

**INTERNET SITE AND DOMAIN NAME AS OBJECTS OF CIVIL LAW IN THE
SYSTEM OF INTERNET USE RELATIONS**

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Annotation: This research explores the legal nature of internet sites and domain names as objects of civil law within the framework of internet use relations. With the increasing role of digital technologies in modern society, internet resources have gained significant legal and economic value. The study analyzes the classification of domain names and websites, their ownership rights, and legal protection mechanisms under civil law. Furthermore, it highlights current legal challenges, including domain disputes, cyber-squatting, and the need for international legal harmonization. The paper also provides recommendations for improving legal regulation in this evolving area to ensure effective protection of digital assets.

Key words: Civil law, internet site, domain name, intellectual property, legal regulation, digital rights, ownership, domain disputes, internet use relations.

In recent years, the government of Uzbekistan has put forward a number of initiatives aimed at legal regulation of the digital sphere, expanding internet infrastructure, strengthening cybersecurity, and developing online services. In this process, the issue of clearly defining the legal status of websites and domain names plays an important role.

In his address on October 5, 2020, President Shavkat Mirziyoyev, within the framework of the "Digital Uzbekistan - 2030" strategy, emphasized the following: «In the modern digital economy, every individual, enterprise, and government organization must create and protect their online representation, domain name, and information resources»¹.

The Internet (English, Internet, full Interconnected Networks – «joined networks») is an «international computer network» consisting of many interconnected computer networks designed for storing and transmitting information².

A domain name is a unique, easily memorized text address for a website on the internet. It is the address entered by the user to access a website or service on the internet. A domain name is the "digital address" of a website, which users use instead of an IP address (Internet Protocol address).

The pre-Internet local internet (Ethernet) was created by R. Metcalf in 1976. Subsequently, a significant increase in the number of users occurred: at the beginning of 1991, the European Physical Laboratory created the "World Wide Web" (hereinafter WWW) protocol and launched the first web server on May 17, 1991. Another leap in the development of the sector has begun.

¹ Shavkat Mirziyoyev, "Raqamli O'zbekiston – 2030" strategiyasi doirasidagi nutqi, 2020-yil 5-oktabr. Manba: <https://president.uz>

² Толковы словарь иноязычных слов. / Под ред. Крысина Л.П. М.: Э с о, 2008. С. 355.

By the mid-1990s, 13 million computers were connected to the global network, and there were 500,000 websites. No human achievement has ever known such a rapid "occupation" of the audience. For comparison (according to US calculations), it took 38 years for radio to reach an audience of 50 million people, 13 years for television, and 5 years for the internet.

The world's first website, info.cern.ch, was created in 1990. Its creator, Tim Berners-Lee, published a description of the new WWW technology. The founder of the web believed that hypertext could serve as a basis for data exchange networks, and he succeeded in implementing his idea. Tim Berners-Lee is considered the "father" of basic internet technologies³.

Uzbekistan began connecting to the internet in the early 1990s. In 1992, the first internet provider, UzPak, was established in Tashkent. During this period, the internet was primarily intended for government agencies and scientific institutions and was not used by the general public.

In 1997, the first international internet channel of Uzbekistan - "UzNet" - was launched. Through this channel, it became possible to connect to the internet networks of foreign countries. Thus, Uzbekistan began to gain wider access to the Internet.

In the mid-2000s, internet services expanded, private providers began operating, and internet services began to be offered more widely to the public. However, there were still restrictions on internet speed and quality.

In the 2010s, the internet infrastructure developed significantly, and mobile internet services became widespread.

In 2017, the number of internet users in Uzbekistan exceeded 20 million. During this period, significant improvements were also observed in internet speed and quality.

As of January 1, 2024, the number of internet subscribers in Uzbekistan reached 30.1 million, a 12.5% increase compared to the same period in 2023. The largest number of subscribers is in the city of Tashkent - 6.3 million, the smallest number is in the Syrdarya region - 0.7 million.

Starting January 1, 2025, private providers in Uzbekistan have been granted the right to a direct connection to the international internet. Connecting to the internet has become even more accessible and has contributed to improved quality.

