

**LAW OF THE REPUBLIC OF UZBEKISTAN
ON COPYRIGHT AND RELATED RIGHTS
ADOPTED BY THE LEGISLATIVE CHAMBER ON MARCH 23, 2006 APPROVED
BY THE SENATE ON JUNE 9, 2006**

Chapter 1. General Principles

Article 1. Aim of this law

The aim of this law is the regulation of relations, arising in connection with creation and use of scientific, literary and artistic works, (copyright), performances, phonorecords, and transmissions of on-the-air and cable broadcasting organizations (related rights).

Article 2. Legislation about copyright and related rights

Legislation about copyright and related rights consists of this law and related legislation statutory.

If by the international treaty of the Republic of Uzbekistan established the other rules than those, which are provided in legislation of the Republic of Uzbekistan on copyright and related rights, in this case the rules of the international treaty are applied.

Article 3. Basic concepts

In this law are applied the following basic terms:

copy of work- the copy of work, made in any material form;

public demonstration of works -display of original or copy of the work directly or on the screen with the help of film, slide, television frame or by the other hardware facilities well as the display of separate shots of audiovisual work without observance of their sequence in place that is open for public, or at the site where present the wide circle of people, not being the members of the same family;

disclosure of work - action realized by the author's consent that for the first time makes the work available for public notice by its publication, public display, public performance, on-air transmission or by the other way,

audiovisual works - work consisting of fixed series of images connected among themselves (with accompanying or un-accompanying of sound), meant for the visual and audio (in case of sound accompaniment) perception with the help corresponding hardware facilities, including the works of cinematography and all works products expressed by the facilities of similar cinema (TV-and video films, filmstrips, slide-films and other works), irrespective of their initial or subsequent fixing;

producer of audiovisual work- natural or legal person, taking the initiative and responsibility for production of such work;

bringing to the public - announcement of works or related rights' subjects to the public via wired or wireless communication facilities in the extent that the users of telecommunications systems can access to them from any place and in any time of their own choice;

communicate to the public - on-the-air transmission of works or related rights' subjects, disclosure across the wire, and their disclosure by any other ways (except for the distribution of copies) for acoustical and (or) visual perception by public, representatives of which are not in place of announcement, irrespective of that whether the works or related rights' subjects being available by such way perceived by them;

record - fixation of sounds and (or) images with the help hardware in some material form,

allowing to realize their numerous perception, reproduction or disclosure;

execution - performance of execution (including the works of popular art), phonorecords, execution, performance by game, recitation, singing, dance in alive execution or by hardware;

executor - actor, singer, musician, dancer or another natural person, who acts, sings, reads, recites, dances, interprets, plays on musical instrument or by other way performs the work of literature or art (including the works of public art), as well as the director-producer of performance and conductor;

announcement across the wire - announcement of works or related rights' subjects for public by cable, wires or with the help of similar facilities;

works of decorative and applied art - two-dimensional or three-dimensional work of art, originals or copies of which are used as the subjects of practical use or transferred on such subjects, including the works of vernacular art or products made by industrial way;

database - data aggregate (articles, calculations, etc .), expressed in objective form and systematized in such way that these data could be found and processed with the help of computing devices (further - computers);

author - natural person by whose creativity is created the work;

public performance - performance of works or related rights' subjects for acoustical and (or) visual perception by execution or any other form of announcement, directly or without help of hardware, in place that is open for public; or in place where present the wide circle of people, not being the members of same family;

hire - provision of the original or copies of works or the related rights' subjects for the temporary use for the purpose of extraction of income;

reprographic reproduction - facsimile reproduction in any size and in any form of one or more copies of originals of written and others works, or their copies by the photocopying or with the help of other hardware, except for the cases of manufacturing of reproductions of works of figurative art with application of type-setting printed forms. The reprographic reproduction not includes the storage or reproduction of established copies in digital form, except for the cases of creation of temporary copies, stipulated with the features used for reprographic reproduction of hardware;

retransmission - simultaneous on-the-air transmission or announcement across the wire the transmission of one organization of on-the-air or cable broadcasting by the other organization of terrestrial and cable-casting;

reproduction - manufacturing of one or more copies of works or related rights' subjects, or their parts by any way and in any material form, including the manufacturing in three dimensions of one or more copies of two-dimensional product and in two dimensions in one or more copies of three-dimensional products, record into the memory o) computer, and other electronic devices;

phonorecord - any exceptional audio record of some execution, other sounds, except for the audio record included into the audiovisual product,

copy of phonorecord - copy of phonorecord on any tangible medium, made directly or it is indirectly from phonorecord and including the all sounds or part of sounds, fixed in this phonorecord ;

producer of phonorecord - legal or natural person taking the initiative and responsibility for the first audio record of execution or other sounds;

works of popular art- fairy tales, songs, dances, works of decorative-applied art and other results of art and amateur national creativity, not having a concrete author;

phonorecords - issue of copies of works, record of execution or phonorecord under the consent of author of work, executor or producer of phonorecord in quantity sufficient for satisfaction of reasonable needs of public proceeding from the character of work, record of execution or

phonorecord;

on-air transmission - announcement of works or related rights' subjects for the public by their transmission on radio or television, including through the satellites (except for the cable television). during the on air transmission of works or related rights' subjects through satellite, under the meaning of on-air transmission we understand the reception of signals from the ground station to the satellite; and the transmission of signals from satellite, by the means of which the work or related rights' subjects can be announced to the public irrespective of their actual reception by the public,

organization of on-the-air or cable broadcasting - person, taking the initiative and responsibility for the on-the-air transmission or performance through cable, and realizing them in an established procedure;

program of organization of on-the-air or cable broadcasting - transmission created by the organization of on-air and cable broadcasting herself, as well as on her order and for account of her means by the other organization;

copyright owner - author or his successors concerning the copyright, executor or his successors, manufacturer of phonorecord , organization of on-air or cable-casting concerning the related rights, as well as the other legal or natural persons, receiving the right on use of works or related rights' subjects under the agreement or other argument, specified by this law.

Chapter 2. Copyright

Article 4. Scope of copyright

In compliance with this law the copyright is issued to:

author's works or other initial copyright owners, being the citizens of the Republic of Uzbekistan or having the permanent place of residence in the territory of the Republic of Uzbekistan;

works for the first time published in the Republic of Uzbekistan, irrespective of citizenship and permanent place of stay of their authors;

works, protected in the Republic of Uzbekistan in compliance with international treaties of the Republic of Uzbekistan.

The work is considered as published for the first time in the Republic of Uzbekistan, if within thirty days after the date of first publication beyond the limits of the Republic of Uzbekistan was published in the territory of the Republic of Uzbekistan.

At provision of work protection on territory of the Republic of Uzbekistan in compliance with the international treaties of the Republic of Uzbekistan the author of work is determined under the law of state, on the territory of which take place the legal circumstance, being used as the basis for copyright possession

Article 5. Subject matter of copyright

Copyright is distributed to the works of science, literature and art, being the results of creative activities, irrespective of designation and merit of a work, as well as the style of its expression.

copyright is distributed both for proclaimed and unproclaimed, being in some objective form:

written (manuscript, typewriting, note record and etc.);

oral (public pronouncing, public execution and etc.);

sound or video recording (mechanical, magnetic, digital, optical, and etc.);

images (figure, draft, picture, plan, design, film-, tv-, video- or photo frame, and etc.);

volumetric-spatial (sculptural, model, model, construction, and etc.);

another forms.

