



THE ROLE OF COPYRIGHT IN THE CONTEXT OF SOCIAL MEDIA

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Tillaboev Shokhrukhbek

Lecturer At Tashkent State University Of Law Fellow Of The El-Yurt Umidi Foundation Alumni Of Brunel University London

ABSTRACT

This article examines important aspects of the interaction between copyright and social networks in contemporary information society. The article emphasizes key elements of agreements between users and platforms, defining rules for content usage. The Digital Millennium Copyright Act (DMCA) is highlighted as an effective mechanism for protecting copyright in the online environment. Court decisions on copyright infringement in social networks serve as examples for understanding the complexities of balancing between freedom of information exchange and intellectual property protection. In conclusion, the importance of effective collaboration between authors and social platforms is emphasized to ensure fairness, diversity, and quality of content in the online space.

KEYWORDS

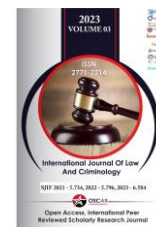
Probation, corrections, internal affairs, convict.

INTRODUCTION

In the modern digital age, social networks provide a unique environment for information exchange and creativity, but problems arise with ensuring fairness and protecting intellectual property. Copyright, as an essential element of the legal system, is aimed at protecting creative efforts and stimulating innovation. In the context of social networks, where users actively create, share and distribute content, issues related to intellectual property rights become especially relevant. Social media platforms - from gaming moments and

research projects to artwork and opinions - serve as fertile ground for creativity and expression of ideas.

Undoubtedly, social networks such as Facebook and Twitter provide the opportunity to post materials on the Internet that may be subject to copyright. In this case, the owner of the posted work on the social networking site is not the site itself. However, by agreeing to post their works, the author enters into an agreement granting the site a license to use the works provided. For example, in the terms of service of the



social network Twitter, it is noted that the user retains rights to all content they submit, post, or display. Therefore, the user grants the social network a non-exclusive, royalty-free license (with the right to sublicense) to use, copy, reproduce, process, adapt, modify, publish, transmit, display, and distribute such content by any means or methods of distribution.

According to S.S. Losev, each social media channel has its own policy regarding intellectual property rights, typically outlined in their terms of use. These policies allow users to post materials on their sites only if the user has the legal right to do so or if it does not infringe on others' intellectual property rights. For example, Facebook explicitly states this in its terms of service and community standards, which users agree to abide by when using the site. Facebook reserves the right to remove any infringing content without prior notice or even suspend the operation of your account.

Moreover, today, small business owners must understand copyright laws and image usage to protect themselves from online embarrassment or potentially costly legal disputes. For instance, as soon as a user uploads a photograph, it is automatically protected by copyright. Copying and pasting this image can expose your business to significant legal risks.

Refer to foreign practice, the Digital Millennium Copyright Act (DMCA) is one of the most effective means of protecting content in the online space in the United States. It is an American federal law enacted to regulate copyright issues in the digital environment. The Act was enacted in 1998 and provides specific mechanisms to deal with copyright infringement in the online environment. The DMCA has become a key element in balancing copyright protection with ensuring freedom and diversity in the online environment.

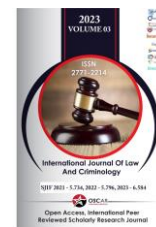
Ryan Vacca, a professor at the University of New Hampshire Law School and a member of the school's Franklin Pierce Center for Intellectual Property, said the purpose of copyright law is to protect original creative expression - and images fall under that protection.

"For most creative works, this easily satisfies the minimum creative standard if - provided they didn't steal it from someone else - the original creator has some copyright protection for that image," Prof. Vacca explained.

Case Study

In 2018, a New York federal judge ruled that news organizations that posted tweets containing a photo of soccer star Tom Brady violated the Copyright Act. The original photographer originally posted the photo to Snapchat, where it went viral, and then uploaded it to Twitter. Those publications were actually the defendants in the lawsuit that Goldman filed for the use of his photo taken by the social media publications. This case is one of the most popular cases in copyright and social media.