Considering the above, several characteristics of the Internet network can be highlighted:

- The internet network is not owned.
- The set of networks forming it has different geographical orientations, which does not allow the application of the legislation of only one country to the Internet;
- It is impossible to completely shut down the Internet network, because its routers, that is, network computers connecting the networks that make up it, do not have a single external control.

³ Мультимедийные презентации. Вебу исполнилось 15 лет. // URL: http://www.presentation.ru/news/news_07_08_06_19.html

On May 28, 2003, at the 840th meeting of deputy ministers, the European Union's Committee of Ministers adopted a normative legal document aimed at strengthening internet freedom by defining seven basic principles for protecting internet freedom. This document, called the «Declaration on Freedom of Communication on the Internet»⁴, established the following principles:

Principle 1: Rules for posting on the Internet. Member States should not restrict the Internet beyond all other means of content and information delivery.

Principle 2: Self-regulation or joint regulation. Member States should encourage self-regulation or joint regulation of the content of information disseminated on the Internet.

Principle 3: Lack of preliminary state control. State authorities should not prohibit public access to information and other communication methods on the Internet, regardless of state borders, through general blocking or filtering. This does not prevent the installation of filters for the protection of minors, especially in places convenient for them, such as a school or library;

Principle 4: Eliminating barriers to the participation of individuals in the information society. Member states must regulate and support access to the Internet and information services for all on a non-discriminatory basis and at reasonable prices. Also, the active participation of the public should not be hindered by any obstacles, for example, through the creation and maintenance of separate Internet sites.

Principle 5: Freedom to provide services via the Internet. Member states should strive to take measures to support diversity in the provision of services via the Internet, which allows for meeting the diverse needs of users and social groups. Service providers must be able to operate in accordance with the regulatory framework that ensures unimpeded access to national and international telecommunications networks.

Principle 6: Limiting the responsibility of service providers for Internet content. Member States should not impose on service providers (providers) a general obligation to control the content on the Internet accessible to them, nor the information they transmit or store, nor the urgent search for facts or circumstances indicating illegal activity. Member states must ensure that service providers are not responsible for the safety of the Internet, as defined by national legislation, when their function is limited to simply transmitting information or providing access to the Internet.

Principle 7: Anonymity In order to ensure protection from surveillance on the Internet and to enhance the free expression of information and ideas, member states must refrain from disclosing their identity and respect the will of Internet users.

The Regulation «On the Procedure for Registration and Use of Domain Names in the UZ Domain», approved by order of the Director General of the Uzbek Agency for Communication and Information A. Aripov on May 26, 2008, and entered into force on July 3, 2008, regulates the interaction of persons involved in the registration and use of domain names in the UZ domain, in particular, the Administration of the UZ domain, the registrar of domain names in

⁴ Council of Europe Committee of Ministers. Declarations on freedom of communication on the Internet (Adopted by the Committee of Ministers on 28 May 2003 at the 840th meeting of the Ministers' Deputies) // URL: <https://wcd.coe.int/ViewDoc.jsp?id=37031>

the UZ domain, the Administration of the domain name, and persons who post their materials on websites with domain names in the UZ domain.

A distributed registration system is used in the UZ domain for the following purposes:

- provision of decentralized registration services;
- introduction of a competitive environment;
- improving the quality of services provided;
- expanding the range of additional services provided to consumers.

On April 7, 1994, IANA (Eng. An entry about Uzbekistan's «UZ» national domain has been entered into the international database of high-level national domains supported by the Internet Assigned Numbers Authority - the authorized organization for the distribution of numbering on the Internet.

In Uzbekistan, the state enterprise "UZCOM" is responsible for the "UZ" domain. Based on the regulatory legal documents developed by UZCOM, the right to a domain name arises in the following order:

Domain Name Registration: To register a domain name, it is necessary to submit an application and make a payment.

Domain Name Rights: The right to a domain name usually belongs to a registered person or organization and is granted only to the registered person.

Domain name re-registration: To re-register a domain name, it is required to update it for each domain name throughout the year.

Today, the internet is viewed not only as a means of obtaining information, but also as the main guarantee of freedom of speech, personal rights, and democracy. The protection of rights on the Internet depends on the political will of states, the legislative framework, and the activity of civil society. This article discusses the issue of protecting internet site rights, using the example of foreign countries and Uzbekistan.