Copyright is issued for the form of expression, but not for the ideas, principles, methods, processes, systems, ways or concepts as proper.

Article 6. Works being the subjects of copyright

Subjects of copyright are the following:

literary works (literary-art, scientific, educational, publicistic, and etc.);
dramatic and scenery works;
musical compositions with text or without text;
musical and dramatic works;
choreographic works and pantomimes;
audiovisual works;
artworks, sculptures, diagrams, designs and other works of visual art;
works of decorative-applied and fine art, architectural documents, town-planning and garden art; photographic works and works, received with the help of similar photos;
geographical, geological and other maps, plans, drafts and works concerning to geography, topography and other sciences;
computer software of all types, including application programs and operating systems, that can be expressed in any programming language and in any form, including initial text and object code;
other works meeting the requirements, established in article 5 of this law.

Article 7. Parts of works, derivative and compilation works that are the copyright subjects

Subjects of copyright are the means that meeting the requirements, established under the article 5 of this law:

part of works (including its title), that can be used by itself;
derivative works (translations, revision, summary, abstracts, resumes, reviews, dramatization, arrangements, adaptation and other revision 's of works of science, literature and art);
composite books (encyclopedia's, anthologies, and database) and other compilation works, presenting the result of creative work on selection or ordonnance of materials.
derivative and compilation works are protected by copyright irrespective of that, if these works are the subjects of copyright, on which they are based either which they include.

Article 8. Materials that aren't the copyright subjects

Materials that aren't the copyrights subjects:

official documents (laws, resolutions, decisions, and etc.), as well as their formal translations;
official symbols and marks (flags, emblems, orders, banknotes, and etc.); works of popular art;
new reporting of day or current news, having the character of usual press-information;
results received with the help of hardware, designated for the production of specific type, without realization the creative activity by person, immediately directed on creation of individual work.

Article 9. Rights for drafts of official documents, symbols and marks

Copyright on draft of official document, symbol or mark belongs to the person creating the draft (developer).

The developer of the draft of official document, symbol or mark has the right to publish such draft, in case if this is not prohibited by authority on commitment of which the draft was developed. The developer has the right to specify his name during publication of draft.

The draft of the official document, symbol or mark could be used by the competent authority for the preparation of official document without the consent of developer, if the draft is published by him or directed to the corresponding authority.

During the preparation of official document, symbol or mark on the basis of draft the changes and additions can be included into it, at the discretion of the authority realizing the preparation of the official document, symbol or mark

After adoption (approval) of the official document, symbol or mark by the competent authority on the basis of draft the document, symbol or mark are used without indication of draft developer's name

Article 10. Copyright emergency. authorship presumption.

Copyright for works of science, literature and art arises by that fact of its creation. for emergency and realization of copyright the registration of work or observance of any specific formalities does not required.

Person, designated as the author on the original or copy of work is considered as its author, unless otherwise set forth here.

At publication of work anonymously or under pen-name (except for the case, when the pen-name of author does not leave any doubt in his personality) the publisher realizing the publication, name or title of whom is specified in work at the absence of proofs of other is considered as the representative of author and has the right to protect the rights of author and provide their realization. This statement acts until then the author of such work will not declare about his authorship.

Article 11. Copyright marks

Owner of exclusive copyright can use the copyright mark in order to notify about his rights, the mark that is placed on every copy of work, and contains three elements: latin letter "c" around;

Name (title) of the owner of exclusive copyright; year of first publication of work. unless otherwise is proved, the person designated in copyright mark is considered as the owner of exclusive copyright.

Article 12. Co-authorship

Copyright on work created with joint creative work of two or more natural persons belongs to co-authors irrespective of that, whether such work forms the one indissoluble entire work or consisted of parts, each of that has the independent significance.

The part of work is declared having the independent significance, in case if it can be used irrespective of other parts of this work.

Each of co-authors has the right to use the part of work created by him that having the independent significance in his own discretion, unless otherwise stated in the agreement between them.

Relations between the co-authors are determined on the basis of agreement, in general. in the absence of such agreement the copyright on work is realized by the all authors together and the authorship award is distributed equally.

If the work of co-authors will form the indissoluble entire work, in this case none of co-authors has the right without any sufficed argument to inhibit the use of work.

Article 13. Copyright on derivative work

To the author of derivative work belongs the copyright on revision of scientific, literary and artistic works.

The author of derivative work uses the copyright on work created by him in condition of following the rights by the author of work that is subject to revision.

Copyright of the author of derivative work does not prevent the other persons to realize their revision of work, becoming the basis for revision.

Article 14. Copyright on compilation work

To the author of compilation product (compiler) belongs the copyright on selection or arrangement of materials, presenting the result of creative work realized by him. the compiler uses the copyright in condition of observation of rights of each author's of work included into the compilation work

The authors of works that are included into the compilation work keep the exclusive rights on use of their works irrespective of compilation work, unless otherwise is stated in the author's agreement.

Copyright of compiler does not prevent the other persons to realize the independent selection or arrangement of the same materials for creation of the compilation work.

Article 15. Copyright on audiovisual work

The authors (co-authors) of audiovisual works are;

Director-producer;

Scriptwriter;

Author of musical composition with or without text of specially created for this audiovisual work;

Photography director;

Art designer.

Legal or natural person, name or title of whom designated as the manufacturer on the original or copy of this work is declared as the manufacturer of audiovisual work, unless otherwise is stated.

During the public performance of audiovisual work the author of composition (with or without text) preserves the right on reception of reward for public performance of his composition.

Article 16. Authors of interview

Copyright on interview belongs to the person, giving an interview, and person, conducting the interviews, as the co-author, unless otherwise is stated in the agreement between them.

Use of interview is allowed only with the consent of person, giving an interview.

Article 17. Rights of persons organizing the works creation

Persons, organizing the creation of work (producers of audiovisual products, publishers of encyclopedias, and other producers) are not considered as the authors of corresponding works. However, in cases prescribed by this law or other legislations, such persons obtain the exclusive rights on use of these works.

Producer of audiovisual work has the right to indicate his name or title at the use of this work or to require such illustration.

Publisher of encyclopedias, encyclopedic dictionaries, periodicals and extended collections of scientific papers, newspapers, magazines, and other periodicals has the exclusive rights on use of such publications. The publisher has the right to indicate his name or title during any use of such publication or to require such illustration.

Article 18. Personal non-property rights of author

Following personal non-property rights belong to author of work:

Right to be recognized as the author of work (copyright);

Right to use or allow to use the work under the actual name of author, penname or without designation of name, i.e. anonymously (right on author's name);

Right to release to public or allow the disclosure of work in any form (right on disclosure), including the right on response;

Right on protection of work, including its title, from any corruption or any invasion, capable to cause the damage to the honor and merit of author (right on author's reputation protection).

Author has the right to refuse from early accepted decision on disclosure of work (right of withdrawal) upon condition of compensation to persons, receiving the right to use the work, losses caused with such decision, including missed profit. If the work was already disclosure, the author should openly notify about its withdrawal herewith he has the right to withdraw the early made copies of work at his own expenses. These provisions are not applied to works for hire, unless otherwise is provided in agreement with author

At publication, public performance or other use of work introducing any changes into the work, in title, and in designation of author's name is allowed only under the consent of author.

