



National technical
University of Ukraine
"Kyiv Polytechnic
institute of the name
Igor Sikorsky"



Department of machine design
Educational and scientific mechanical engi-
neering institute



Department of intellectual property and
private law
Faculty of Sociology and Law

Інтелектуальна власність та патентознавство

Intellectual property and patent science

SYLLABUS

REQUIREMENTS OF THE EDUCATIONAL DISCIPLINE

Level of higher education	second (master's)
Branch of knowledge	13 - Mechanical engineering
Specialty	134 - Aviation and Aerospace Technologies
Educational program	Geoengineering
Discipline status	Normative
Form of education	daytime
Year of training, semester	1st year, fall semester
Scope of the discipline	3 credits (90 hours), including lectures 36 hours, practical classes 18 hours, independent work 36 hours
Semester control / control measures	Modular control work Test
Lessons schedule	According to the rozklad.kpi.ua schedule
Language of teaching	Ukrainian
Information about the course leader / teachers	Head of the course Romashko A.S. (Department of Machine Design)

PROGRAM OF EDUCATIONAL DISCIPLINE

1. Description of educational discipline, her aim, article of study and results of studies

1.1. Description of educational discipline

Educational discipline consists of two parts: it is

Part 1. "Intellectual property and патентознавство - 1. Right of інтелектуаль-ної ownership" (the department of intellectual property and private right for Факу-льтету of sociology and right provides).

it is Part 2. "Intellectual property and патентознавство - 2. *Патентознавство and acquisition of rights*" (the department of Design of machines Mechanical and machine-building institute).

1.2. Aim of educational discipline

The aim of educational discipline is preparation of specialist that has base competenses from the right of intellectual ownership, in particular in relation to a legislation and system of legal охорони of intellectual property in Ukraine, their criteria of legal safeguard and terms of чинно-сті of property rights, estimation, commercialization, and contractual methods of disposing of май-но-вими rights of intellectual property and protection of rights, creation of objects of intellectual property, realization of patent researches is after databases, regi onal departments and Worldwide organization of intellectual влас-нос-ті, acquisition of rights (state registration of rights) of Укрпатенту on the objects of right for inte лlectual власнос-ті.

The aim of educational discipline is forming for the students of компетентностей :

ЗК1. A capacity is for actions in the new situation related to work on speciality and ability to gen erate new ideas in the sphere of miner.

ЗК4. Ability to operate socially responsibly and consciously.

ЗК5. Understanding of necessity of observance of norms authorial and the allied rights of інте- лектуаль-ної property; perception of the state and international systems of legal safeguard of intellectual p roperty.

1.3. Article of study of discipline

The article of educational discipline is totality of norms of right, that regulate суспі- льні relations represented in a legislation, legal doctrine and judicial practice and, that is related t o creation, by the guard of results of intellectual creative activity

1.4. Results of studies

PH1. To operate in the new situation related to work on speciality and ability to generate new ide as in the sphere of miner;

PH4. To operate socially responsibly and consciously;

PH5 to Adhere to the norms authorial and the allied rights of intellectual property; perception of the state and international systems of legal safeguard of intellectual property;

PH8. To develop and realize innovative foods and measures in relation to perfection and increase of technical level of the systems and technologies of miner, providing of their competitiveness.

2. Previous essential elements and essential post-elements

List of disciplines, or knowledge and abilities possessions need that to the breadwinner of higher education for the successful mastering of discipline	List of disciplines what are based on the results of studies from this discipline
Studied on the basis of baccalaureate	<ul style="list-style-type: none"> • Special disciplines that envisage implementation of tasks of technical work • Advanced study after the theme of master's degree dissertation • Practice • Research practice

3. Table of contents of educational discipline

Part 1. Right of intellectual ownership

Theme 1. System of intellectual property

Theme 2. An origin and acquisition of rights are on the objects of intellectual property

Theme 3. Protection of intellectual ownership rights

Theme 4. Agreements are in the field of intellectual property

Theme 5. Economy of intellectual property

Theme 6. Intellectual property management

Part 2. Патентознавство and acquisition of rights

Theme 7. Creation and patent-informative researches of objects of industrial ownership rights

Theme 8. Legal safeguard of results of scientific and technical work

Theme 9. Legal safeguard of commercial denotations

Theme 10. Legal safeguard of authorial and contiguous rights

Theme 11. An unfair competition is her kinds, mechanisms of warning, exposure and counteraction. responsibility is for violation

4. Training materials and resources

Part 1. Basic literature

1. Intellectual property rights: textbook / for general. ed. S.B. Boulets, OI. Chepis. Uzhhorod: RIK-U, 2019. 488 p. (University Library);

2. Intellectual property rights: textbook / for general. ed. O.I. Chariton. Kyiv: Yurinkom Inter, 2019. 539 p. (University Library);

3. Intellectual property and copyright: textbook/ IM. Chistyakova and others. Kyiv: Caravela, 2019. 203 p. (University Library).

4. Willow II. Fundamentals of intellectual property [Electronic resource]: training manual / I. AND. Willow, V. AT. Blacksmith; for ed. S. IN. Chikina; NTUU "KPI". – 2nd type., re-rob. and ext. – Electronic text data (1 file: 2.20 KB). – Kyiv: NTUU "KPI", 2013. – 262 p. : 23 il. – Access mode <http://library.kpi.ua:8080/handle/123456789/2387>

5. Romashko AS. International agreements and agreements in the field of intellectual property: Teach. manual. / A.S. Romashko, I.I. Willow, VV. Adventure. – Type. 2nd reworked. and to-full. [Electronic resource] / - K. : NTUU "KPI", 2015. – 186. Access mode <http://ela.kpi.ua/handle/123456789/28002>.

