

The Review

conducted by an official reviewer of thesis dissertation written by Aronov Ansagan Kuspanovich on the topic
 “Mechanisms of Copyright Protection in the Digital Age: Comparison of International Practices”
 submitted for the degree of Doctor of Philosophy (PhD) in specialty “8D04201-Law”

№	Criteria	Compliance with the criteria (one of the answer options must be checked)	Justification of the position of the official reviewer
1.	The topic of the dissertation (as of the date of its approval) corresponds to the directions of scientific development and/or government programs	<p>1.1 Compliance with priority areas for the development of science or government programs:</p> <p>1) The dissertation was completed within the framework of a project or target program financed from the state budget (indicate the name and number of the project or program)</p> <p>2) <u>The dissertation was completed within the framework of another state program (indicate the name of the program)</u></p> <p>3) <u>The dissertation corresponds to the priority direction of scientific development, approved by the Higher Scientific and Technical Commission under the Government of the Republic of Kazakhstan (indicate the direction).</u></p>	<p>2) The dissertation meets the main objectives of:</p> <ul style="list-style-type: none"> — the concept of intellectual property development in the Republic of Kazakhstan for the 2021-2025 period; — the Decree of the President of the Republic of Kazakhstan «On approval of the Concept of Legal Policy of the Republic of Kazakhstan until 2030». This decree sets a strategic framework that focuses on strengthening of the protection of intellectual property. This decree also defined the creation of legal mechanisms for protecting copyright and related rights on the Internet as the key priorities; — the Address of the President of the Republic of Kazakhstan, K.K. Tokayev, directed to the People of Kazakhstan on September 8, 2025, which points out the strategic goal of transforming Kazakhstan into a digital state; — the Digital Code of the Republic of Kazakhstan of January 9, 2026, aimed at creating a transparent and efficient system of legal regulation of the digital sphere in the country. <p>3) The dissertation corresponds to the main goals of the legal policy of the Republic of Kazakhstan until 2030 approved by the Decree of the president of the Republic of Kazakhstan dated October 15, 2021 No. 674 On approval of the Concept of legal</p>

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			<p>policy of the Republic of Kazakhstan until 2030. This document indicated: «The need for legal regulation of artificial intelligence and robotics is determined primarily by the issue of distributing liability for harm caused by their actions, as well as by the problem of determining the ownership of intellectual property rights to works created with the participation of artificial intelligence».</p>
			<p>This work makes a significant contribution to the development of intellectual property law, as evidenced by its well disclosed importance in the dissertation by following points:</p> <ul style="list-style-type: none"> — this work — is the one of the first comprehensive and critical studies of copyright protection in the digital internet environment in the Republic of Kazakhstan, conducted using comparative legal and reformist approaches; — the dissertation substantiates the concept of copyright dualism, which presupposes the coexistence of traditional copyright and its unique system in the digital environment. — the work provides a detailed analysis of the liability of internet intermediaries, including internet service providers (ISPs), for copyright infringements committed by third parties using internet networks, taking into account a comparative legal analysis of best international practices.
2.	Scientific significance	The work makes / does not make a significant contribution to science and its importance is well disclosed / is not well disclosed	

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3.	The principle of independence	<p>Level of independence:</p> <p>1) High; 2) Average; 3) Low; 4) No independence</p>	<p>The principle of research independence is very high. The dissertation demonstrates that the author reviewed and interpreted a significant amount of doctrinal works and law enforcement acts. The research presents the author's vision for providing legal protection for copyright in the digital age. Author made self-conclusions on each problem set in the work.</p>
		<p>4.1 Justification of the relevance of the dissertation:</p> <p>1) Justified; 2) Partially justified; 3) Not justified.</p>	<p>The rapid development of digital technologies and global social networks requires the creation of new mechanisms for copyright protection on the Internet. Therefore, this dissertation is relevant and timely. Relevance of the chosen topic is completely justified in the dissertation.</p>
4.	The principle of internal unity	<p>4.2 The content of the dissertation reflects the topic of the dissertation:</p> <p>1) Reflects; 2) Partially reflects; 3) Does not reflect</p>	<p>The dissertation consists of the introduction, four chapters, eighteen paragraphs, the conclusion, the list of references, and two appendices. The content completely reflects and uncovers the dissertation topic.</p>
		<p>4.3. The purpose and objectives correspond to the topic of the dissertation:</p> <p>1) correspond; 2) partially correspond; 3) do not correspond</p>	<p>The purpose and objectives correspond to the dissertation topic. The key research question reflects the dissertation topic. To answer the research question, the dissertation set six tasks. Their solution led to the formulation of six propositions submitted for defense.</p>
		<p>4.4 All sections and provisions of the dissertation are logically interconnected:</p> <p>1) fully interconnected; 2) the relationship is partial; 3) there is no relationship</p>	<p>All chapters and paragraphs of the dissertation are completely and logically interconnected.</p>