It is prohibited to supply his work during publication with illustrations, foreword, afterword, comments or any explanations

Personal non-property rights belong to the author irrespective of his property rights and are preserved by him in case of transfer of exclusive rights on use of work.

Agreement of author with someone and the author's application on refusal of realization of personal non-property rights are insignificant.

Article 19. Property rights of author

The author possesses the exclusive rights on use of work in any form and by any way.

legal and natural persons, except for the cases stated in this law, can use the work only under the agreement with legal owner or other responsible person, including under the agreement with organizations, managing the property rights on collective basis or, in case of their absence, under the agreement with organization, executing the function and responsibilities of these organizations.

Exclusive rights of the author on use of work mean the right to realize or allow the following actions.

reproduction of work (right on reproduction);

distribution of original or copies of work by sale or other transfer of ownership (right on distribution);

disclosure of work to public (right on disclosure to public);

to hire the original or copies of work (right on hire);

to import the copies of work with a view of distribution, including copies, made under the consent of the owner of exclusive copyrights (right on import);

to announce about the work across the wire (cable) or with the help of other similar facilities (right to announce/across cable),

to transfer, arrange or process the work with other way (right on revision);
public display of work (right on public display);
public performance of work (right on public performance); announce about work to public by transfer through wireless devices (right on on-air transfer);
to translate the work (right on translation);
repeatedly announce on work to public, if such announcement is realized by the other organization, but not by the organization primarily realizing the announcement (right on repeated announcement to public.

Author has the right on reception of remuneration for every type of use of his work (right on remuneration).

If the copies of published work are lawfully entered into the civil circulation by their sale or other transfer of ownership, in this case there allowed their further distribution without the consent of author, and without the payment him the remuneration, except for the case, stated in the third part of article 23 of this law.

Work is considered as used irrespective of that, was it used for the purpose of extraction of income or its use is not intended for this

practical application of provisions, making the content of work (inventions, other technical, economic, organizational and related decision), is not considered as the use of work in terms of copyright.

Article 20. Peculiarities of some property rights of author

Exclusive rights of author on translation or revision of work include the right to realize or allow the actions concerning the translated or revised work that is specified in third part of article 19 of this law.

Exclusive rights of author on use of design, architectural, town-planning and park and garden projects include also the practical realization of such projects. The author of accepted architectural project has the right to claim from the customer provision of right on participation in implementation of hid project at development of documentation for construction and at construction of building, unless otherwise is provided in agreement.

Article 21. Right to hire

To the authors of audiovisual works, computer software programs, phonorecords possess the exclusive right to allow the hire of original or copy of work.

Provisions of this part are not applied regarding the audiovisual works, if such hire lead to wide reproduction of such work, making the substantial damage on reproduction, as well as regarding the computer software, if it is not the basic subject of hire.

During the hire of copies of phonorecords or audiovisual works the author despite the transfer right on hire of phonorecord or audiovisual work to the producer or phonorecord or producer of audiovisual work preserves the right on obtain the reward for hire of copies of phonorecord or audiovisual work. Minimal size of reward, conditions and procedure of payment are established by the cabinet of ministers of the Republic of Uzbekistan

Article 22. Deposition of works

Deposition of manuscripts of works, other works on any tangible medium is accepted the use of work in case, if such deposition is made in storehouse (depositories), which is open for access of

everyone, and allows the procurement on agreement with the depository of copy of work by any person, who addressed in this depository.

Deposition of work is realized on basis of agreement of exclusive copyright owner with depository, establishing the terms and conditions of works use. Such agreement and depository agreement with the user are public.

Article 23. Access right to works of visual art. artist resale royalty

Author of visual art work has the right to claim from the owner of work to provide the opportunity to realize the right on reproduction of his work (access right). Herewith it is impossible to claim from the owner of work delivery to the author of work.

Transition of property right on work of visual art (payable or non-payable) from the author to another person means the first sale of this work.

in every case of public resale of visual art work (by auction, gallery of visual art, art show, shopping, etc.) at price, exceeding the previous one not less than twenty percent the author has the right to obtain the compensation from the seller in amount of five percent from resale price (artist resale royalty). Indicated right is inalienable and will pass only to the successors of author according to the law on copyright validity term.

Article 24. Copyright restriction

Restriction of exclusive rights of author and other persons on use of work is allowed only in cases that stated in articles 25-33 of this law or other legislations. Indicate restrictions are applied on condition that this will not make any unjustified damage to normal use of work and do not infringe by unreasonable manner the legal interests of author

Article 25. Reproduction of works for personal advantage without author's sanction and without payment of remuneration

Admitted without consent of author or another legal owner, and without payment of remuneration of reproduction of disclosures work in personal purposes, except for the cases, provided in article 33 of this law.

Rules of first part of this article are not applied regarding the following cases:
reproduction of architectural works in form of buildings and constructions;
reproduction of databases or their essential parts,
reproduction of computer software programs, except for the cases, specified by law;
reprographic reproduction of books (in whole) and musical texts.

Article 26. Free use of works with in indication of author's name

There is admitted the following free use of work with obligatory indication of author's name and source of borrowing, and on condition that it didn't damage the normal use of work and the legal interests of author are not restrained:

Quotation in original and in translation in the scientific, research, polemic, crucial and not related to advertising information purposes of proclaimed works in volume, justified by quotation purpose, including the reproduction of passages of newspaper and journal articles in form of print sample;

Use of promulgated works or the passages of such works as the illustrations in editions, radio or tv-programs, audio or videotapings of educational and training character in volume, justified by stated goal,

Reproduction in newspapers, on-air transmission or cable transmission of articles published in newspapers and magazines on current political, economic, social, and religious issues, or the works transmitted on-the-air or through cable of the same character; except for the cases, when such use was specially prohibited by the author;

Reproduction in newspapers, on-air transmission or transmission through the cable of performed in public the political speeches, compellations, reports and other related works in whole, justified with stated goal. Herewith, the author preserves the right for publication of such works in collection of works;

Reproduction or announcement to general public in review of current events with the help of photos or cinematography, by on-air transmission or cable transmission of works that become seen or heard during such events, in whole, and justified with information goal herewith, the author preserves the right for publication of such work in collection of works;

Reproduction of published works without deriving the revenue, with using the point system or other method for blind person, except for the works, specially created for such methods of reproduction.

It is admitted without the author's consent or another legal owner, and without the payment of remuneration of providing for temporary use by libraries of copies of works, entered into civil circulation according to law. herewith the copies of works, being subject matter of copyright, expressed in digital form including the copies of works provided for mutual use of library resources, can be provided for temporary use only in the premises of libraries in condition of exception of opportunity to create the copies of these product in digital form.

Article 27. Use of works by reprographic reproduction

It is admitted without the purpose of deriving the revenue, without the consent of author or another legal owner, as well as without payment of remuneration, but with obligatory reference of author's name, whose work is used, and the source of borrowing of reprographic reproduction in a single copy of:

published work by the libraries and archives for restoration, replacement of lost or spoilt copies, as well as for provision of copies of work to the another libraries and archives, losing these works due to some reasons;

particular articles and small-scale works, published in collections, newspapers, and in the other periodicals, short extracts of published written works (with illustrations or without) by the libraries and archives according to the requests of citizens for educational and research purposes, as well as by the educational institutions for class hours.