Once user creates an account on a social media platform such as Instagram or Twitter, you are asked to accept their terms and conditions. Of course, 99% of users blindly accept them without actually reading them. By agreeing, you are typically granting the platform a royalty-free worldwide license to use any content you share. By creating an account on the site, you agree to grant the social media platform a license to use your content. If users are a content creator, it is especially important to be aware of this fact and to make sure that you fully understand the terms and conditions user have signed up to in order to understand your intellectual property rights.



Everything that is published on account: stories, posts, Reels, quotes, tweets are your intellectual property, you are the author and owner of this digital content.

Ruth Carter, author of a book about copyright in blogging called "The Legal Side of Blogging: How Not to Get Sued, Fired, Arrested, or Killed," explains that companies need to realize that copyright infringement is a form of theft. There is misinformation that tells business owners, lawyers [and others] that they can use anything they find on the Internet, as long as attribution and a backlink to the original.

In the European Union, copyright regulation in social media is far ahead of a number of countries, including the Republic of Uzbekistan. The Directive on Copyright in the Digital Single Market of the European Union (Directive on Copyright in the Digital Single Market 2016/0280 (COD), also EU Copyright Directive) was approved in 2019 by the European Council. This legal act has caused a lot of discussion among media representatives, also among overseas representatives such as the United States and Canada. Most believe that the directive discourages online expression by requiring websites to obtain licenses to link to news articles, and Article 13 would require the use of technology to analyze content that is not capable of identifying fair use, such as parody.

This includes Article 13 of the EU Copyright Directive. In theory, Article 13 places greater responsibility on social media platforms to take proactive measures to both remove and prevent the publication of any potentially infringing content. This is intended to help protect content creators and place less responsibility on them to monitor their creations. Currently, social media platforms provide services to investigate and remove infringing content if they are notified of infringement.

For better and more effective support of copyright, taking into account the development of information technologies, the World Intellectual Property Organization Copyright Treaty was signed in 1996. However, this treaty does not affect the freedom of the contracting countries to grant exclusive rights to the authors of literary, artistic, musical works. This means that the last expression will always be for the right holder, the state has no right to take away someone's work.

It can be stated that copyright infringement is one of the pressing issues in the realm of intellectual property law. This problem needs to be addressed at the international level with the assistance of international organizations such as the WIPO, the International Federation of Phonogram Producers, and the Copyright Licensing Agency. These organizations should pay special attention to infringements on online platforms and social networks.

Photographic works, along with similar methods falling under the definition of photography, are subject to copyright protection and therefore receive protection through a special key in blockchain technology. According to the privacy policy of the Telegram platform, photographs, videos, and other files undergo encryption with a unique key that remains unknown to the server. During the data transmission stage, this key, along with the file's location, undergoes additional encryption with a new secret chat key before being sent to the recipient.

In 2021, the Arbitration Court of the Sverdlovsk Region (Russia) issued a decision in favor of the claimant, establishing the fact of violation of his copyright to objects of intellectual property. The claimant demanded that the court obligate the social network to remove the objects of his copyright within one calendar day from the moment the court's decision

entered into force. Additionally, he asked the court to recover from "VKontakte" a penalty and compensation in the total amount of 1.1 million rubles. In practice, judicial decisions on the obligation to remove content and compensations are usually assessed taking into account the responsibility of the social network for the content posted by its users. Overall, the court's decision will depend on how clearly the violation is proven and what legal grounds are used for the claimant's demands.

Based on the above facts, we can conclude that copyright and social networks are interconnected not only by publications and other content, but also by legal aspects. Unfortunately, as practice shows, the source of regulation and dispute resolution mechanisms have not yet been normalized. One of the key aspects of the interaction between copyright and social media is the consent of authors to post their content. User agreements and privacy policies determine how social networks can use posted content.

Court decisions such as those cited in the cases discussed highlight the importance of copyright protection and provide a framework for resolving disputes. However, these cases also highlight the difficulty of balancing the freedom to share information with protecting the rights of authors.

CONCLUSION

In conclusion, in today's digital age, the role of copyright in social media represents an integral part of maintaining fairness, fostering creativity, and ensuring the rights of legitimate content owners. The effective interaction of these two areas promotes diversity and quality of content in the virtual space, contributing to the development of a digital society.

The best way to protect your business from copyright infringement litigation is to ask permission from original content creators before using their work, using free images online and creating your own content.

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