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		<p>4.5 New solutions (principles, methods) proposed by the author are reasoned and evaluated in comparison with known solutions:</p> <p>1) there is a critical analysis; 2) partial analysis; 3) the analysis does not represent one's own opinions, but quotes from other authors; 4) there is no analysis.</p>	<p>The author identified the degree of theoretical development of the research, analyzed foreign works on related topics, and compared the proposed concept with earlier achievements of scientific doctrine on the topic of the dissertation. That's why we come to the conclusion that the new solutions (principles, methods) proposed by the author are reasoned and evaluated in comparison with already known solutions, and, therefore, can be considered a critical analysis.</p>
5.	The principle of scientific novelty	<p>5.1 Are the scientific results and provisions new?</p> <p>1) completely new; 2) partially new (25-75% are new); 3) not new (less than 25% are new)</p>	<p>The provisions submitted for defense are new to Kazakhstan's doctrine in the sphere of intellectual property law. The work presents the author's vision for providing legal protection for copyright in the digital age and makes proposals for improving legislation. This allows us to conclude that the scientific results are completely new.</p>
		<p>5.2 Are the findings of the thesis new?</p> <p>1) completely new; 2) partially new (25-75% are new); 3) not new (less than 25% are new)</p>	<p>The findings and conclusions of the thesis are completely new.</p>
		<p>5.3 Technical, technological, economic or management decisions are new and justified:</p> <p>1) completely new; 2) partially new (25-75% are new); 3) not new (less than 25% are new)</p>	<p>Technical, technological, economic or management decisions are completely new and justified.</p>

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6.	Validity of the main conclusions	<p>All main conclusions are based /are not based on scientifically sound evidence or are reasonably well substantiated (for qualitative research and areas of training in the arts and humanities).</p>	<p>All main conclusions are substantiated. The use of extensive methodological framework allowed for the verification of scientific results: in particular, to achieve the goals of this thesis, a legal doctrinal approach, complemented by comparative, historical, and case law analyses, has been made.</p>
		<p>It is necessary to answer the following questions for each provision separately:</p> <p>7.1 Is the provision proven?</p> <p>1) proven; 2) rather proven; 3) rather not proven; 4) not proven</p>	<p>1) In the first position submitted for defense, the author offers his own definition of two concepts: “digital environment” and “copyright in the digital environment”. It is proposed to incorporate these definitions developed by the author into the Civil Code of the Republic of Kazakhstan by introducing Article 980-1 (Application 1).</p>
7.	The main provisions submitted for defense	<p>5) in the current form it is impossible to verify the proof of the provision.</p> <p>7.2 Is it trivial?</p> <p>1) yes; 2) no 3) in the current form it is impossible to verify the triviality of the provision.</p> <p>7.3 Is it new?</p> <p>1) yes; 2) no 3) in the current form it is impossible to verify the novelty of the provision.</p> <p>7.4 Application level:</p> <p>1) narrow; 2) average; 3) wide</p>	<p>The provision is proven: the author provides a detailed justification for the amendment of the legislative definition, the need to eliminate terminological inconsistencies and ambiguities. That’s why this point is not trivial and can be positioned as new. The provision can be used as a basis for improving legislation, for law enforcement and for the educational process (application level is broad). The category “digital environment” is mentioned in such articles as «Information Intermediaries in the Digital Environment: Copyright Problems and Trends of Legal Regulation» // Вестник КазНУ им. аль-Фараби. Серия: Актуальные проблемы юриспруденции. 2025. № 1 (113); «Copyright infringement in the digital age: The case for reform to Kazakhstan’s copyright laws» // Access to Justice in Eastern Europe. 2024. Т. 7 (4). However, it is not proven in the article.</p> <p>7.1 Is the provision proven?</p>