Article 28. Free use of works permanently located at places open for free attendance

It is admitted without the consent of author or another legal owner, and without the payment of remuneration the reproduction, on-air transmission, or cable transmission of the architectural works, photos, visual art works that are constantly located in place open for free attendance. This rule does not extend to cases, when the representation of work is the basic subject of such reproduction, on-air transmission or cable transmission, as well as in case, when the representation of work is used for commercial purpose.

Article 29. Free public performance of works

It is admitted without the consent of author or another legal owner, and without the payment of remuneration the public performance of published musical compositions during the official, religious, and obituary ceremonies, in whole, justified with the character of such ceremonies.

Article 30. Use of works for the performance of inquiry, preliminary investigation, administrative and court proceedings

Is admitted without the consent of author or another legal owner, and without the payment of remuneration, the use of works for the purposes of inquiry performance. Preliminary investigation, administrative and court proceedings, in whole, justified with purpose of application.

Article 31. Free record of short-term use, performed by the organizations of on-air broadcasting

Organization of on-air broadcasting without the author's consent and without the payment of remuneration can record for short-term use of work in regard to what this organization obtained the right for on-air transmission, in condition that such record is realized by the organization of on-air broadcasting with the use of her own facilities, and for her own transmission. The organization is obliged to destroy such record within six months after its production, in case, if more long term was not agreed with the author of recorded work. Such record can be saved without the author's consent in the state archives, if the record bears the exceptionally documentary character.

Article 32. Free reproduction and adaptation of computer software programs or database

Right of the person, lawfully owning the copy of computer software or database for free reproduction and adaptation of computer software or database for the future personal use is determined by the legislation.

Article 33. Payment of remunerations for personal advantage reproduction

It is admitted without the consent of author of work, executor, producer of phonorecord, and manufacturer of audiovisual work, but with the payment to him the remuneration, the reproduction of audiovisual work or phonorecord in personal purposes without extraction of revenue. The remuneration is paid by the producer and the equipment importers (audio or video tape recorders, and other equipment) and tangible mediums (audio and (or) video tapes and cassettes, cd, and other tangible mediums), used for such reproduction.

List of manufactured and imported equipment and tangible mediums, as well as the rates of collecting remuneration, terms and procedure of its collection are established by the cabinet of ministers of the Republic of Uzbekistan.

Collection and distribution of remuneration stated in this article are implemented by the one of organizations, controlling the property rights of authors, producers of phonorecords, and executors on collective basis, in accordance with the agreement concluded between these organizations. Unless otherwise is stated by this agreement, the indicated remuneration is distributed in following proportion:

Forty percent - to authors, thirty percent - to executors, thirty percent - producers of phonorecords and (or) manufacturers of audiovisual works.

Control and supervision over the procedure of collection and distribution of remunerations, stated with this article are implemented by the designated authority collection is not made and

remuneration is not paid with respect to equipment and tangible mediums that the subject matters of export, as well as professional equipment that is not destined for use in domestic conditions.

Article 34. Copyright for works for hire

Personal non-property rights of author on work, created according to the procedure of official duties performance or service task (service work) are preserved by the author of work.

Exclusive rights for the service product use belong to the employer, unless otherwise is stated in agreement between him and author

Amount of author's award for every type of service work use and the procedure of payment are established under the agreement between author and employer. On expiration often years from the moment of promulgation of work, and at consent of employer, and previously, the author obtains the right on use of work, and on reception of remuneration in whole, irrespective of agreement concluded with employer.

Right of the author to use the service work by the way that is not conditioned with purpose of task is not restricted.

Employer has the right to specify his name or to require such indication at any use of service work.

On creation in order of performance official duties or service task of employer of encyclopedias, encyclopedic dictionaries, periodical and extended collection of scientific works, newspapers, magazines, and other periodicals, stated in third part of article 17 of this law, the provisions of this article are not distributed.

Article 35. Duration of copyright

Copyright remain in force during the all lifetime of author and fifty years after his death, except for the cases, stated by this article and other legislations.

Copyright on work created in co-authorship remains in force throughout all lifetime of co-authors and fifty years after the death of the last of authors, lining through the others.

The copyright on work lawfully discriminated under the pen-name, or anonymously remains in force fifty years after its discrimination. If throughout the indicated term the pen-name or anonym will declare his identity or his personality will not remain doubts, in this case are applied the some terms, indicated in the first part of this article.

Copyright on for the first time released work, after the death of author, will remain in force fifty years after its release.

Copyright, right on author's name, and right on author's reputation protection are protected for indefinite term.

During provision of work protection in compliance with international treaties of the Republic of Uzbekistan the copyright duration in the territory of the republic of n is determined in accordance with this article. But this term cannot exceed the copyright duration term, established in the country of origin of the work.

Calculation of terms, stated in this article begins from the first January, following the year, when take place the legal fact that is the basis for beginning of duration

Article 36. Transfer of copyright by inheritance

The property rights of author are transferred by inheritance.

Personal non-property rights of author do not devolve. The successors of author have the right to realize the protection of highlighted rights. These competences of successors are not restricted in terms.

At absence of author's successors the protection of his personal non-property rights is assigned to specifically authorized government authority.

If the copyright on work belongs to several successors jointly, in this case, the procedure of use of work is determined under the agreement between them herewith, none of successors has the right without any sufficient reasons to prohibit the other successors to use the work.

Article 37. Transfer of work for public domain

Expiration of copyright validity on work means the passage of work to the public domain.

Works, which protection in the territory of the Republic of Uzbekistan have never been provided; they are considered as public property.

Works being the public property may be easily used by any person without payment of remuneration. Herewith, they should follow the personal non-property rights of author.

Article 38. Copyright agreement

Property rights that are specified in the third part of article 19 of this law can be passed by the legal owner to another person only by the conclusion of copyright agreement, except for the cases, established in this law.

Transfer of author's property rights can be realized on the basis of copyright agreement on transfer of exclusive rights, or on the basis of copyright agreement on transfer of non-exclusive rights.

Copyright agreement on transfer of exclusive rights permits the use of work, according to specified manner, and within the limits established by the agreement, only by the person, whom these rights are passed.

Copyright agreement on transfer of non-exclusive rights permits the customer to use the work equally as the owner of exclusive rights, transferring such rights, and (or) to other persons, obtaining the permit on use of this work by the same manner.

Rights, passed under the copyright agreement are considered as non-exclusive, unless otherwise is stated in the agreement.

Copyright on work is not connected with the property right for tangible object, in what the work is expressed.

Transfer of property right on tangible object or the ownership rights over the tangible object by itself does not attract the transfer of any copyrights on work, expressed in this object.

Article 39. Copyright agreement terms

Copyright agreement should provide:

manner of works use (concrete rights, passed under this agreement);

amount of remuneration and (or) procedure of determination of the amount of remuneration for each manner of work use, order and terms of payment.

Copyright agreement may foresee even the other terms and conditions, which the parties find necessary.

In the absence thereof in the copyright agreement the terms on duration on which is passed the right on use of work, the agreement can be terminated by the author on expiration of five years

from the date of conclusion, if the user will be notified in written form six months prior to annulment of the agreement.

In the absence in copyright agreement the terms about the territory, within the borders of which the right for the work use is valid, the validity of right passed under the agreement is limited within the territory of the Republic of Uzbekistan.

