COPYRIGHT AND MARKET DOMINANCE IN ARTIFICIAL INTELLIGENCE PLATFORMS: CHALLENGES OF PROTECTING COMPETITION IN THE CONTEXT OF BIG TECH

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Abstract

This thesis analyzes the relationship between copyright and competition law in the context of artificial intelligence platforms. Modern AI systems rely on large datasets, often involving copyrighted content, which raises significant legal concerns. The research examines the market dominance of Big Tech companies, their privileged access to data, and the resulting impact on competition. It also develops recommendations based on international practices to balance copyright protection and fair competition in AI markets.

Key words: artificial intelligence, copyright, Big Tech, competition law, datasets, market dominance, AI training.

Аннотация

Данная работа посвящена анализу взаимосвязи авторского права и конкурентного права в условиях развития платформ искусственного интеллекта. Современные системы ИИ используют большие объемы данных, включая защищенный авторским правом контент, что создает правовые риски. В исследовании рассматриваются вопросы доминирования крупных технологических компаний, их доступ к данным и влияние на конкурентную среду. Также предложены рекомендации по обеспечению баланса между защитой авторских прав и развитием конкуренции.

Ключевые слова: искусственный интеллект, авторское право, Big Tech, конкурентное право, данные, доминирование на рынке, обучение ИИ.

Artificial intelligence technologies, as one of the fastest-growing fields of the 21st century, are significantly influencing the global economy, information exchange, and legal systems. In particular, the emergence of generative AI platforms necessitates a fundamental reconsideration of the relationship between copyright law and competition law.

Modern AI systems require vast amounts of data—texts, images, audio, and video content—to function effectively. A substantial portion of this data is protected by copyright, and its use in training AI models raises numerous legal concerns. In particular, the use of copyrighted works without the authors' consent, issues of compensation, and the potential infringement of intellectual property rights have become pressing challenges.

At the same time, large technology companies—commonly referred to as Big Tech—are increasingly occupying dominant positions in the AI market. This is primarily due to their access to extensive datasets, advanced computational infrastructure, and significant financial resources. Such advantages create barriers to entry for new market participants and may distort fair competition. As a result, near-monopolistic conditions may emerge in the AI technology market.

The research indicates that exclusive access to training data constitutes a critical strategic advantage for companies. This leads to the phenomenon known as "data advantage," which hinders the development of small and medium-sized technology firms. In addition, algorithmic advantages and network effects further intensify market concentration.

From a copyright perspective, the legal status of AI-generated content remains a highly debated issue. In particular, the question of ownership—whether it belongs

to the developer, the user, or the platform—remains unresolved. This highlights the inadequacy of existing legal frameworks in addressing the unique challenges posed by AI technologies.

An analysis of international practices shows that different jurisdictions have adopted various approaches to balance AI development and copyright protection. For instance, in the United States, the "fair use" doctrine allows limited use of copyrighted materials under certain conditions. In the European Union, specific exceptions for text and data mining (TDM) have been introduced.

At the same time, within the framework of competition law, the importance of antitrust measures aimed at limiting the market dominance of Big Tech companies is increasing. In particular, it is necessary to ensure equal access to data, promote interoperability between platforms, and create fair conditions for the use of AI infrastructure.

The findings of this study demonstrate that effective legal regulation in the field of artificial intelligence requires a careful balance between copyright protection and competition law. In this regard, the following priorities are identified:

– establishing clear legal boundaries for the use of copyrighted materials in AI training processes;

– introducing fair compensation mechanisms for authors;

– promoting open and equitable access to data;

– strengthening oversight of Big Tech companies' market dominance and fostering competition.

Furthermore, aligning national legislation with international standards is of particular importance. In the context of Uzbekistan, it is essential to implement comprehensive legal reforms in the fields of artificial intelligence and intellectual

property, ensuring both the promotion of innovation and the effective protection of copyright.

Conclusion

The above analysis demonstrates that the rapid development of artificial intelligence platforms is significantly reshaping the traditional balance between copyright law and competition law. The possession of large-scale datasets, which serve as a key resource for AI technologies, provides major technological companies with substantial advantages and contributes to increased market concentration. This, in turn, may limit market entry opportunities for new participants and negatively affect the development of a healthy competitive environment.

The findings of the study indicate that the use of copyrighted content in training AI models still lacks a comprehensive legal solution. Existing legal frameworks often fail to adequately account for the specific characteristics of artificial intelligence technologies, which may result in insufficient protection of authors' interests. At the same time, the legal status of AI-generated content remains an unresolved issue.

Furthermore, the exclusive access of Big Tech companies to data, combined with their advanced technological infrastructure and the use of network effects, further strengthens their market dominance and acts as a barrier to competition. Addressing this issue requires not only the application of copyright law mechanisms but also the active use of competition law instruments.

An analysis of international practices shows that developed countries are adopting comprehensive approaches to address these challenges. In particular, mechanisms such as "fair use," compulsory licensing, and exceptions for text and data mining (TDM) are used to balance copyright protection and innovation. At the

same time, antitrust policies aimed at limiting the market dominance of large companies are being strengthened.

Based on the research, the following key conclusions and recommendations can be proposed:

– it is necessary to establish a clear legal regime governing the use of data in AI training processes;

– fair compensation mechanisms for copyright holders should be developed;

– open and equal access to data should be ensured to promote competition in the market;

– competition law norms should be strengthened to monitor and limit the dominant position of Big Tech companies;

– national legislation should be modernized in line with the development of artificial intelligence technologies.

In conclusion, ensuring a balanced relationship between copyright law and competition law is of strategic importance for establishing a stable and fair legal framework in the field of artificial intelligence. The scientifically grounded approaches developed in this area will not only foster innovation but also create equal and transparent conditions for all market participants.

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