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		<p>4) in the current form it is impossible to verify the applicability of the provision.</p> <p>7.5 Is it proven in the article?</p> <p>1) yes;</p> <p>2) no</p> <p>3) in the current form it is impossible to verify the evidence of the provision.</p>	<p>1) proven</p> <p>7.2 Is it trivial?</p> <p>2) no</p> <p>7.3 Is it new?</p> <p>1) yes</p> <p>7.4 Application level:</p> <p>3) broad</p> <p>7.5 Is it proven in the article?</p> <p>2) no</p> <p>2) The second point submitted for defense proposes that service providers, including access providers and hosting services should play an active and cooperative role in copyright protection while maintaining the balance between user's rights and innovation. The author proposes the introduction of the definition of a "service provider" into the Article 2 of the Copyright Law (Application 1).</p>
			<p>This point is proven: the author explains the economic and social significance of the activity of service providers, identifies the negative consequences of the lack of specification of the legal status of service providers. That is why this thesis is not trivial and has signs of novelty. The provision can be used as a basis for improving legislation, for law enforcement and for the educational process (application level is broad). It is proven in the article «Digital piracy: Responsibility issues of Internet service providers» // Вестник ЕНУ им. Л.Н. Гумилёва. Серия: Право. 2020. № 4 (133).</p> <p>7.1 Is the provision proven?</p> <p>1) proven</p>

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			<p>7.2 Is it trivial? 2) no</p> <p>7.3 Is it new? 1) yes</p> <p>7.4 Application level: 3) broad</p> <p>7.5 Is it proven in the article? 1) yes</p> <p>3) The third position is proposed to supplement paragraph 1 of Article 972 of the Civil Code “Types of Copyright Objects” with a new subparagraph 13, defining “all types of digitized works” as copyright objects. This amendment would enable authors of works digitized without their permission and notification and their heirs to receive protection of intellectual property rights for the period set by law in cases of infringement through the mechanisms already established under the Civil Code and the Copyright law.</p>
			<p>7.1 Is the provision proven? 1) proven</p> <p>7.2 Is it trivial? 2) no</p> <p>7.3 Is it new? 1) yes</p> <p>7.4 Application level: 3) broad</p> <p>7.5 Is it proven in the article? 2) no</p>

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		<p>4) The next provision is proposed to extend copyright protection to works created using artificial intelligence systems, provided that there is a significant creative contribution from a person. It is proved that this approach makes it possible to distinguish between works created with the help of AI and works that are completely autonomously generated by the system without significant human involvement. It is stated that the traditional concept of human authorship remains the most valid legal model for determining the authorship of works created using AI..</p> <p>It is argued that since the AI system acts only as a technological tool, the user who has made a significant creative contribution should be recognized as the author, and the developer or owner of the AI system cannot be considered the author or copyright holder, since it does not determine the final creative expression of the work.</p> <p>Accordingly, users of AI systems bear primary responsibility for the legitimate use of such technologies and may be held liable for copyright violations resulting from the dissemination of the results, created using AI.</p> <p>In this regard, it is proposed to supplement paragraph 1 of article 972 of the Civil Code.</p> <p>New subparagraph 14 of the Republic of Kazakhstan (Appendix 1).</p> <p>7.1 Is the provision proven? 1) proven</p> <p>7.2 Is it trivial? 2) no</p> <p>7.3 Is it new? 1) yes</p> <p>7.4 Application level:</p>
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			<p>3) broad 7.5 Is it proven in the article? 1) yes</p> <p>It is proven in the article «Copyright Protection on Works Generated by Artificial Intelligence» // Наука и инновации. 2025. Т. 21 (1).</p> <p>5) The fifth provision substantiates the special role of Internet intermediaries in the online distribution of copyrighted works. In order to strengthen copyright protection in the digital environment in case of infringement involving service providers, it is proposed to supplement Chapter 5 of the Civil Code. New article 970-1 of the Republic of Kazakhstan “Responsibility of the service provider” (Appendix 1).</p> <p>7.1 Is the provision proven? 1) proven 7.2 Is it trivial? 2) no 7.3 Is it new? 1) yes 7.4 Application level: 3) broad 7.5 Is it proven in the article? 1) yes</p> <p>It is proven in the article «Information Intermediaries in the Digital Environment: Copyright Problems and Trends of Legal Regulation» // Вестник КазНУ им. аль-Фараби. Серия: Актуальные проблемы юриспруденции. 2025. № 1 (113).</p>
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			<p>6) The last provision substantiates the effectiveness of the notice-and-takedown procedure and the need to consolidate it in legislation. The author has developed draft rules obliging service providers to respond immediately to notices from copyright holders. This draft is presented in the form of a draft order of the Ministry of Justice of the Republic of Kazakhstan and is given in Appendix 2.</p> <p>7.1 Is the provision proven? 1) proven</p> <p>7.2 Is it trivial? 2) no</p> <p>7.3 Is it new? 1) yes</p> <p>7.4 Application level: 3) broad</p> <p>7.5 Is it proven in the article? 1) yes</p> <p>It is proven in the article «Copyright protection in the Internet age: Whether copyright can combat against Peer-to-peer technology» // Право и государство. 2021. № 1 (90).</p>
8.	Principle of reliability. Reliability of sources and information provided	8.1 Choice of methodology is justified or the methodology described in sufficient detail 1) yes; 2) no	The choice of methodology is justified. The author implemented the following methods: historical, comparative, legal analysis (descriptive), legal modeling and case law analyses.