Rights on use of work, directly not provided for transfer by the copyright agreement are considered as not transferred.

Rights on use of work that is unknown at the moment of agreement conclusion cannot be the subject of copyright agreement.

the remuneration is determined in the copyright agreement in percentage form from the income for appropriate way of work use or, if this is impossible to realize in connection with the nature of work or features of its use, in the form of fixed amount in the agreement, by another manner. Minimal size of this remuneration is established by the cabinet of ministers of the republic of Uzbekistan.

If in the copyright agreement about edition or other execution of product the remuneration is determined in the form of fixed amount, in this case in the agreement should be established the maximal circulation of work.

Rights, transferred under the copyright agreement can be passed in whole or in partly to other persons, only in case, when this condition is stipulated by the agreement. Terms of copyright agreement restricting the author in creation of works in future on the given theme or, in this area is insignificant. Terms of copyright agreement contradicting to the requirements of this law are invalid.

Article 40. Specific features of copyright agreement on creation and use of audiovisual work

Conclusion of copyright agreement on creation and use of audiovisual works follows the transfer by the authors of this work to the producer of audiovisual work the exclusive rights for reproduction, distribution, hire, public execution, on-air transmission, cable transmission, repeated transmission for general public, public performance of audiovisual work, as well as subtitulation, and duplication of text of audiovisual work, unless otherwise is stated in the agreement. Indicated rights are valid during the copyright validity term on audiovisual work.

Use of works being the components of audiovisual work is realized on the basis of copyright agreement and other reasons, stipulated by law.

The legal owner, yielding the consent on inclusion of work into the content of audiovisual work, has not the right to prohibit or restrict the use of audiovisual work in some way, unless otherwise is provided in copyright agreement with the producer of audiovisual work.

The authors of works entering as the component parts in audiovisual work, both existing formerly, and created in process of working over it, each of them use the copyright for their own product, unless otherwise is not stipulated in copyright agreement with the producer of audiovisual work.

Article 41. Commissioning contract

Under the commissioning agreement the author is obliged to create the work in compliance with the terms and conditions of agreement, and pass it the customer.

Personal non-property rights on work created under the commissioning agreement belong to the author

In case of transfer of non-property rights for use of work under the commissioning agreement the provisions of articles 38, 39 and 42 of this law should be followed.

Article 42. Form of copyright agreement

Copyright agreement should be concluded in written form, except for the cases, stipulated by law.

At the sale of copies of computer software programs and databases the copyright agreement is considered as concluded in written form, if its terms (terms of software programs and database use) are stated in corresponding manner in the copies of software programs and database.

Chapter 3. Related rights

Article 43. Related rights' scope

Rights of executor are confessed by him in compliance with this law at observance of one of the following conditions:

executor is the citizen of the Republic of Uzbekistan,
performance for the first time take place in the territory of the Republic of Uzbekistan, irrespective of citizenship of executor;

performance is recorded in phonorecord, protected in compliance with the provisions of the second part of this article;

performance not recorded in phonorecord is included into the program of on-air or cable transmission organization, protected in compliance with provisions of the third part of this article.

Rights of phonorecord producer are confessed by him in compliance with this law, with observance of one of the following conditions:

producer of phonorecord is the citizen of the Republic of Uzbekistan, or the legal person having the residence in the territory of the Republic of Uzbekistan;

phonorecord for the first time is published in the territory of the Republic of Uzbekistan, irrespective of citizenship or residence of producer of phonorecord.

rights of on-air or cable broadcasting is confessed by them in compliance with this law in case if, the organization has the location in the territory of the Republic of Uzbekistan, and realizes the on-air or cable transmission with the help of transmitters, located in the territory of the Republic of Uzbekistan.

In compliance with this law the related rights of foreign legal and natural persons are also recognized, rights that are protected in the Republic of Uzbekistan in compliance with international treaties of the Republic of Uzbekistan.

Article 44. Subject matter of related rights

Subjects of related rights are executions, phonorecords, transmissions of on-air and cable broadcasting organizations.

Article 45. Parties of related rights

Parties of related rights are the executors, producers of phonorecords, organization of on-air and cable broadcasting.

For occurrence and implementation of related rights the registration of the party of related right or the observance of any formalities is not needed.

Legal and natural persons, including the persons realizing the on-air transmission or cable transmission (including retransmission), except for the cases, provided by this law, may use the work, execution, phonorecord, or the program of the organization of on-air and cable broadcasting only under the agreement with the legal owner or another responsible person. Retransmission should be realized with observance of rights of authors, executors, producers of phonorecords, and other legal owners for on-air transmission, cable transmission, and performance to general public.

Article 46. Related right marks

The owners of exclusive rights for phonorecord and (or) execution, recorded on such phonorecord, they may for the notification about their rights use the related right marks, that is placed on every copy of phonorecord and (or) on every component, and consists of three following elements:

- Latin letter "p" in circle;
- name (title) of the owner of exclusive related rights;
- year of first publication of phonorecord.

Unless otherwise is stated, the producer of phonorecord recognizes the legal or natural person, name or title of whom is designated in this phonorecord and (or) on and (or) on the component case by usual manner.

Article 47. Performance rights

Following rights belong to the executor:

- right on name;
- right on protection of execution from any distortion or any infringement, capable to cause the damage to the honor and dignity of executor,
- exclusive rights on use of execution in any form, including the right on obtaining the remuneration for every type of execution use.

Exclusive rights of executor for use of execution mean the right to *realize or* allow the following actions:

- to reproduce the record of execution (right on reproduction);
- to distribute the original or copies of record of execution by sale or another transfer of ownership (right on distribution);
- to bring the record of execution to public notice (right on public notice);
- to hire the original or copies of record of execution, even after their distribution according to the consent of executor and irrespective of property right on original and copie (right on hire);
- to record formerly not recorded executions (right on record);
- to transmit on-the-air or through the cable, if the execution used for such transfer had not formerly been transmitted on-the-air or realize with the use of record (right on 01 air transmission or cable transmission of recorded execution);
- to transmit on-the-air or through the cable the record of execution, if originally this record was made not for commercial purposes (right on on-the-air transmission or through the cable of execution record).

Exclusive right of executor on execution record reproduction is not issued in case, when:

- original record of execution was realized under the consent of executor;
- reproduction of execution record is realized in the same purposes, as for which the consent of executor at the record of execution was obtained;

reproduction of execution record is realized in the same purposes, as for which the record in accordance with provisions of article 53 of this law was produced.

If the copies of execution record are legally entered into civil circulation by the help of their sale or other transfer of property right, in this case, their further distribution allowed without the consent of executor and without payment of remuneration to him.

To the executions that are realized in the procedure of official duties or employers tasks performance, the provisions of article 34 of this law are applied correspondingly.

Executors should realize their rights with observance of copyrights of executed works.

Record of execution is considered as used irrespective of that, whether it was used for the purpose of extraction of income or its use was not intended on this.

Article 48. Executor rights assignment

Executor rights, stipulated in the second part of article 47 of this law may be assigned to the other persons under the agreement. To such agreement the provisions of articles 38, 39 and 42 of this law are applied correspondingly.

Permissions on use of executions are issued by the executor and at the execution by the collective of executors, responsible representative of collective of executors by conclusion of written agreement contract.

Size and order of calculation of remunerations for the use of execution is established under the agreement of executor or responsible representative of collective of executor with user, and in cases, if the collection of such remuneration is realized by the organizations, controlling the property rights of executors on collective basis, in the agreement concluded of such organizations with users.

Conclusion of agreement between executor and producer of audiovisual work on creation of audiovisual work attracts the transfer of rights by the executor that is provided in the second part of article 47 of this law. Transfer of such rights by the executor is limited with use of audiovisual work and, unless otherwise is provided in the agreement, no includes the rights on separate use of sound or image, fixed in audiovisual work.

Article 49. Right on hire of execution record

Right on hire of published for commercial purposes phonorecord on which the execution is recorded with participation of executor, at conclusion of agreement on record of execution on phonorecord passes to the producer of phonorecord

At hire of phonorecord copies, published for commercial purposes, the executor whose execution is recorded on phonorecord preserves the right on obtaining remuneration for hire of copies of such phonorecord.

At hire of audiovisual work copies, published for commercial purposes, the executor whose execution is included in audiovisual work preserves the right on reception of remuneration for hire of copies of such audiovisual work

Collection and distribution of remuneration during the hire of copies of phonorecord or audiovisual work, published for commercial purposes, may be realized by the organization, controlling the property rights of executors on collective basis. The amount of remuneration is determined under the agreement between such organization and organization realizing the hire.

Article 50. Right of phonorecord producer

Exclusive rights on use of this phonorecord in compliance with this law belong to the producer of phonorecord.

Exclusive rights of phonorecord producer on use of phonorecord mean the right to realize or allow the following actions:

to reproduce the phonorecord (right on reproduction);

to distribute the original or copies of phonorecord by sale or other transfer of property (right on distribution);

to bring the phonorecord to notice of general public (right on bringing to public notice);

to hire the original or copies of phonorecord, even after their distribution, realized by the producer of phonorecord or under his consent, and irrespective of property right on original and copies (right on hire);

to import the original or copies of phonorecord with a view of distribution, including the copies, made under the permission of the owner of exclusive rights on phonorecord (right on import);

to transmit the phonorecord on-the-air or through the cable (right on on-the-air transmission or cable transmission);

to remake or revise the phonorecord with any other way (right on remaking).

Phonorecord producer has the right on obtaining the remuneration for every type of use of his phonorecord.

If copies of published phonorecord are legally entered into civil circulation by their sale or another transfer of property rights, in this case there allowed their further distribution without the consent of phonorecord producer and without payment of remuneration to him

Exclusive rights of phonorecord producer, stipulated in the second part of this article may be transferred under the agreement to other persons. to such agreement are applied the provisions of articles 38, 39 and 42 of this law, correspondingly.

The phonorecord producers should realize their rights with observance of copyrights of authors and executors of used works and executions.

Phonorecord is considered as used irrespective of that, is it used for the purpose of extraction of income or its use not directed in this.

Article 51. Remuneration for use of phonorecord

Allowed without the consent of producer of phonorecord, published for commercial purposes, and executor, the execution of which is recorded on such phonorecord, but with payment the remuneration to him:

public performance of phonorecord;

on-air transmission or cable transmission of phonorecord, including by retransmission.

Collection, distribution and payment of remuneration, provided in the first part of this article, may be realized by the organization, controlling the property rights of executors on collective basis, or organization, controlling the property rights of producer of phonorecord on collective basis under the agreement between such organizations

amount of remuneration, provided in the first part of this article and the order of its payments are determined under the agreement between the organization, realizing the collection and persons using the phonorecord.

Article 52. Rights of organization of on-the-air and cable broadcasting

Organization of on-the-air or cable broadcasting has the exclusive rights for use of its transmissions in compliance with this law.

The exclusive rights of organization of on-the-air or cable broadcasting on use of its transmissions mean the right to realize or allow the following actions:

- to reproduce the transmissions record (right on reproduction);
- to distribute the original or copies of transmission record by sale or other assignation of property right (right on distribution);
- to bring the transmission record to public notice (right on bringing to general public);
- to record the transmission (right on record);
- to bring the transmission to public notice in places with entrance fee (right on bringing to the general public in places with entrance fee);
- to retransmit the transmission (right on retransmission);
- to bring the transmission to public notice via cable or on-the-air transmission (right on bringing to public via cable or on-the-air transmission).

Organization of on-the-air or cable broadcasting has the right on reception of remuneration for every type of use of its transmission.

Exclusive right of the organization of on-the or cable broadcasting on reproduction of transmission record is not extended in cases, when:

record of transmission was realized under the consent of organization of on-the-air or cable broadcasting;

reproduction of transmission is realized in the same purposes, for which its record in compliance with provisions of article 53 of this law was prepared.

Exclusive rights of organization of on-the-air or cable broadcasting that are stated in the second part of this article may be assigned under the agreement to another person. To such agreement the provisions of articles 38, 39 and 42 of this law are applied, correspondingly.

The organizations of on-the-air or cable broadcasting should realize her rights with observance of copyrights of authors and executors of used works, and executions, and in appropriate cases the rights of producers and organizations of on-the-air or cable broadcasting.

Transmission of on-the-air or cable broadcasting organization is considered as used irrespective of that, is it used for the purpose of extraction of income or its use is not directed on this.

Article 53. Restriction of rights of executor, producer of phonorecord, or the organization of on-the-air or cable broadcasting

Allowed, without the consent of executor, producer of phonorecord, organization of on-the-air or cable broadcasting, or the legal owner, and without payment of remuneration, the use of execution, transmission of organization of on-the-air or cable broadcasting and their records, as well as reproduction of phonorecords:

by inclusion into review on current events of small extracts from execution, phonorecord, transmission of organization of on-the-air or cable broadcasting;

exceptionally with a view of training or scientific research;

in form of quotation of small extracts of executions, phonorecords, transmissions of organization of on-the-air and cable broadcasting, in the condition that such quotation is realized in scientific, research, polemic, critical or information purposes. herewith any reproduction of phonorecord, published for commercial purposes, is realized for on-the-air transmission or cable transmission, or bringing to the general public is performed with observance of provisions of the article 51 of this law;

in other cases, that are stipulated with this law in regard to restriction of property rights of authors of works of science, literature and art.

Allowed, without the consent of executor, producer of phonorecord, organization of on-the-air or cable broadcasting or other legal owner and without payment of remuneration, the production by the natural person of execution record, transmission of organization of on-the-air or cable broadcasting, as well as phonorecord solely for the personal purposes and without extraction of income.

Provisions of articles 47, 50 and 52 of this law are not applied in respect to obtaining the permission of executor, phonorecord producer and organization of on-the-air broadcasting on realization of records of short-term using of execution or transmission, on reproduction of such records and on reproduction of phonorecords, published for commercial purposes, if the record of short-term using or reproduction are realized with organization of on-the-air broadcasting with the help of its facilities, and for its own transmission, in the condition that:

preliminary reception by the organization of on-the-air broadcasting the permission on transmission on-the-air of the same execution or transmission, in respect to which in compliance with provisions of this part the record of short-term using or reproduction of such record are realized;

its destruction within the limits of term that is establishes concerning the record of short-term using of works of science, literature and art, produced by the organization of on-the-air broadcasting in accordance with provisions of the article 31 of this law, except for the single copy that may be saved in the state archives on the basis of its solely documentary feature.

Restrictions, stated in this article concerning the rights of author, executor, phonorecord producer, organization of on-the-air or cable broadcasting or other legal owner, are applied without detriment to normal use of execution, phonorecord, transmission of organization of on-the-air or cable broadcasting, as well as works of science, literature and art included into them, and without infringement of lawful interests of executor, phonorecord producer, organization of on-the-air or cable broadcasting, authors of mentioned works or other legal owner.

Article 54. Related rights duration

Rights, stipulated in this law concerning the executor are valid during fifty years after the first performance.

Rights of executor on name and protection of execution from any distortion or other encroachment, capable to cause the damage the honor and dignity of executor, and they are protected for indefinite term.

Rights, provided with this law regarding the phonorecord producer are valid during fifty years after the first performance of phonorecord or within fifty years after its first record, if phonorecord was not published throughout this term.

Rights of the organization of on-the-air or cable broadcasting, provided in this law in regard to transmission of the organization of on-the-air or cable broadcasting are valid within fifty years after its first on-air transmission or the first cable transmission.

At provision of protection to the related rights subjects in accordance with international treaties of the Republic of Uzbekistan the validity term of related rights on the territory of the Republic of Uzbekistan is determined in accordance with this article. But this term cannot exceed the validity term of related rights, established in the country or related rights subjects.

Calculation of terms, provided in this article begins from January 1, following the year, in which the legal fact, being the basis for beginning of the duration of term takes place.

to the successors (concerning the legal persons - assignees) of executor, phonorecord producer, organization of on-the-air or cable broadcasting are assigned the right to realize or allow the use of execution, phonorecord, transmission of organization of on-the-air or cable broadcasting,

and right to obtain the remuneration within the limits of remaining part of terms, stipulated in this article.

Article 55. Transfer of related rights subjects to the public domain

Expiration of validity term of related rights on execution, phonorecord, transmission of organization of on-the-air or cable broadcasting means their transfer into the public property.

Execution, phonorecord and transmission of organization of on-the-air or cable broadcasting, the protection of which on the territory of the Republic of Uzbekistan had never been provided are considered as the public property.

Executions, phonorecords and transmissions of the organization of on-the-air or cable broadcasting being the public property, may be easily used by any person without payment of remuneration.

Chapter 4. Collective management of property rights

Article 56. Organizations, controlling the property rights on the collective basis

Authors of works of science, literature and art, executors, phonorecord producers, or other legal owners with a view of practical implementation of their property rights have the right to create the organizations, controlling their property rights on collective basis.

Organizations, controlling the property rights on collective basis are nonprofit organizations and act on the basis of their statute.

The statutes of organizations, controlling the property rights on collective basis, should contain the provisions that meet the requirements of this law.

To the activity of organizations, controlling the property rights on collective basis the restrictions stated with antimonopoly legislation are not applied.

Allowed the creation of separate organizations on various rights and various categories of legal owners or organizations, controlling the different rights in the interests of the same category or organizations, controlling the same type of rights in interests of different categories of legal owners.

Terms and the procedure of state registration of organizations, controlling the property rights on collective basis are established by the cabinet of ministers of the Republic of Uzbekistan.

Article 57. Activity of organizations, controlling the property rights on collective basis

Scope of authorities in collective management of property rights is directly provided to the legal owners voluntary on the basis of written agreements, as well as under corresponding agreements with other (including foreign) organizations, performing the property rights management. Such agreements are not authors and the provisions of articles 38-42 of this law are not distributed on them.

Author or another legal owner have the right to provide to the organization, controlling the property rights on collective basis, under the agreement, the powers on performance of their property rights, and the organization is obliged to assume the realization of these rights on collective basis, if such rights management refers to the statutory activity of this organization. the author or another legal owner have the right to provide the powers on performance of property rights or the right of only one organization, controlling the property rights on collective basis that corresponds to category of legal owners.

Decision making concerning the amount of remuneration and the terms and conditions of conclusion the agreement with users on use of works and subjects of related rights, the manner of

distribution and payment of collected remuneration, and other principal issues of the organization's activity, controlling the property rights on collective basis, is performed solely by the authors or another legal owners collegially in general meetings.

On the basis of powers, received from the legal owners the organization, controlling the property rights on collective basis, concludes the agreements on use of work and subjects of related rights with users. The terms and conditions of agreements should be similar for all users of the same category, determined with regard to the type and volume of used works and subjects of related rights.

Indicated organizations have not the right to refuse the conclusion of agreement with user without sufficient reasons on this. such agreements allow the use in manners indicated in them, all works and subjects of related rights and they are provided under the name and within the interests of all legal owners, including those, who did not assign the responsibilities to the organization in accordance with the first, second and sixth parts of this article. All possible property claims of legal owners to users, regarding the use of their works and subjects of related rights on the basis of such agreements should be controlled by the organization concluding the agreement, controlling the property rights on collective basis.

Users obliged to provide the information about the use of works and subjects of related rights to the organizations, controlling the property rights on collective basis, as well as the other data and documents, necessary for controlling, distribution and payment of remuneration. The list of data and documents is determined in agreements, concluded with organizations, controlling the property rights on collective basis, with users.

Organizations, controlling the property rights on collective basis have not the right to realize the use of works and subjects of related rights, assigned for controlling on collective basis.

Article 58. Rights of organizations, controlling the property rights on collective basis

Organization, controlling the property rights on collective basis, on behalf of presented legal owners and on the basis of obtained powers from them has the right:

to conform with users the amount of remuneration and other terms on which the agreements are concludes;

to conclude the agreements with users on use of rights over which controlling the organization is engaged;

to conform with the users the amount of remuneration in cases, stipulated by this law, when the organization is engaged in collection of such remuneration without conclusion of agreement;

to collect, distribute and pay the remunerations provided in the agreements and (or) remuneration, provided with the forth item of this part;

to undertake any legal acts, necessary for protection of rights over which controlling such organization is engaged;

to realize in procedure established by such organization the registration and (or) deposition of works and (or) subjects of related rights, as well as agreements on assignment of rights on works and (or) subjects of related rights.

Organization, controlling the property rights on collective basis is able to have the other rights on the basis of agreements with legal owners, and in compliance with legislation.

Article 59. Responsibilities of organizations, controlling the property rights on collective basis

Organization, controlling the property rights on collective basis is obliged to:

simultaneously with payment of remuneration to provide to the legal owners the reports, containing the data on use of their rights;

use collected the remunerations, in accordance with provisions of item five of the first part of article 58 of this law, solely for distribution and payment to the legal owners herewith, the organization have the right to subtract from collected remuneration the amount for coverage of the actual expenses on collection, distribution and payment of such remuneration, as well as the sums that are directed to the special funds, created by this organization entirely under the consent within the interests presented by its legal owners;

distribute and regularly pay the collected amounts of remuneration, with the charge of sum of remuneration, provided in item three of this part, proportionally to the actual use of works and subjects of related rights;

distribute and pay the collected remunerations directly to the legal owners and (or) to transfer it for distribution and payment to legal owners of other organizations, presenting the interests of corresponding categories of legal owners on the basis of agreements with such organizations;

preserve the unclaimed remuneration, taking the steps on seek of legal owners, within three years from the date of its receipt to the settlement account of organization. on expiration of indicated term the organization has the right to include the unclaimed remuneration into distributed sums or turn it to the other purposes, solely under the consent and within the interests of legal owners provided by the organization.

the legal owners, not providing the powers to the organization, concerning the collection of remuneration, provided in item five of the first part of the article 58 of this law, have the right to claim from the organization the payment in compliance with made distribution, as well as to exclude the their works or subjects of related rights from agreements, provided by this organization to the users.

