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**Protocol of the meeting
of the Scientific Committee
of the Higher School of Law
№ 47**

30 January 2026

Present: A. Abylaiuly, M.A. Akhmadi, E.L. Babadzhanian, A.B. Didikin, N.S. Eshniyazov, A.Q. Zhumahali, O.R. Koterlin, O.V. Lozovaya, N.L. Lyutov, R.S. Melnik, V.V. Ogleznev, A.A. Orazbaeva, A. Pekoraro, D.I. Tekutyev, M.Kh. Khasenov.

A quorum is present.

The meeting was opened by the Chair of the Committee on Science, Abylaiuly A., who informed the participants that, in accordance with the agenda, a pre-defense of the PhD dissertation of doctoral candidate A.K. Aronov entitled “Mechanisms of Copyright Protection in the Digital Age: Comparison of International Practices” was being conducted. The Chair briefed those present on the procedure for consideration of the matter and then gave the floor to doctoral candidate A.K. Aronov to present his position regarding the expert comments received, followed by further discussion.

Doctoral candidate A.K. Aronov:

We proceeded to the comments of Professor N.S. Eshniyazov. One of his remarks concerned the need to consider the practical aspects of communication networks that are not limited exclusively to the Internet. While accepting this comment, I would like to present my own position on this issue.

The present dissertation is devoted exclusively to communication networks confined to the Internet. As can be seen on pages 15 and 75-85, the primary focus is placed on internet intermediaries. According to the position of the majority of scholars, internet intermediaries are divided into several categories. Allow me to briefly characterize some of them.

The first category consists of access providers. In the Republic of Kazakhstan, these include, in particular, mobile network operators and JSC “Kazakhtelecom”. Such intermediaries generally provide users with access to the Internet.

The second category comprises search engines. This term is widely recognized. When conducting searches on the Internet, platforms such as Google or Bing are used to help users locate relevant content. Thus, these represent the second type of internet intermediaries.

The third category includes content hosting platforms. These encompass social networks and other services that host applications, content, and various materials. It should also be noted that access providers occupy a special position, as they effectively act as “gatekeepers” to cyberspace or the digital environment.

Accordingly, this was my response to Professor Eshniyazov’s comment, in which I sought to provide more detailed clarification.

Following Professor Eshniyazov’s remarks, a comment was made by Professor Alberto Pecoraro. In the previous version of the dissertation, he pointed out the use of the term



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“European copyright law” without indicating its source. In this regard, on page 90, in the concluding section, I revised the relevant fragment of the text and identified an incorrect paraphrasing. As a result, the aforementioned term was removed from the dissertation.

The remaining comments were accepted, and I made every effort to incorporate and address them in the revised version of the dissertation.

Chair A. Abylaiuly:

Thank you very much. As previously agreed by the doctoral candidate, we may ask questions and provide feedback in Kazakh, Russian, or English.

I will now proceed to the comments of Muslim Khasenov. Professor Eshniyazov also has additional remarks. However, at this stage I would like to read out the comments made by M.Kh. Khasenov.

You may take note of them and provide your responses immediately after I finish.

First comment. It concerns the reference provided on page 5 to the President’s Address. The citation is attributed to an article published in an International Journal. However, as I understand it, this reference has been indicated incorrectly. The following citation is likewise attributed to an article in an International Journal. As a result, there is still no proper reference to the article published in the International Journal. It is not entirely clear to me why it is being cited. As I understand, it is precisely that article which should be referenced. Yes, it should indeed be cited.

Second comment. Reference No. 4, which is attributed to a Presidential Decree, in fact refers to a Law. This inconsistency must be corrected.

Third comment. In reference No. 5, as well as in all subsequent references, all names provided in Russian must be translated into English using an appropriate system of transliteration.

Fourth comment. Reference No. 5 must be updated in light of the adoption of the Digital Code, and the introduction, including the justification of relevance should be supplemented accordingly with reference to the relevant provisions. Overall, the dissertation lacks reference to the Digital Code, which directly relates to the research topic.

Fifth comment. In addition, the text contains a reference to the Law on Informatization; however, following the adoption of the Digital Code, the title of this law has been changed to the Law on Cybersecurity.

Sixth comment. It is recommended that each new paragraph or chapter begin with the author’s own general introductory text rather than with quotations from other scholars. For example, sections 1.1, 1.2, 1.3, 2.1, 2.4, 3.2, 3.3, 4.1, and 4.2 all begin with quotations. The same requirement applies to the conclusion of each paragraph: it is not recommended to end paragraphs with quotations. For instance, sections 3.2 and 4.1 conclude with citations.

Seventh comment. On page 126, it is recommended to include data for the year 2025, if available.