6. Intellectual Property and Patent Studies [Electronic Resource]: a textbook for students studying under master's training programs / N. AT. Belousova, N. IN. Gavrushkevych, M. AND. Danilchenko, M. IN. Dubnyak, N. D. Kogut, O. IN. Litvin, A. S. Romashko, P. M. Tsibulov, O. I. Yurchishin; KPI them. Igor Sikorsky; ed. P. M. Tsibulova, A. S. Romashko. – Electronic text data (1 file: 6.03 MBite). – Kyiv: KPI them. Igor Sikorsky, 2021. – 377 p. – Screen name.
<https://ela.kpi.ua/handle/123456789/44252>

Additional literature:

1. Guide for Intellectual Property Judges / IM. Benedict and others. K .: K.I.S., 2018. 424 p.
2. Blacksmith IF. Commercialization of intellectual property rights: training. means. K .: Yurinkom Inter, 2018. 272 p.
3. Yakubovsky IE. Acquisition, exercise and protection of property rights of intellectual property in Ukraine: monograph. Lviv: LNU named after Ivan Frank, 2018. 522 p.
4. Vahoneva TM. Copyright and related rights in Ukraine: a textbook. K .: VD «Dakor», 2016. 564 p.
5. Zhilinkova OV. Contractual regulation of intellectual property relations in Ukraine and abroad: monograph. K .: Yurinkom Inter, 2015. 280 p.
6. Blacksmith I. F. Protection of rights in the field of industrial property: problems of legislative security and law enforcement: monograph. K .: Research Institute of Ukraine, Lazurite-Polygraph, 2011. 320 p.
7. Civil Code of Ukraine: scientific and practical comment (explanations, interpretations, recommendations using the positions of higher courts, the Ministry of Us-Titia, scientists, specialists). T. 6: Intellectual property rights / ed. prof. AND. IN. Savior-Fatyeva. H .: FOP Fox LS, 2011. 592 p. (Comments and analysts).

Information resources of the Internet

Web-site of the Verkhovna Rada of Ukraine. Legislation of Ukraine -
<https://zakon.rada.gov.ua/>

Web-site of the Ministry of Economy Ukraine -
<http://www.me.gov.ua/Tags/DocumentsByTag?lang=uk-UA&id=bb27fb37-4305-4686-9ea0-995d1c10f028&tag=DerzhavnaSluzhbaIntelektualnoiVlasnosti>

Web-site of the State Enterprise «Ukrainian Institute of Intellectual Property» -
<https://ukrpatent.org>

Web-site of the State Organization «Ukrainian Agency for Copyright and Related Rights» - <http://www.uacrr.kiev.ua>

World Intellectual Property Organization Web Site -
<http://www.wipo.int/portal/index.html.ru>

Part 2. Basic literature

1. Intellectual Property and Patent Studies [Electronic Resource]: a textbook for students studying under master's training programs / N. AT. Belousova, N. IN. Gavrushkevych, M. AND. Danilchenko, M. IN. Dubnyak, N. D. Kogut, O. IN. Litvin, A. S. Romashko, P. M. Tsibulov, O. I. Yurchishin; KPI them. Igor Sikorsky; ed. P. M. Tsibulova, A. S. Romashko. – Electronic text data (1 file: 6.03 MBite). – Kyiv: KPI them. Igor Sikorsky, 2021. – 377 p. – Screen name.
<https://ela.kpi.ua/handle/123456789/44252>

2. Kuznetsov Y.M. Patent Studies and Copyright: Textbook – K .: Kon-dor LLC, 2005. – 428 p., 2nd edition, revised and supplemented, 2009. – 446 p.

3. Mikulonok IO. Intellectual property and patent science: textbook. Kyiv: KPI them. Igor Sikorsky, View-vo «Polytechnic», 2019. 244 p. Dostkp:
<https://ela.kpi.ua/handle/123456789/31664>

4. Mikulonok IO. Preparation and submission of an application for an invention and an application for a useful model: tutorial. manual. Kyiv: KPI them. Igor Sikorsky, 2021. 116 p. Access: <https://ela.kpi.ua/handle/123456789/39745>
5. Workshop on the discipline "Patentology and Copyright" for students and graduate students of technical specialties and specialties "Intellectual Property" [Electronic resource] / A. S. Romashko, O. M. Taylor, O. IN. Litvin; STUU "KPI". – Electronic text data (1 file: 2.72 MB). – Kyiv: NTUU "KPI", 2014. – Access mode <http://ela.kpi.ua/handle/123456789/28003>
6. Romashko AS. International agreements and agreements in the field of intellectual property: Teach. manual. / A.S. Romashko, I.I. Willow, V.V. Adventure. – Type. 2nd reworked. and to-full. [Electronic resource] / - K.: NTUU "KPI", 2015. – 186. Access mode <http://ela.kpi.ua/handle/123456789/28002>
7. Romashko AS. Trademark: self-search, preparation for registration, monitoring Teach. manual. / A.S. Romashko, OM Kravets. – [Electronic resource] / - K.: NTUU "KPI", 2016. – 170. vulture Approved by the STUU "KPI" Scientific Council on June 30, 2016 <http://ela.kpi.ua/handle/123456789/28006>

Part 2. