

SYLLABUS
educational component
(at the choice of the students)

Intellectual Property

Subjects:	Intellectual Property
Level of higher education:	second (master's)
Branch of knowledge: Specialty:	-
Branch of knowledge:	-
Educational and professional (Educational and scientific) program:	-
Course page in Moodle:	https://dl.khadi.kharkov.ua/course/view.php?id=399
Year of study:	
Semester:	
The scope of education component	4 credits (120 hours)
The form of the summary control	test
Consultations:	on schedule
Name of the department:	department of accounting and taxation
Teaching language:	Ukrainian
Course leader:	Leontieva Lina Candidate of Legal Sciences, Associate Professor
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Brief content of the educational component:

The goal is to prepare future specialists in the field of intellectual property law, to form a knowledge system for students to independently solve professional tasks in the field of regulation of legal relations related to intellectual property, as well as to acquire practical skills and ideas necessary for carrying out creative activities and protecting their property and personal non-property rights both in Ukraine and abroad.

The subject of study of the academic discipline is a set of social relations that have developed in relation to the regulation of rights in the field of intellectual property during the creation, use and protection of the results of human creative activity, property and personal non-property rights of authors, the grounds for their occurrence and implementation of their protection.

The main tasks of studying an academic discipline are:

firstly, the assimilation of specific professional terminology, the formation of professionally competent legal language - as an important component of the legal culture of the future specialist, which will allow studying other legal sciences at a higher level in the future;
secondly, the development of logical thinking, the ability to argue one's own position, the development of students' creative inclinations;
thirdly, the development of basic research skills, which are extremely important for self-improvement and studying at a university.

Prerequisites for studying the educational component:
"Science of law".

Competencies acquired by the acquirer:

General competences:

- the ability to act on the basis of ethical considerations (motives);
- the ability to identify key trends in social, economic and human development;
- the ability to substantiate management decisions regarding the effective development of business entities;
- the ability to assess possible risks, socio-economic consequences of management decisions;
- the ability to develop scenarios and strategies for the development of socio-economic systems.

Special (professional) competences:

- apply knowledge of law and tax legislation in the practical activities of business entities;
- adhere to the principles of academic integrity
- assess possible risks, socio-economic consequences of management decisions.

Learning outcomes according to the educational program

1. To know the theory, methodology and practice of ethical motives for the emergence of the concept of system, the main sources of intellectual property.
 2. Possess the ability to assess possible risks, socio-economic consequences when concluding contracts in intellectual and managerial activities.
 3. Know international standards and international acts, be able to apply knowledge in the practical activities of business entities.
 4. To justify the choice and procedure of application of management information technologies for the further development of intellectual property objects
 5. Apply scientific research methods in the field of intellectual property and be able to assess possible risks, socio-economic consequences of management decisions in professional activity and economic practice.
 6. To comply with the norms of professional and academic ethics, to maintain balanced relations with members of the collective (team), consumers, contractors, contact audiences.
- Adhere to the principles of academic integrity
- Assess possible risks, socio-economic consequences of management decisions

Thematic plan

Topic No	Name of topics LL, PL, IW)	Quantity hours	
		intra mural	extramural
1	L – The concept of intellectual property and the system	2	
	P – Concept of intellectual property. Institutes of intellectual property. Formation of the system of legal protection of intellectual property: history and evolution industrial property, evolution of copyright. Place and the role of intellectual property in the economic and social development of the state.	1	
	IW – Formation and development of legislation of Ukraine in the field of intellectual property. State system of legal protection of intellectual property. Correlation of intellectual property rights property and ownership rights	6	14
2	L – Patent law	4	1
	P – Patent law: concept, subject, principles, sources. Objects of patent law. Objects of patent law. Subjects patent law. Content of legal relations in the field of patent law: acquisition of rights to inventions and utility models, acquisition of rights to industrial design, rights and obligations of the patent owner, violation of the patent owner's rights.	2	1
	IW - Registration of patent rights. Patenting of inventions and industrial designs in foreign countries. Legal protection of official and secret objects of patent law. Protection patent rights	10	14
3	L – Intellectual property right to legal means individualization of participants in civil turnover, goods and services	2	1
	P – Intellectual property right to a trademark. Trademark registration procedure. Recognition of the trademark as well-known in Ukraine. Trademark registration in foreign countries.	1	14
	IW – Commercial name: general characteristics of the commercial name, property rights to the commercial name. The right of intellectual property to indicate the origin of the product. The procedure for registering an indication origin of the product. Property rights of intellectual property on geographical indication. Protection of indication of the origin of goods in acts of international legislation	10	1
4	L - Copyright	4	1
	P – Concept of copyright: objects of copyright, Subjects of copyright. Copyright content. Works that are not objects of copyright. Works that are not objects copyright. Origin and term of copyright.	2	14
	IW – Features of the protection and use of some copyright objects: copyright for written and oral literary works, copyright for interviews, copyright for computer programs, copyright for photographic works, copyright for audiovisual works, copyright the right to works of architecture. Rules of state registration of copyright rights Free use of copyright	16	
	L – Related rights. Protection of copyright and related rights	2	1

5	P– The concept of related rights. Objects and subjects of related rights. Emergence of related rights. Features of legal protection related rights: rights of performers, rights of recording producers, rights of broadcasting organizations. Free use of objects of adjacent rights. Occurrence and term of validity of related rights. Collective management of copyright and related rights.	1	
	IW - Protection of copyright and related rights: concept of protection of copyright and related rights, civil law methods of protection of copyright and related rights, criminal law methods of protection of copyright and related rights, administrative legal methods of protection of copyright and related rights. The most common ways of violating copyright and related rights and fighting against them	12	14
6	L – Agreements in the field of intellectual property.	2	
	P - General characteristics of contracts in the field of intellectual property. License agreement. Agreement on transfer of exclusive intellectual property rights. Agreement on creation to order and use of object of intellectual right property	1	
	IW – Commercial Concession Agreement. Other agreements in the field intellectual property	12	14
Разом	JK	16	4
	ПІП (JIP, C3)	16	2
	CP	88	84

Teaching methods:

- verbal method (lecture, discussion, etc.);
- practical method (practical classes);
- visual method (the method of illustrations and the method of demonstrations);
- independent work.

Evaluation system and requirements:

Evaluation methods and forms:

- oral control (survey);
- written control;
- practical test;
- self-assessment method;
- credit;
- student presentations and speeches at scientific events;
- performance and protection of practical/laboratory work.

Current performance

1 The current success rate of applicants for the performance of educational types of work in training sessions and for the performance of independent work tasks is evaluated using a four-point rating scale with subsequent transfer to a 100-point scale. During the evaluation of the current academic performance, all types of work provided by the educational program are taken into account.

1.1 Lecture classes are evaluated by determining the quality of performance of specified tasks.

1.2 Practical classes are evaluated by the quality of performance of a control or individual

task, performance and design of practical work.

1.3 Laboratory classes are evaluated by the quality of reports on the performance of laboratory work.

1.4 Seminar classes are evaluated by the quality of individual assignment/abstract.

2 The current performance of higher education applicants is assessed at each practical session (laboratory or seminar) on a four-point scale ("5", "4", "3", "2") and entered in the journal of academic performance.

– “excellent”: the winner mastered the theoretical material flawlessly, demonstrates deep knowledge of the relevant topic or academic discipline, the main provisions;

- "good": the applicant has mastered the theoretical material well, has the main aspects from primary sources and recommended literature, presents it in a reasoned manner; has practical skills, expresses his thoughts on certain problems, but certain inaccuracies and errors are assumed in the logic of the presentation of theoretical content or in the analysis of practical ones;

- "satisfactory": the applicant has basically mastered the theoretical knowledge of the educational topic or discipline, orients himself in primary sources and recommended literature, but answers unconvincingly, confuses concepts, answers additional questions uncertainly, does not have stable knowledge; when answering questions of a practical nature, reveals inaccuracy in knowledge, does not know how to evaluate facts and phenomena, connect them with the future profession;

- "unsatisfactory": the applicant has not mastered the educational material of the topic (discipline), does not know scientific facts, definitions, hardly orients himself in primary sources and recommended literature, lacks scientific thinking, practical skills are not formed.

3 The final score for the current activity is recognized as the arithmetic mean sum of points for each lesson, for individual work, current control works according to the formula:

$$K_{\text{current}} = \frac{K_1 + K_2 + \dots + K_n}{n}$$

K_{current} – is the final assessment of success based on the results of current where control;
 K_1, K_2, \dots, K_n – – evaluation of the success of the current control measure;
 n – – the number of measures of current control.

Assessments are converted into points according to the calculation scale (table 1).

4-point scale	100 points scale	4-point scale	100 points scale	4-point scale	100 points scale	4-point scale	100 points scale
5	100	4,45	89	3,90	78	3,35	67
4,95	99	4,4	88	3,85	77	3,3	66
4,9	98	4,35	87	3,80	76	3,25	65
4,85	97	4,3	86	3,75	75	3,2	64
4,8	96	4,25	85	3,7	74	3,15	63
4,75	95	4,20	84	3,65	73	3,1	62
4,7	94	4,15	83	3,60	72	3,05	61
4,65	93	4,10	82	3,55	71	3	60
4,6	92	4,05	81	3,5	70	from 1.78 to 2.99	from 35 to 59
						re-examination	
4,55	91	4,00	80	3,45	69	від 0 до 1,77	from 0 to 34
4,5	90	3,95	79	3,4	68	repeated study	

Final assessment

1 A student of higher education receives a credit in the last lesson in the discipline based on the results of the current assessment. The average score for the current activity is converted into points on a 100-point scale, according to the conversion table (table 1).

Applicants for higher education who have a current grade point average in the discipline lower than "3" (60 points) can increase their current grade by taking tests in the discipline in the last session.

Assessment of the knowledge of applicants through testing is carried out according to the following scale:

- "Excellent": at least 90% of correct answers;
- "Very good": from 82% to 89% of correct answers;
- "Good": from 74% to 81% of correct answers;
- "Satisfactory": from 67% to 73% of correct answers;
- "Satisfactory enough": from 60% to 66% of correct answers;
- "Unsatisfactory": less than 60% of correct answers.

2 The condition for obtaining credit is:

- making up for all missed classes;
- the average current grade in the discipline is not lower than "3" (60 points).

3 For performing individual independent work and participation in scientific events, additional points are awarded to the winners.

3.1 Additional points are added to the sum of points scored by the student of higher education for the current educational activity (for disciplines for which the final form of control is a credit), or to the final grade in the discipline for which the final form of control is an exam.

3.2 The number of additional points awarded for different types of individual tasks depends on their volume and importance:

- prizes in the discipline at the international / all-Ukrainian competition of scientific student works - 20 points;
- prize places in the discipline at the All-Ukrainian Olympiads - 20 points;
- participation in the international / all-Ukrainian competition of scientific student works - 15 points
- participation in international / all-Ukrainian scientific conferences of students and young scientists - 12 points;
- participation in all-Ukrainian Olympiads in the discipline - 10 points
- participation in Olympiads and scientific conferences of the KHNADU in the discipline - 5 points;
- performance of individual scientific and research (educational and research) tasks of increased complexity - 5 points.

3.3 The number of additional points cannot exceed 20 points.

4 The learning outcome is evaluated:

- on a two-point scale (passed/failed) according to table 2;
- on a 100-point scale (for differentiated assessment) according to table 3. The final grade together with additional points cannot exceed 100 points.

Table 2 – Scale for transferring points to the national evaluation system

On a 100-point scale	On a national scale
from 60 points to 100 points	counted
less than 60 points	not counted

The rating assessment of the discipline and its translation into grades on the national scale and the ECTS scale is carried out in accordance with the Regulations on the Evaluation of the Study Results of Higher Education Applicants of the KHNADU.

Table 3 – The scale for evaluating the knowledge of students based on the results of the final control of the academic discipline

Score in points	Evaluation on a national scale		Evaluation on a national scale	
	credit exam	credit exam		Criterion
90-100	famously	Enrolled	A	The theoretical content of the course has been mastered in its entirety, without gaps, the necessary practical skills for working with the mastered material have been formed, all educational tasks provided for in the training program have been completed, the quality of their performance has been assessed with a number of points close to the maximum
80-89	Good	Credited	B	The theoretical content of the course has been mastered in its entirety, without gaps, the necessary practical skills for working with the mastered material have mainly been formed, all educational tasks provided for by the training program have been completed, the quality of most of them has been assessed with a number of points close to the maximum
75-79			C	The theoretical content of the course has been mastered in its entirety, without gaps, some practical skills of working with the mastered material have not been formed enough, all educational tasks provided for by the training program have been completed, the quality of none of them has been evaluated with a minimum number of points, some types of tasks have been completed with errors
67-74			D	The theoretical content of the course is partially mastered, but the gaps are not significant, the necessary practical skills for working with the mastered material are basically formed, most of the educational tasks provided by the training program have been completed, some of the completed tasks may contain errors
60-66	E			

Score in points	Evaluation on a national scale		Evaluation on a national scale	
				Criterion
	credit exam	credit exam		
35–59	Unsatisfactorily No	Unacceptable	FX	The theoretical content of the course has been partially mastered, the necessary practical work skills have not been formed, most of the prescribed training programs of educational tasks have not been completed, or the quality of their implementation has been assessed with a number of points close to the minimum; with additional independent work on the course material, it is possible to improve the quality of the performance of educational tasks (with the possibility of retaking)
0–34			F	The theoretical content of the course has not been mastered, the necessary practical work skills have not been formed, all completed educational tasks contain gross errors, additional independent work on the course material will not lead to any significant improvement in the quality of the performance of educational tasks (with a mandatory repeat course)

Course policy:

- the course involves working in a team, the environment in the classroom is friendly, creative, open to constructive criticism;
- mastering the discipline involves mandatory attendance of lectures and practical classes, as well as independent work;
- independent work involves the study of individual topics of the academic discipline, which are presented in accordance with the program for independent study, or were considered briefly;
- all tasks provided by the program must be completed within the set time;
- if the student of higher education is absent from classes for a good reason, he presents the completed tasks during independent preparation and consultation of the teacher;
- while studying the course, students of higher education must adhere to the rules of academic integrity set forth in the following documents:
 «Rules of academic integrity of participants in the educational process KHNADU» (https://www.khadi.kharkov.ua/fileadmin/P_Standart/pologeniya/stvnz_67_0-02.pdf), Academic integrity. Checking the text of academic, scientific and qualification papers for plagiarism» (https://www.khadi.kharkov.ua/fileadmin/P_Standart/pologeniya/stvnz_85_1_01.pdf, Moral and ethical code of participants in the educational process KHNADU (https://www.khadi.kharkov.ua/fileadmin/P_Standart/pologeniya/stvnz_67_01_MEK_1.pdf).
- in case of detection of plagiarism, the applicant receives 0 points for the task and must repeat the tasks provided for in the syllabus;
- writing off during tests and exams is prohibited (including using mobile devices). Mobile devices are allowed to be used only during online testing.

Recommended literature: (literature no later than 10 years old, except 1

1. Basic literature

1. Dakhno I.I. The right of intellectual property: teaching. manual for students of universities / I. I. Dakhno. - 2nd ed., revision. and additional - K.: Education Center. letters, 2006. - 277 p.
2. Drobyazko V.S., Drobyazko R.V. Intellectual property law: Education. manual. - K.: Yurinkom Inter, 2004. - 512 p.