Eighth comment. Reference No. 287, which cites the article by Ansagan Aronov and Sara Idrysheva, does not correspond in substance to the text in which a quotation from the President’s Address is provided.

Ninth comment. A question has been raised regarding the existence of two articles authored by Ansagan Aronov and Sara Idrysheva with identical titles, published in different



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journals and in different years, namely, “Protection of Copyright in Works Created Using Artificial Intelligence” (2025). One article was published in the journal Science Innovation, and the second “Copyright Protection on Works Generated by AI” was published in the Bulletin of the Institute of Legislation. If these articles are identical in content, one of them must be excluded, as this may be regarded as a violation of the principles of academic integrity.

Thus, these are the nine comments raised by Muslim Khasenov.

Doctoral candidate A.K. Aronov:

With regard to the Digital Code, I would like to note that at the time of our first meeting last year, the Code had not yet been adopted. Therefore, it was not included in the text of the dissertation.

Member of the committee N.L. Lutov:

It is necessary to take into account the adoption of the Digital Code. It may be relevant, for example, in the context of personal data protection as a database; however, it seemed to me that its use in its current form is not entirely appropriate.

Not that it is inappropriate, this is your own research. I would rather say that it appears less appropriate in its present form. At the same time, this represents a significant gap in the legislation of the Republic of Kazakhstan, and therefore you should at least provide an explanation of it in the text.

In the introduction, you may demonstrate that the Republic of Kazakhstan is included within this broader context. Even if it is not directly relevant to your central research focus, this aspect should nevertheless be acknowledged.

Member of the committee N.S. Eshniyazov:

Depending on the related arguments, copyright is considered as a subjective right rather than as a body of legal norms.

It may therefore be advisable to place this definition elsewhere, for example, at the very beginning of the chapter devoted to copyright, since in the present section copyright is examined as an economic system rather than as a subjective right.

Chair A. Abylaiuly:

Are there any further questions or comments?

Member of the committee N.L. Lutov:

First of all, your references to copyright have already been discussed, and I would like to address separately the issue of their correctness. However, the very idea of substantiating the relevance of the dissertation by referring to the Address of the President has a distinctly Soviet character, which creates a highly unfavorable impression of the work.

When one begins reading the text, it gives the impression that, as we were once “taught” by Stalin, something is considered relevant because the current President has said so. The issue, however, should be whether the dissertation is relevant not because the President has stated something, but because there are concrete economic needs and legal problems that justify such relevance. I strongly recommend that you do not begin with this approach and refrain from



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using quotations from the President as proof of relevance, since, after all, we are not living in the Soviet Union.

Furthermore, in your presentation and introductory part, you refer to the experience of the United States and the European Union in the field of copyright. I am not a specialist in copyright law; however, the first question that arises is whether the interests of Kazakhstan and those regions are truly aligned. Kazakhstan is a developing country, whereas those regions are technology holders whose primary interest lies in ensuring the strongest possible copyright protection.

In this regard, the question arises: have you conducted any cost-benefit analysis or applied a law and economics approach to assess the extent to which their experience is suitable for Kazakhstan? Alternatively, would it also be appropriate to examine the experience of other countries that are less focused on strict copyright enforcement and more oriented toward access to and dissemination of information, such as China or other jurisdictions?

Doctoral candidate A.K. Aronov:

You know, from the very beginning I deliberately focused on the experience of those jurisdictions in the field of copyright. Today, we are facing cross-border challenges, are we not? We are dealing with copyright infringements and copyrighted works that are unlawfully disseminated worldwide via the Internet.

As you noted, the practice of the United Kingdom and the United States may be applicable to Kazakhstan. In the digital environment, many aspects of copyright law are largely similar: the same types of problems arise, primarily of a cross-border nature, and in many cases it is difficult to determine where exactly the infringement occurs.

Moreover, Kazakhstan is among the states that have relatively recently adopted legislation on artificial intelligence. Therefore, I do not consider it entirely accurate to suggest that Kazakhstan, as a developing country, is necessarily lagging behind those jurisdictions.

Member of the committee N.L. Lutov:

You simply disagree with me, but do you have any analysis to support your position? Anything further? Yes, I would like to understand to what extent this experience is relevant for us and to what extent it is not. Therefore, I am inclined to selectively borrow certain elements from the practice of those jurisdictions.

Doctoral candidate A.K. Aronov:

I am not asserting that the practice of the United States is more applicable to Kazakhstan than that of the United Kingdom or the European Union. I merely wished to clarify that the interests of different states in this field may differ substantially.

Member of the committee N.L. Lutov:

In this regard, in order to assess the applicability of foreign experience, it is first necessary to analyze its relevance and the balance of interests within a particular country or region as compared to others. It is possible that the experience of other states and economies may prove more productive: they may also have made certain mistakes, yet developed along a trajectory that is, to some extent, comparable to that of Kazakhstan, albeit with a time lag.



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Accordingly, their successes and shortcomings may be more illustrative, and their interests more comparable. Perhaps this is not necessarily the case, but I believe that this line of inquiry should be further developed in order to arrive at more substantive and practically useful conclusions.

Doctoral candidate A.K. Aronov:

Professor Lütov, allow me to clarify why I selected these particular jurisdictions, namely, the United States and the United Kingdom. As developed countries, they possess a higher level of technological advancement and, consequently, a more extensive and well-established body of case law, particularly in the sphere of international cooperation. For this reason, I relied on their practice.

At the same time, the research is not limited to the practice of the United Kingdom and the United States; it also encompasses the law of the European Union. Within the framework of the study, I focused on the experience of specific EU Member States, in particular, Finland, Lithuania, and Hungary.

These countries were already mentioned in Chapter Three of the dissertation, primarily in the context of analyzing procedures such as the notice-and-takedown mechanism.

Member of the committee N.L. Lutov:

Another issue concerns the stylistic formulation of the main provisions of the dissertation. They should be revised in order to eliminate any excessive reasoning.

In several passages, you present arguments that are appropriate for the main body of the dissertation. However, in the formulation of the provisions, only the core theses that you intend to defend should remain. This is the essence of my comment.

Furthermore, the first provision begins with the words “we believe”. This is also problematic, as such wording appeals to trust or subjective opinion. The provisions should convey certainty. It would be preferable to use formulations such as “it is established that...”, “it is substantiated that...”, or “the dissertation proceeds from the premise that...”.

All argumentative reasoning should be removed from the wording of the provisions. In particular, references to legislative texts should be excluded from the fifth provision.

Since all substantive reasoning must be reflected in the main text and in the conclusion, the section entitled “Main Provisions” should contain only concise and precise theses that you intend to defend.

Accordingly, these provisions should be made more succinct and clearer. All arguments and detailed explanations should be transferred to the main body of the dissertation, leaving only the key assertions in the formulation of the provisions.

Doctoral candidate A.K. Aronov:

May I clarify which specific provisions you are referring to?

Member of the committee N.L. Lutov:

All of the provisions from a stylistic perspective. I am not referring to their substance, but specifically to the wording of the provisions submitted for defense, which begin on page 12.



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For example, in the third provision you begin with reflections on digitalization and the challenges it has generated. This serves as contextual explanation and should be transferred to the main body of the dissertation.

The provisions themselves must be formulated in an extremely concise manner. They should contain only the specific assertion that you intend to defend. Explanations and argumentation may, of course, follow later in the text. This approach appears to be the most appropriate.

This is not about the contextual background of the research. It is a strong recommendation from the perspective of someone who is well acquainted with the standard requirements for the stylistic formulation of dissertations and has reviewed a large number of them.

Doctoral candidate A.K. Aronov:

In the previous version of my work, I took into account the comments of other professors who requested that the formulations be shortened. However, it is important for me to understand what exactly the format of a concise provision should be. I mean that I have already made an attempt to make them more concise.

Member of the committee N.L. Lutov:

You see, when you state that all challenges in the field of intellectual property, including newly emerging phenomena, are involved, this already goes beyond the formulation of a provision submitted for defense. Everything that does not constitute your core, fundamental thesis, but merely provides context, should be excluded.

The wording of a provision should be reduced to a single sentence or a few concise sentences, without delving into details, contextual explanations, arguments, or specific legislative proposals, all of which should be contained in the main body of the dissertation.

As for the first provision, I understand it as asserting that the scope of copyright in the digital environment is broader than that of traditional copyright for two reasons. The first reason you mention is the Internet as a borderless space. However, the first thing that comes to my mind is that publishing activities in the field of books have also never been strictly confined by borders.

You then refer to the role of right holders and intermediaries. Yet in the context of books or academic articles, the situation is largely similar. I do not see a fundamental distinction here in this respect. Certainly, there are technical differences, but the overall structure of legal relations appears broadly comparable.

If you wish, I can help you reformulate the first provision into one or two “ideal” theses suitable for defense, or provide a comparative example of the same provision in an “overly long” version and a properly structured “commission-style” version for clarity.

Intellectual property may indeed have a cross-border nature and involve intermediaries, which is also characteristic of traditional forms. Obviously, in the digital environment the scale of these processes is significantly greater; however, the question is whether this represents a qualitative transformation.

Perhaps I do not fully grasp this aspect, but I do understand what you are referring to. That is precisely why I am raising this question.



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Doctoral candidate A.K. Aronov:

May I add a few words on this point? With regard to the relevant provision, I would like to clarify that, as you rightly noted, the subject of the research concerns works protected by copyright that are unlawfully disseminated through networks such as the Internet.

For this reason, I focused on the technological dimension, primarily on the Internet, and sought to substantiate why the Internet, in particular, poses a challenge for right holders and copyright owners.

Chair A. Abylaiuly:

Are there any further comments or questions? You may ask them in Kazakh, Russian, or English.

Very well, turning to the Digital Code mentioned by Khasenov: it contains Article 38. I have reviewed it and believe that this particular article is relevant to the subject of your dissertation. It provides that owners and right holders of digital objects possess ownership rights or other rights as established by the legislation.

In other words, this provision refers to other laws of the Republic of Kazakhstan while simultaneously establishing four obligations for owners and right holders of digital objects. In my view, Article 38 is directly related to your research topic. Why? Because we are discussing digital objects in general, all their categories, and the persons who own such objects.

When we speak of owners of digital objects, this inevitably touches upon copyright law. In that sense, I believe Article 38 is applicable to your dissertation. As for the date of adoption of the Code, it was enacted on January 9.

Certainly, you completed your dissertation prior to that date. However, the Code had been under development for two years or more. This means that you were aware or at least should have been aware of its preparation. Therefore, you had the opportunity to familiarize yourself with the draft of the Code.

That is the essence of my comment: the dissertation should include an analysis of Article 38. I am not referring to the entire Code, but specifically to Article 38.

Now we may proceed to the two peer reviews. The first review was submitted by Anna Bashir. She has not changed her position and supports the awarding of the degree of Doctor of Philosophy (PhD).

The second reviewer is Dr. Abeysekara, a scholar from Sri Lanka. In his first report, he provided a critical assessment; however, in his subsequent review, he stated that he was pleased to note that all substantive comments and recommendations made in his earlier report had been carefully considered and adequately addressed by the candidate. He submitted his comments in a four-page report.

Comments of Reviewer Dr. Thusitha B. Abeysekara:

The placement of footnotes should comply with the recommendations of OSCOLA (4th edition). Footnote numbers should generally appear after punctuation marks (for example, footnotes 1, 2, etc., on page 5).

Certain passages of the text (in particular, on pages 10, 13, 23, and 29) appear to have been either entirely authored by the candidate or substantially revised in a generalized, formal



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manner. Although the content addresses significant issues such as intermediary liability and copyright infringement, these sections lack original analytical engagement and adequate citation. Moreover, the language used resembles that of official publications, which raises justified concerns regarding potential plagiarism. In order to ensure compliance with the principles of academic integrity, it is necessary to provide proper citations and to rely either on original analysis or clearly formatted quotations.

The stated research objectives (p. 7) constitute, overall, a logical and well-structured plan. However, they could be further improved by reordering and reformulating them in accordance with Bloom's taxonomy, which предполагает последовательный переход от когнитивных навыков низшего уровня к навыкам высшего порядка. In their current version, the objectives alternate between descriptive, analytical, and evaluative levels. The recommended structure should begin with foundational tasks (e.g., examining, identifying), proceed to analytical tasks (evaluating, synthesizing), and conclude with higher-level outcomes (developing recommendations, substantiating reforms).

In particular, tasks related to the examination of statistical and legal data should precede those involving critical analysis; this should then be followed by tasks aimed at assessing legal problems and liability issues, with the final objectives focusing on drawing conclusions and proposing reforms. Such a logical sequence would enhance the conceptual clarity of the research and demonstrate a systematic approach, progressing from understanding to critical reflection and innovative solutions.

The subheading "Theoretical Foundations of the Dissertation Topic" (p. 8) is recommended to be simplified and clarified by replacing it with "Theoretical Foundations of the Dissertation."

The bibliography (or list of references) on page 155 should be arranged in alphabetical order rather than numerical order, unless otherwise expressly required by the internal regulations of the educational institution.

Member of the committee N.S. Eshniyazov:

The Berne Convention continues to play a key role in the system of international protection of intellectual property and largely retains its effectiveness even in light of the emergence and development of artificial intelligence technologies.

Chair A. Abylaiuly:

Dear Doctoral Candidate,

By a majority vote of the members of the Committee on Science, a decision has been made to admit doctoral candidate A.K. Aronov to the defense of the dissertation entitled "Mechanisms of Copyright Protection in the Digital Age: Comparison of International Practices" before the Dissertation Council.

The meeting is hereby declared closed.



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DECISION OF THE SCIENTIFIC COMMITTEE:

1. To admit doctoral student Aronov Ansagan Kuspanoich to the defence of his doctoral thesis (PhD), taking into consideration the comments and recommendations.

Chairman of the Committee

A. Abylaiuly

Secretary of the Committee

O. Koterlin