Today, websites have become an important tool not only for commercial activity, but also for personal freedom and freedom of information. The formation of the regulatory framework related to the rights and protection of websites in the Russian Federation has undergone significant changes in recent years. Below, we will discuss the main methods of protecting the rights of websites in Russia, including legislation and judicial practice.

1. Judicial protection.

The Civil Procedure Code of the Russian Federation (Federal Law of November 14, 2002, No. 138-FZ "Civil Procedure Code of the Russian Federation") allows website owners to protect their rights through the courts. If the website owner feels their rights have been violated, they can appeal to the court, demanding compensation for damages, unlawful blocking, or taking other necessary measures.

2. Appeal to Roskomnadzor.

Russia's information technology and mass communications control agency - Roskomnadzor (Federal Service for Control in the Field of Communications, Information Technologies, and

Mass Communications) - regulates the operation of websites. If a website is illegally blocked or illegally added to the list, the website owner has the right to officially appeal to Roskomnadzor. This agency will inspect the website and, if justified, may request the lifting of the block.

3. Protection of intellectual property rights.

Website design, content (text, images, video), and software are protected by copyright. If other individuals copy or distribute these materials without permission, the website owner can file a lawsuit under Article 1252 of the Russian Civil Code (Civil Code of the Russian Federation, Article 1252). This article provides for the recovery of damages and the adoption of other measures in cases of copyright infringement.

4. Protection through cybersecurity tools.

The rights of the website owner must be protected not only through legislation but also through technical means. To prevent cyberattacks, phishing, DDoS attacks, or data theft, websites must be protected by SSL certificates, secure hosting, firewalls, and antivirus systems.

5. Addressing the media and shaping public opinion.

In some cases, violations or blocks on the site can be eliminated by stimulating public opinion. A website owner can communicate their concerns to the public through the media, bloggers, or social networks, and achieve a positive resolution with the help of the wider community.

Although domain names are not classified as specific intellectual property rights in Slovak law, the Supreme Court considers them equivalent to industrial property rights. This is due to the commercial use of the domain name and its role as a brand identifier. Furthermore, a domain name, if used legally, can be protected as an unregistered trademark or commercial resource.

Since January 2017, Slovakia.sk has implemented the ADR system for its domains. Through this system, individuals holding intellectual property rights can resolve disputes regarding domain names without resorting to court. The ADR Center is managed by the European Information Society Institute (EIS) and appoints specialists to resolve disputes over domain names.

The ADR system requires the following conditions:

- The domain name must be identical or similar to the applicant's intellectual property rights.
- The domain name owner should not have any payment or legal benefit related to the rights of the applicant.
- The domain name must have been registered or used with malicious intent.

In general, Uzbekistan is still in the process of improving its legal system in this area. Russia and Slovakia have developed relatively advanced approaches to the effective protection of internet sites and domain names as objects of civil rights. In Uzbekistan, it is necessary to define the status of a domain name as an independent legal entity, simplify the procedure for considering legal disputes related to it, and strengthen the rights of internet site owners based on clear legislation.

In conclusion, based on the aforementioned foreign experience, we can propose the following changes that could be introduced to Uzbekistan's legislation:

Firstly, it is necessary to amend Article 169 ("Objects of Property Rights") of the Civil Code of the Republic of Uzbekistan. That is, domain names should also be included in Article 169 as objects of property rights. This includes property relations such as the sale, lease, and inheritance of domain names.

Secondly, it is necessary to create a special section (or chapter). That is, a special chapter on internet sites and domain names should be included in the Civil Code of the Republic of Uzbekistan, in which:

- Legal status of domain names,

The procedure for registering, managing, changing, and canceling domain names.

- Legal relations and agreements related to domain names,

Domain name dispute resolution mechanisms

Measures and liability must be provided for the use of domain names.

In conclusion, it is crucial in today's digital age that internet sites and domain names have a strong legal basis as objects of civil law, and that relations related to them are regulated on a legal basis. This, in turn, contributes to the development of the digital economy in our country, improving the investment climate, and ensuring legal certainty on the internet.

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