Organization, controlling the property rights on collective basis can bear the other responsibilities on the basis of agreements with legal owners and in accordance with legislation.

Article 60. Control over the organizations' activity, controlling the property rights on collective basis

Control over the activity of organizations, controlling the property rights on collective basis is performed by special authorized state authority. organization, controlling the property rights on collective basis is obliged to provide to the specifically authorized state authority the following data on: changes made in the statute of organization;

bilateral and multilateral agreements concluded by the organization and foreign organizations, controlling the similar rights, decisions of general meetings;

annual balance, annual report, including the information about unclaimed remunerations, and auditor check of organization's activity; surname, name and patronymic name of persons, who responsible to represent the organization.

Specifically authorized state authority has the right to claim from the organization, controlling the property rights on collective basis, the additional information, necessary for check of conformity of the organization's activity to its statute and legislation.

Chapter 5. Copyright and related rights protection

Article 61. Responsibility on infringement of legislation on copyright and related rights

persons, guilty for the violation of legislation on copyright and related rights bear the responsibility in compliance with established procedure.

Article 62. Copyright and related rights infringement

Infringement of copyright and related rights is: infringement of personal non-property rights of authors, infringement of executor rights on name and protection of execution from any distortion or any other invasion;

reproduction, distribution or another use of works or subjects of related rights without conclusion of agreement with legal owner or organization, controlling the property rights on collective basis, except for the cases, when in accordance with this law such use is allowed without conclusion of agreement; infringement of requirements on payment of remuneration in cases, provided in this law;

use of works or subjects of related rights with excess of competences, assigned under the agreement, concluded with legal owner or organization, controlling the property rights collective basis;

another infringement of property rights of legal owners.

Counterfeited are the copies of works and subjects of related rights, reproduction or distribution of which is performed with the infringement of copyright and related rights. Moreover, counterfeited are the copies of works and subjects of related rights, protected in accordance with this law, and imported without the consent of legal owners from the government, where these works and subjects of adjacent rights are ceased to be protected or have never been protected.

Article 63. Technical facilities of copyright and related rights protection

As the technical facilities of copyright and related rights protection are recognized any technical devices or their components, controlling the access to the works or subjects of related rights, preventing or restricting the realization of actions that are not allowed by author, owner of related rights or another owner of exclusive rights, concerning the works or subjects of related rights.

Regarding the works or subjects of related rights is not allowed:

realization without permission of persons, indicated in the first part of this article, the actions directed on removal of restrictions on use of work or subjects of related rights, established by application of technical devices of copyright and related rights protection;

manufacturing, distribution, hiring, provision for temporary free use, importing, advertising of any device or its components, their use for commercial purposes 01 provisioning of services in cases, if in the result of such actions it becomes impossible the use of technical facilities of copyright and related rights protection, or these technical facilities do not provide the appropriate protection of mentioned rights.

Article 64. Information on copyright and related rights

As the information on copyright and related rights is recognized any information that identifies the work or subject of related rights of the author, owner of related rights 01 another owner of exclusive rights, or the information about the terms of use of work or subject of related rights that is contained on the copy of work or subject of related rights, enclosed to them or occurred in

connection with announcement to public or bringing to the general public of such work or subject of related rights, as well as any figures and codes, in which such information is contained.

It is not allowed:

removal or change of the information on copyright and related rights without the permission of persons, indicated in the first part of this article;

reproduction, distribution, import with a views of distribution, public execution, announcement to public, bringing to the general public of works or subjects of related rights .n regard to which without the permission of persons, indicated in the first part of this article, the information about copyright and related rights is was removed.

Article 65. Copyright and related rights security methods

Author, the owner of related rights or another owner of exclusive rights have the right to demand from infringer:

recognition of rights;

restoration of position, existing prior to the infringement, and termination of actions, violating the right or creating the threat for its infringement;

compensation of losses in size of not received incomes, which the legal owner would obtain at usual conditions of civil circulation, if his right was not broken. if the infringer in the consequence of infringement of copyright or related rights received the incomes, in this case, the legal owners has the right to claim the compensation along with other losses of missed benefit at the rate not less than these incomes;

payment of compensation instead of indemnity of losses, paid irrespective of fact of causing the losses, proceeding from the character of infringement and fault degree of infringer in respect to customs of business turnover;

taking another steps, stated with legislation, connected with protection of their rights that are established by this law.

Author and executor in case of infringement of their rights have the right to claim from the infringer the compensation of moral harm.

Organization, controlling the property rights on collective basis, in procedure established by law, has the right to apply to the court on his own behalf with application on protection of infringed copyrights and related of persons, the management of property rights of whom is realized by such organization.

Losses, caused to the third persons in the consequence of undertaken steps, necessary for prevention or termination of infringement of copyright or related rights, as well as the losses, which were incurred to the person, undertaking such steps are subject to recovering at the expenses of infringer.

Article 66. Confiscation of pirated copies of works and subjects of related rights

Pirated copies of works and subjects of related rights, as well as the materials and equipments used for their manufacturing and reproduction, and other instruments persistent to violations are subject to confiscation judicially in accordance with the legislation.

Confiscated pirated copies of works and subjects of related rights are subject to destruction, except for the cases of their transfer to the legal owner on his request.

Chapter 6. Final provisions

Article 67. Resolution of disputes

Disputes regarding the copyright and related rights are resolved in procedure established by the legislation.

Article 68. Recognition of certain legislations as void

To recognize the following legislations as void:

Law of the Republic of Uzbekistan "on copyright and related rights" of August 30, 1996 № 272-1 (register of the supreme council of the Republic of Uzbekistan, 1996, № 9, pp. 135);

resolution of the supreme council of the Republic of Uzbekistan «on introduction into effect the law of the Republic of Uzbekistan «On copyright and related rights» on August 30, 1996 . № 273-1 (register of the supreme council of the Republic of Uzbekistan, 1996, № 9, pp 136); item 15 of the law of the Republic of Uzbekistan of December 15. 2000 № 175-11 «On introduction of amendments and additions, as well as recognition of certain legislations of the Republic of Uzbekistan as void» (register of the supreme council of the Republic of Uzbekistan, 2001, № 1-2, pp. 23).

Article 69. Bringing the legislation to conformity with this law

To the Cabinet of Ministers of the Republic of Uzbekistan to bring the decisions of government to conformity with this law provide the revision and cancellation by the state administration bodies their regulatory legal acts, contradicting to this law.

Article 70. Procedure of entering into effect of this law

This law enters into effect from the day of its official publication.

Provisions of the second part of article 21 and the second part of article 49 of this law, stipulating the right on reception of remuneration for hire of audiovisual works, enter into effect on expiration of one year after introduction into effect of this law.

Agreements on use of works, executions, phonorecords, transmissions of the organizations of on-the-air or cable broadcasting, concluded prior to the introduction of this law into effect, they remain in force until termination of duration of such agreements, and the provisions of legislation on copyright and related rights, acting on the moment of their conclusion are applied to them.

I. Karimov President of the Republic of Uzbekistan

Tashkent

July 20, 2006

№ LRU-42