult to assign when no clear human author exists. Moral rights, which protect the personal connection between the author and their work, become irrelevant when the "creator" is an AI system. This ambiguity risks leaving AI-generated works unprotected or subject to protracted legal disputes, undermining the incentives for investment in AI-driven creative industries[20].

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[18] United Kingdom Copyright, Designs and Patents Act 1988, s 9(3).
[19] Naruto v Slater [2018] 888 F3d 418 (9th Cir).
[20] Lionel Bently and Brad Sherman, Intellectual Property Law (5th edn, OUP 2018) 41–43.

The enforcement challenges are compounded by the broader lack of expertise and institutional capacity to address the complexities of AI and copyright. Unlike jurisdictions with specialized copyright tribunals or agencies equipped to handle novel issues, Uzbekistan's enforcement mechanisms are not yet prepared to address disputes involving AI-generated works.

Discussion

The question of authorship in AI-generated works presents significant challenges within the framework of Uzbek copyright law. Under Chapter 59 of the Civil Code, authorship is tied explicitly to human creativity, as Article 971 defines an author as an individual whose intellectual effort results in a creative work.[21] This definition leaves little room for recognizing AI systems as authors, given their non-human nature and the reliance on algorithms rather than cognitive processes.

Internationally, there is a growing debate on whether AI can or should be recognized as an author. In the United States, the case Naruto v. Slater set a precedent against non-human authorship, reinforcing the principle that copyright protection is inherently tied to human creators. Similarly, the US Copyright Office has consistently refused to grant protection to works generated without human input, citing the absence of a personal intellectual connection as the basis for denying authorship.[22]

For Uzbekistan, adopting a similar stance means that AI-generated works would remain outside the scope of copyright protection. However, this approach raises practical concerns, particularly regarding the role of programmers, operators, and users in enabling the creation of such works. In the United Kingdom, Section 9(3) of the CDPA addresses this issue by assigning authorship to the person who made the necessary arrangements for creating the work. This model, while pragmatic, attributes authorship to a human actor, such as a programmer or operator, without considering collaborative or automated contributions.

In Uzbekistan, the absence of provisions addressing these scenarios creates uncertainty about who, if anyone, can claim authorship over AI-generated content. This ambiguity risks discouraging investment and innovation in AI technologies, as stakeholders may lack legal assurance regarding ownership and rights management. Incorporating provisions similar to those in the UK CDPA into Uzbek law could help resolve this issue by attributing authorship to individuals or entities with a direct role in the creative process, while preserving the human-centric foundations of copyright.

The concept of originality is another cornerstone of copyright law that is challenged by AI-generated works. In Uzbekistan, the Civil Code requires originality as a prerequisite for copyright protection, implying that a work must reflect the unique intellectual effort of its creator. This human-centric interpretation aligns with international standards, such as the Berne Convention, which emphasizes the personal intellectual contribution of authors.[23]

AI-generated works, however, complicate the application of originality. Many AI systems rely on training datasets that include pre-existing works, which may introduce elements of replication or adaptation. For example, generative AI tools like GPT models create content by synthesizing data, raising questions about whether their outputs can be considered truly original. Under Uzbek law, the absence of human intellectual input could disqualify such works from protection, even if they exhibit novel or creative characteristics.

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[21] Civil Code of the Republic of Uzbekistan, Chapter 59, art 971.
[22] United States Copyright Office, Compendium of US Copyright Office Practices (3rd edn, 2021) §313.2.
[23] Berne Convention for the Protection of Literary and Artistic Works (adopted 9 September 1886, entered into force 5 December 1887) 1161 UNTS 30.

Additionally, conflicts may arise between human-created and AI-generated works, particularly in cases where AI systems inadvertently replicate existing copyrighted material. This issue has surfaced in other jurisdictions, such as the US, where AI-generated music and visual art have faced allegations of copyright infringement due to similarities with human-created works.[24] For Uzbekistan, addressing these conflicts will require balancing the need to protect human creators with the desire to foster innovation in AI technologies.

One potential solution is to adopt a dual approach to originality, distinguishing between purely human-authored works and those generated with AI assistance. This approach could involve recognizing AI-generated works as derivative creations, assigning ownership to the human parties involved in their development or operation. Such a framework would align with the principles of the Civil Code while providing clarity for AI-generated content.