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		8.2 The results of the dissertation work were obtained using modern methods of scientific research and techniques for processing and interpreting data using computer technologies: 1) yes; 2) no	The results of the dissertation research were obtained using modern methods of scientific research and processing methods.
		8.3 Theoretical conclusions, models, identified relationships and patterns are proven and confirmed by experimental research (for areas of training in pedagogical sciences, the results are proven on the basis of a pedagogical experiment): 1) yes; 2) no	Not applicable
		8.4 Important statements are confirmed /partially confirmed/unsupported by references to current and reliable scientific literature	Crucial statements were confirmed by references to reliable scientific literature containing extensive analysis of foreign regulation in the field of intellectual property law.
		8.5 The literature sources used are sufficient /are not sufficient for the literature review	The literature sources used are sufficient. Literature sources (books and articles) contain more 120 references.
9	Principle of practical value	9.1 The dissertation has theoretical significance: 1) yes; 2) no	The dissertation has a theoretical value. The author raised a number of fundamental theoretical issues and made solid proposals to these problems.

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		<p>9.2 The dissertation has practical significance and there is a high probability of applying the results obtained in practice:</p> <p>1) yes 2) no</p>	<p>The dissertation has practical significance: the conclusions and main provisions of this research can be used in standard-setting activities for improving copyright legislation; in law enforcement practice; in the development of contracts related to the creation and use of copyrighted works, as well as in the provision of services by Internet providers; as well as in the educational process when teaching subjects of civil law and intellectual property law.</p> <p>There is a high probability of applying the results obtained in practice.</p>
		<p>9.3 Are the practice suggestions new?</p> <p>1) completely new; 2) partially new (25-75% are new); 3) not new (less than 25% are new)</p>	<p>Suggestions are completely new.</p>
10.	Quality of writing and design	<p>Quality of academic writing:</p> <p>1) high; 2) average; 3) below average; 4) low.</p>	<p>The quality of the academic writing is high. The dissertation is written in an academic style.</p>
11.	Comments on the dissertation	<p>This dissertation written in keeping with the march of digitalization. The work addresses the transformation of intellectual property in response to rapid technological development. Indeed, legislation of Kazakhstan currently lacks a set of norms that would adequately protect authors' rights. Digitalization has also presented other challenges associated with the emergence of new objects and entities. Creating a theoretical foundation for constructing a normative framework is an important task for science. This dissertation is dedicated to addressing this challenge.</p>	

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12.	Scientific level of the doctoral candidate's articles on the research topic (in the case of defending the dissertation in the form of a series of articles, official reviewers comment on the scientific level of each doctoral student's article on the research topic)	Not applicable
13.	Decision of the official reviewer (in accordance with paragraph 28 of these Model Regulations).	Taking into account the above comments and substantiation, I strongly believe that the dissertation of Aronov Ansagan Kuspanovich on the topic «Mechanisms of Copyright Protection in the Digital Age: Comparison of International Practices» submitted for the degree of Doctor of Philosophy (PhD) in specialty «8D04201-Law» is extremely relevant and important conducted research in civil law and intellectual property law and the provisions submitted for defense have a significant scientific value. Aronov Ansagan Kuspanovich has done independent scientific research. He has applied a robust methodology, a thorough outline, and has managed to execute and address the relevant topics with a significant amount of research and analysis. This Ph.D. dissertation deals with a very important and timely issue and contributes to the current debate on the constructions of the mechanisms of copyright protection in the digital age. Aronov Ansagan Kuspanovich deserves a Ph.D. degree in «8D04201-Law».

Reviewer:

Associate Professor of the Department of Civil Law, Associate Professor of the Department of Business Law, Civil and Arbitration Process at Perm State National Research University, PhD in Law

Martyanova E.Y.

E.Y. Martyanova

Мартяновое заверение
 старшая ассистентка
 Е.И. Мартянова