3. Intellectual property: education. manual / A.V. Aksyutina and others; ed. O.V. Nestertsova-Sobakar. - Dnipro: DDUVS, 2018. - 140 p.
4. Yu.I. Fordzun, V.M. Kabatsii. Fundamentals of intellectual property/ Yu.Sh. Fordjun V. M. Kabatsii: Education. manual. - K: Condor. 2018. - 208.
5. Aksyutina A.V., Nestertsova-Sobakar O.V., Tropin V.V. etc. A 41 Intellectual property: education. manual [for students higher Faculty of Education] / For the Department of Cand. law of Science, Assoc. Nestertsova Sobakar O.V. – Dnipro: Dniprop. state University of Internal Affairs cases, 2018. – 140 p.
6. Dyukareva K.Yu. Personal non-property intellectual property rights of co-authors of works of science / K.Yu. Dyukarev // All-Ukrainian Scientific and Practical Economic and Legal Journal "Entrepreneurship, Economy and Law". 2017. Issue 9. P. 22-28. Access mode: <http://pgp-journal.kiev.ua/archive/2017/9/5.pdf>.
7. Dyukareva K.Yu. Legal grounds for the emergence of intellectual property rights of co-authors of a work of science / K.Yu. Dyukareva // All-Ukrainian Scientific Journal "Law and Society". 2018. Issue 3. P. 50-54. Access mode: http://pravoisuspilstvo.org.ua/archive/2018/3_2018/part_2/10.pdf
8. Dyukareva K.Yu. Intellectual property rights of co-authors in the case of creation of a work of science in connection with the performance of an employment contract / K.Yu. Dyukareva // Scientific Bulletin of the Uzhhorod National University. "Law" series. 2018. Issue 50. P. 65-70. Access mode: http://www.visnyk-juris.uzhnu.uz.ua/file/No.50/part_1/17.pdf
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10. Martin V.M. Protection of rights to commercial names on the Internet.// Martyn V.M. // Actual problems of intellectual, information and IT law: materials of the second all-Ukrainian scientific and practical conference (Lviv, October 27-28, 2017). - Lviv: Jurid. FC Lviv. national University named after I. Franka, 2017. - P. 182-189.
11. Samagalska Yu.Ya. Legal regulation of internet advertising. Bulletin of Lviv University. Legal series. Lviv: Lviv National University, 2018/. Vol. 66. P.208-214
12. Yu.Ya. Samagalska Legal protection of patent rights in the USA / Yu.Ya. Part 1. - Lviv: Faculty of Law of Ivan Franko National University of Lviv, 2018 - pp. 212-216.
13. Yavorska O. S. Protection of copyright and related rights in case of their violation using the Internet. Law of Ukraine. 2018. No. 1.
14. Creation, protection, protection and commercialization of objects of intellectual property rights: materials of the 4th All-Ukrainian scientific and practical conference, (April 22, 2021, Kyiv) : electronic collection / Edited by: M.V. Dubnyak, A.S. Romashko, - Kyiv: KPI named after Igor Sikorskyi, 2021. – 185 p.
15. Inventive activity in scientific institutions / Ed. Yu.M. Capes; number seconded: Yu.M. Kapitsa, T.G. Kossko, D.S. Makhnovskyi, I.I. Khomenko, N.I. Aralova, M.P. Turov: Scientific and practical view. K.: Logos, 2021. 455 c.. The publication can be obtained under an open access license on the website of the National Academy of Sciences of Ukraine: https://ipr.nas.gov.ua/?page_id=1890
16. Industrial property in numbers. Indicators of activity in the field of industrial property for 2020 - Access mode: <https://ukrpatent.org/uk/articles/rzvrit>, <https://ukrpatent.org/atachs/promvlasnist-2020.pdf>
17. Application for a utility model No. u202101305, IPC B24C 21/16, B23C 5/02. router bit 5.03.2021, /Kuznetsov Y.M., Gutnik A.Z., Somov D.O.
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20. Code of ethics of a professional archaeologist. [Electronic resource] Last accessed April 18, 2021, URL <http://www.vgosau.kiev.ua/pro-nas/normatyvnopravo-baza/155-kodeks-etyky> .
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22. Leontieva L.V. Some features of the legal regulation of property and non-property intellectual property rights// Legal Scientific Electronic Journal No. 11, 2021 p.54-58. URL www.lsej.org.ua .
23. Leontieva L.V. Legal protection of a trademark in Ukraine at the level of national legislation//

Economics. Finance. Law. No. 11, 2021 URL www.epf.in.ua

2. Supporting literature

24. Law of Ukraine "On Protection of Rights to Inventions and Utility Models". [Electronic resource]. – URL: <https://zakon.rada.gov.ua/laws/show/816-20#n9> Rules for considering an application for an invention and an application for a utility model" [Electronic resource]. – Access mode: <http://zakon.rada.gov.ua/cgi-in/laws/main.cgi?nreg=z0364%2D02&p=111141026130> Application date 04/02/2021
25. Instructions for the Patent Cooperation Agreement (text effective from July 1, 2020). [Electronic resource]. – Access mode: https://www.wipo.int/export/sites/www/pct/ru/texts/pdf/pct_regs.pdf Application date 04/07/2021
26. Rules for drawing up and submitting an application for an invention and an application for a utility model. [Electronic resource]. – URL: <https://zakon.rada.gov.ua/laws/show/z0173-01> Date of application 04/8/2021 – Name from the screen.
27. Civil Code of Ukraine [Electronic resource]. - Access mode: <http://zakon3.rada.gov.ua/laws/show/435-15> - Date of application 04/2/2021
28. Law of Ukraine "On Legal Protection of Geographical Indications". Law dated 16.06.1999 No. 752-XIV. Information of the Verkhovna Rada of Ukraine, 1999, N 32, Article 267. Editorial from 04.10.2020. [Electronic resource]. – Access mode: About legal protection of geography... | dated 16.06.1999 No. 752-XIV (rada.gov.ua) .
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14. [http //rada.gov.ua](http://rada.gov.ua)
15. [http //www.kmu.gov.ua/mainestat](http://www.kmu.gov.ua/mainestat)
16. [http //www.minfin.gov.ua](http://www.minfin.gov.ua)
17. [http //www.mlsp.gov.ua](http://www.mlsp.gov.ua)
18. [http //www.dkrp.gov.ua](http://www.dkrp.gov.ua)
19. [http //www.ukrdzi.com.ua](http://www.ukrdzi.com.ua)
(адреси сайтів з матеріалами)

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