Applicability of Moral Rights to Non-Human Entities in Uzbekistan

Moral rights are a fundamental component of copyright law, providing authors with the ability to protect the personal and reputational connection to their creations. Chapter 59 of the Civil Code of Uzbekistan affirms the importance of moral rights, granting authors the right to attribution, the right to protect the integrity of their work, and the right to oppose derogatory treatment.[25] However, these rights are inherently tied to the human identity of the author, as they are premised on personal intellectual and emotional connections to the work.

The question of whether moral rights can or should apply to AI-generated works remains unresolved in Uzbekistan. Since AI systems lack consciousness and personal identity, attributing moral rights to AI is both legally and philosophically untenable. Unlike human authors, AI systems are incapable of experiencing harm to reputation or the emotional impact of derogatory treatment. This position aligns with international practices, where moral rights are typically reserved for human creators under frameworks such as the Berne Convention.

Instead, moral rights may become a point of contention for human parties involved in the development or operation of AI systems. For example, a programmer or operator who enables the creation of an AI-generated work might seek recognition or protection of the work's integrity, particularly if it is altered or misused in a way that damages their professional reputation. Uzbek law does not currently provide mechanisms to address such claims, leaving moral rights in the context of AI-generated works largely unregulated. Adopting reforms that explicitly limit moral rights to human authors, while recognizing related rights for those involved in AI-generated creations, could provide clarity and consistency in the legal framework.

Economic rights under Uzbek copyright law grant authors exclusive control over the exploitation of their works, including rights to reproduction, distribution, and public performance. These rights are essential for ensuring that authors can derive financial benefits from their creations. However, the lack of clear provisions for AI-generated works in Uzbekistan complicates the allocation of economic rights, particularly in collaborative environments where multiple parties contribute to the development of an AI system.

The ambiguity surrounding authorship directly impacts ownership and licensing arrangements for AI-generated content. For instance, if a corporation invests in developing an AI system that generates commercially valuable works, the absence of a defined author under Uzbek law creates uncertainty about who owns the economic rights. This uncertainty could lead to disputes between programmers, operators, and end-users over revenue-sharing and control of the work.

Comparatively, jurisdictions like the United Kingdom provide a more structured approach by assigning economic rights to the person or entity that made the necessary arrangements for the

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[24] Lionel Bently and Brad Sherman, Intellectual Property Law (5th edn, OUP 2018) 41–43.
[25] Civil Code of the Republic of Uzbekistan, Chapter 59, arts 972–973.

creation of the work, as stipulated under Section 9(3) of the CDPA. This model allows for clear ownership and facilitates licensing agreements, enabling AI-generated works to be commercialized effectively. Uzbekistan could benefit from adopting similar provisions, ensuring that economic rights are clearly attributed and that stakeholders have legal certainty in exploiting AI-generated content.

Licensing presents additional challenges, particularly when AI systems are trained on datasets that include copyrighted material. The use of such datasets may infringe on existing copyrights, exposing developers and users to legal risks. This issue has surfaced internationally, as demonstrated by disputes involving AI systems like OpenAI's GPT models, which rely on large-scale datasets that may include protected works[26]. Uzbekistan's copyright framework does not yet address such scenarios, leaving developers vulnerable to potential claims and hindering the commercial application of AI technologies. Introducing specific licensing requirements for AI training datasets, along with guidelines for fair use, could help mitigate these risks while fostering innovation.

Acknowledgement

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[26] Lionel Bently and Brad Sherman, Intellectual Property Law (5th edn, OUP 2018) 54.
[27] Law of the Republic of Uzbekistan "On copyright and related rights" LRU-42; Law of the Republic of Uzbekistan "On informatization" (adopted 11 December 2003).
[28] WIPO Copyright Treaty (adopted 20 December 1996, entered into force 6 March 2002).
[29] Mira Burri, 'The Protection of Creative Content in the Age of Artificial Intelligence' (2019) 10 JIPITEC 20, 22.
[30] Sam Ricketson, The Berne Convention for the Protection of Literary and Artistic Works: 1886-1986 (OUP 1987) 85–90.

