



## THE CONCEPT AND NATURE OF RIGHTS TO AN INVENTION

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### Annotation

This article examines the concept and essence of rights related to inventions. It analyzes the role of inventions in the scientific, technological, and economic development of society, as well as the legal nature and content of patent law. Particular attention is given to the objective and subjective interpretation of patent law, the legal requirements for recognizing an invention as an object of legal protection, and the main principles of the patent system. The article also highlights the importance of protecting inventors' rights, promoting innovative activities, and ensuring effective management of intellectual property objects.

**Keywords:** invention, patent law, intellectual property, exclusive rights, innovation, legal protection, industrial property.

### Аннотация

Ушбу мақолада ихтирога нисбатан ҳуқуқлар тушунчаси ва моҳияти таҳлил қилинган. Ихтироларнинг жамият ва иқтисодиёт ривожланишидаги аҳамияти, патент ҳуқуқининг мазмуни ҳамда унинг ҳуқуқий табиати ёритиб берилган. Шунингдек, патент ҳуқуқининг объектив ва субъектив маънодаги талқини, ихтирони ҳуқуқий муҳофаза объекти сифатида тан олиш шартлари ва патент тизимининг асосий принциплари илмий жиҳатдан таҳлил этилган. Мақолада ихтирочилар ҳуқуқларини ҳимоя қилиш, инновацион фаолиятни рағбатлантириш ва интеллектуал мулк объектларини самарали бошқаришнинг ҳуқуқий аҳамиятига алоҳида эътибор қаратилган.

**Калит сўзлар:** ихтиро, патент ҳуқуқи, интеллектуал мулк, истисно ҳуқуқ, ихтиро тушунчаси, инновация, ҳуқуқий муҳофаза, саноат мулки.

### Аннотация

В данной статье анализируются понятие и сущность прав на изобретение. Рассматривается значение изобретений для научно-технического и экономического развития общества, а также раскрывается содержание и правовая природа патентного права. Особое внимание уделяется объективному и субъективному пониманию патентного права, условиям признания изобретения объектом правовой охраны и основным принципам патентной системы. В работе также рассматриваются вопросы защиты прав изобретателей, стимулирования инновационной





деятельности и эффективного использования объектов интеллектуальной собственности.

**Ключевые слова:** изобретение, патентное право, интеллектуальная собственность, исключительное право, инновации, правовая охрана, промышленная собственность.

Inventions constitute one of the results of intellectual activity that play an important role in the development of humanity. Through inventions, new technologies, innovative products, and production processes are created, which contribute to economic growth, increase production efficiency, and facilitate human labor. Therefore, the legal protection of inventions, the determination of their legal status, and the improvement of legislation in this field are considered among the important tasks facing the state and society.

In his Address to the Oliy Majlis and the people of Uzbekistan, the President of the Republic of Uzbekistan, Shavkat Mirziyoyev, particularly emphasized that “currently, under the influence of new technologies, digitalization, and artificial intelligence, the number, form, and content of jobs in the world are changing dramatically. Within the next five years, 30 percent of existing professions will be fully automated, while 50 percent will require new skills.” Thus, under the conditions of the modern economy, the significance of scientific and technological progress and innovative activity is steadily increasing. Consequently, the creation of new technologies and inventions, their legal protection, and their effective implementation in practice are becoming among the most pressing tasks. From this perspective, the development of the system of legal protection of intellectual property objects, particularly inventions, the encouragement of inventors, and the support of innovative ideas are important factors in ensuring the competitiveness of the national economy. In such conditions, the effective functioning of patent law and the improvement of legal mechanisms related to the creation and use of inventions contribute to ensuring the innovative development of the country.

The history of legal relations concerning inventions shows that this institution is mainly based on the principle of exclusive rights. According to this principle, the author of an invention or the patent holder is granted an exclusive right to use the invention for a certain period of time (in the Civil Code this right is expressed precisely as an “absolute” right). At the same time, other persons may use the invention only with the consent of the right holder or in cases provided for by legislation. Such a legal mechanism serves not only to encourage innovation but also to take into account the interests of society.





In modern conditions, the rapid development of technologies and the global spread of innovations significantly complicate legal relations related to inventions. In certain cases, owners of inventions may possess substantial economic or strategic advantages, while other participants in such relations may remain in a more limited position. Therefore, ensuring a balance of interests in the regulation of invention rights—namely, maintaining proportionality between encouraging innovation and meeting societal needs—acquires particular importance.

Relations concerning inventions are mainly regulated within the framework of industrial property law. However, the acceleration of technological progress and the emergence of new types of innovative developments require continuous improvement of legal mechanisms in this field. In particular, the procedures for patenting inventions and ensuring their legal protection play a crucial role in the effective regulation of legal relations in this sphere.

An invention represents one of the most significant types of results of intellectual activity and expresses the outcome of creative activity aimed at developing a new solution in the technical field. From a legal perspective, an invention is understood as a technical solution directed at solving a specific technical problem and capable of practical application. Such a solution may be manifested in the form of a product, device, substance, method, or technology. An invention is created based on scientific and technical knowledge and may be applied in practice in various sectors, including industry, medicine, agriculture, and other fields.

In order to be recognized as an object of legal protection, an invention must meet certain requirements established by legislation, commonly referred to as conditions of patentability. First of all, an invention must possess the characteristic of novelty. This means that the invention must differ from technical solutions already known worldwide and must not have been previously disclosed to the public. The criterion of novelty serves to determine whether the invention truly represents a new scientific and technical solution.

The second important requirement is the presence of an inventive step. According to this criterion, the created technical solution must not be obvious to a specialist in the relevant field and must arise from a certain degree of creative approach and intellectual effort. If the technical solution could easily emerge as a logical conclusion for a specialist in the field, such a solution may not be recognized as an invention.





The third essential criterion is industrial applicability. In other words, the invention must be capable of practical use and applicable in production processes or other areas of economic activity. This requirement ensures that the invention is not merely a theoretical idea but a technical solution capable of being implemented in real practice.

Patent law grants the right holder the opportunity to manufacture, use, sell, import, or otherwise introduce a patented invention into civil circulation. At the same time, other persons are not entitled to use the invention without the consent of the patent holder.

The patent law system recognizes patent monopoly and provides for its protection within a specific territorial and legal framework. In this context, the patent holder is granted an exclusive right to use the invention, and this right is protected by the state. At the same time, the institution of patent law is not limited solely to safeguarding the interests of the inventor or patent holder but also requires consideration of the interests of society. Consequently, in the process of legal regulation in this field, it is important to ensure a balance between the rights of the inventor or patent holder and the needs of society. One of the mechanisms for maintaining such a balance within the patent system is the limitation of the patent's validity to a period established by legislation. At the same time, the inventor must make a genuine contribution to the level of technology, which constitutes a prerequisite for granting patent protection to a particular development. For this purpose, the submitted solutions are subject to examination, and conditions are created for interested persons to familiarize themselves with the latest developments. In addition, taking into account the interests of society, legislation also establishes certain cases of so-called "free use" of patented developments.

Another important principle of patent law is that legal protection is granted only to developments that have been officially recognized in accordance with the procedure established by legislation. For this purpose, the author of an invention, utility model, or other object of industrial property must prepare a special application and submit it to the authorized state body—the competent authority in the field of intellectual property. This application is examined in accordance with the established procedures and requirements. If the development meets the criteria provided for by law, a decision is made to grant legal protection.

The patent law system is primarily aimed at providing legal protection for new technical solutions, objects of industrial design, as well as new plant varieties or new breeds of animals. Unlike copyright, patent law mainly protects specific





technical ideas and solutions—that is, results that may be reproduced in various forms or repeatedly applied in practical activities. For this reason, patent objects often possess high economic value.

At the same time, patent law is considered one of the more complex areas of intellectual property law. This is because obtaining a patent requires not only knowledge of legal procedures but also certain expertise in the relevant field of technology or engineering. During the patenting process, criteria such as novelty, inventive step, and industrial applicability are assessed through a special examination procedure.

Before analyzing the institution of patent law, it is important to clarify the meaning of the concept of “patent.” The term “patent” originates from the Latin word *patens*, meaning “open,” “clear,” or “evident.” From a legal perspective, a patent is an official document confirming that a particular technical solution or invention has been recognized by the state and guaranteeing the grant of exclusive rights to its holder to use the development. Through this document, the inventor, the author of a utility model or industrial design, as well as the creator of a new plant variety or a new animal breed, obtains legal protection from the state in exchange for disclosing the development.

Thus, a patent is a document that confirms the author’s exclusive right to an invention or another innovative development and serves to provide its legal protection. Its primary function is to protect the results of intellectual activity, encourage innovation, and safeguard the interests of the right holder. It should also be noted that legal institutions similar to patent law have, to a certain extent, been recognized in some religious-legal systems, including Islamic jurisprudence, where the idea of protecting the results of intellectual labor has also been supported.

The procedure for granting patents, the process of obtaining them, as well as the rights and obligations of patent holders are determined in accordance with the national legislation of different states. For this reason, certain aspects of patent-related legal relations may vary from country to country. Nevertheless, in most states the main purpose of the patent system is to provide legal protection for the results of intellectual activity by granting the inventor or patent holder an exclusive right to use the invention for a specified period of time.

The exclusive right granted to the patent holder is intended to restrict other persons, that is, third parties, from manufacturing, using, selling, importing, or otherwise introducing the patented invention into civil circulation without the





consent of the right holder. In this way, patent law ensures that the inventor can derive economic benefit from the invention and thereby promotes innovative activity.

Patents are considered one of the most widespread and effective forms of protection for intellectual property objects. Their legal protection may extend not only to a specific technical device or production process that has been created but also to various modifications, improved versions, or technical solutions forming the basis of the invention. This allows the patent holder to legally protect different technical solutions derived from the essence of the invention.

Patents also serve as an important legal instrument enabling companies to economically exploit newly developed technologies and innovative ideas. In the conditions of a modern knowledge-based economy, patent policy or patent strategy is regarded as an integral component of the overall business strategy of enterprises. For companies that rely on innovative activity, inventions and new ideas represent one of the key factors ensuring competitiveness.

In the current global economic environment, the effective management of knowledge resources—particularly scientific and technical ideas and innovative concepts—plays a crucial role in strengthening the market position of enterprises. In a rapidly changing competitive environment, companies strive to develop their activities by identifying new opportunities, adapting to them, and utilizing innovative solutions. In some cases, a single innovative idea or invention may bring about a fundamental transformation in a company's activities and significantly improve its economic performance. In world practice, this phenomenon can be observed in the activities of major technological corporations, including companies such as Apple.

At the same time, economic relations related to patents are actively developing in many countries. In particular, companies make use of various mechanisms such as purchasing and selling patents, forming patent pools, and utilizing intellectual property objects as important elements of corporate capitalization. Such practices enable enterprises to effectively introduce their products and technologies into both domestic and foreign markets, as well as to secure strong positions under conditions of international competition. In some countries, including the United States, patenting practices are widely applied, and in certain cases even business methods or software solutions may be granted patent protection.





In legal theory, it is customary to analyze many legal categories in two different senses—objective and subjective. Law in the objective sense refers to the system of legal norms regulating social relations within a particular field, whereas law in the subjective sense denotes the set of specific legal powers and opportunities belonging to a particular person or legal subject.

This approach also applies to patent law. In the objective sense, patent law refers to the system of legal norms regulating relations related to inventions, utility models, industrial designs, and plant breeding achievements. These norms are aimed at recognizing the authorship of inventors, ensuring the legal protection of the results of intellectual activity, determining the procedure for their use, as well as providing material and moral incentives for inventors and protecting the relevant rights. In this regard, patent law, as an independent institution of civil law, regulates both absolute property relations and personal non-property relations.

In the subjective sense, patent law refers to the set of rights belonging to a specific person—namely, the author of an invention, utility model, industrial design, or plant breeding achievement, or the patent holder. These rights include the possibility to use the invention, dispose of it, and restrict other persons from using the object without authorization. At the same time, the rights belonging to the patent holder possess both property and personal non-property characteristics and are protected by law.

Based on the above analysis, it can be concluded that an invention is one of the important types of results of intellectual activity and plays a significant role in the scientific and technological progress and economic development of society. Through inventions, new technologies, production methods, and innovative products are created, which contribute to increasing efficiency in industry, the economy, and the social sphere. Therefore, ensuring the legal protection of inventions and their effective utilization occupies an important place in the innovation policy of any state.

Patent law constitutes one of the main mechanisms for the legal protection of inventions. Through this institution, the author of an invention or the patent holder is granted an exclusive right to use the invention, and this right is protected by the state. Such a legal framework not only encourages inventors to create new ideas but also promotes the development of innovative activity.

The results of the research show that ensuring a balance between the interests of inventors and the interests of society is of particular importance within the patent law system. On the one hand, the patent holder is granted an





exclusive right to use the invention; on the other hand, this right is limited to a specific period. After the expiration of this period, the invention becomes available for free use by the public, thereby contributing to scientific and technological progress.

At the same time, for an invention to be recognized as an object of legal protection, it must meet such criteria as novelty, inventive step, and industrial applicability. These requirements serve as important legal criteria for determining whether the invention indeed represents an innovative solution contributing to technological development.

In the context of globalization and the digital economy, the issue of protecting intellectual property, particularly inventions, is becoming increasingly relevant. The experience of developed countries demonstrates that the effective functioning of the patent system is an important factor in stimulating innovative activity, attracting investment, and enhancing the competitiveness of the national economy.

From this perspective, improving the patent law system in our country, encouraging inventors, and developing mechanisms for the effective use of intellectual property objects are among the important tasks. This, in turn, contributes to the formation of an innovative economy, the acceleration of scientific and technological progress, and the sustainable development of the national economy.

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