Finally, this research acknowledges the work of the WIPO, whose ongoing efforts to address the challenges of AI in intellectual property law have guided many aspects of this analysis. WIPO's studies and guidelines serve as an essential resource for countries like Uzbekistan, seeking to modernize their copyright systems in alignment with global trends.[31]

Conclusion

The integration of AI into creative industries presents unprecedented opportunities and challenges for copyright law in Uzbekistan. As this article has explored, the existing legal framework, grounded in Chapter 59 of the Civil Code and the Law on Copyright and Related Rights, remains focused on traditional human-centric concepts of authorship and originality. These provisions, while effective for conventional forms of creative output, are insufficient to address the complexities introduced by AI-generated works.

One of the most significant challenges lies in the ambiguity surrounding authorship. Uzbek law, like many international frameworks, presumes a natural person as the author, leaving no clear pathway for recognizing or protecting content autonomously generated by AI systems. This gap raises pressing questions about the roles of programmers, operators, and end-users, as well as the economic and moral rights associated with such works. Without legislative reform, these uncertainties risk stifling innovation and investment in AI technologies within Uzbekistan.

Comparative insights from jurisdictions such as the United Kingdom and the United States reveal varying approaches to addressing these challenges. The UK's pragmatic recognition of computer-generated works under the Copyright, Designs and Patents Act 1988 offers a potential model for Uzbekistan to adapt. Conversely, the strict human-centric interpretation of copyright in the US highlights the risks of excluding AI-generated works entirely from protection. By considering these international practices, Uzbekistan has an opportunity to develop a hybrid framework that respects its cultural and legal traditions while embracing the realities of AI-driven creativity.

Economic and moral rights further complicate the picture. The applicability of moral rights to non-human entities is legally and philosophically untenable, requiring a careful balance to ensure that human contributors to AI-generated works receive appropriate recognition and protection. Similarly, the economic implications of AI, from ownership disputes to licensing challenges, underscore the urgency of addressing gaps in the current legal framework. Introducing explicit provisions for AI-generated content, coupled with guidelines for licensing and fair use, could mitigate these risks and align Uzbekistan's copyright system with global best practices.

In general, as AI continues to redefine the boundaries of creativity, Uzbekistan must modernize its copyright legislation to foster innovation and protect the interests of all stakeholders. This reform should not only address the immediate challenges posed by AI but also position Uzbekistan as a forward-thinking jurisdiction capable of navigating the complexities of emerging technologies. By building on its existing legal framework and learning from international experiences, Uzbekistan can achieve a balanced and adaptive copyright system that supports both human and AI-generated creativity.

Bibliography:

1. Primary Legislation

1.1 Civil Code of the Republic of Uzbekistan, Chapter 59, arts 971–974.

1.2 Law of the Republic of Uzbekistan "On Copyright and Related Rights" LRU-42, arts 6–7.

1.3 Law of the Republic of Uzbekistan "On Informatization" (adopted 11 December 2003).

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[31] World Intellectual Property Organization, 'Artificial Intelligence and Intellectual Property' (WIPO) https://www.wipo.int/about-ip/en/artificial_intelligence/ accessed 28 November 2024.

1.4 United Kingdom Copyright, Designs and Patents Act 1988, s 9(3).

2. International Treaties

2.1 Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (adopted 15 April 1994, entered into force 1 January 1995) 1869 UNTS 299.

2.2 Berne Convention for the Protection of Literary and Artistic Works (adopted 9 September 1886, entered into force 5 December 1887) 1161 UNTS 30.

2.3 WIPO Copyright Treaty (adopted 20 December 1996, entered into force 6 March 2002).

3. Case Law

3.1 *Naruto v Slater* [2018] 888 F3d 418 (9th Cir).

4. Books

4.1 Lionel Bently and Brad Sherman, *Intellectual Property Law* (5th edn, OUP 2018).

4.2 Sam Ricketson, *The Berne Convention for the Protection of Literary and Artistic Works: 1886-1986* (OUP 1987).

5 Academic Articles

5.1 Mira Burri, 'The Protection of Creative Content in the Age of Artificial Intelligence' (2019) 10 *JIPITEC* 20, 22.

6. Reports and Other References

6.1 United States Copyright Office, *Compendium of US Copyright Office Practices* (3rd edn, 2021) §313.2.

6.2 World Intellectual Property Organization, 'Artificial Intelligence and Intellectual Property' (WIPO) https://www.wipo.int/about-ip/en/artificial_intelligence/ accessed 28 November 2024.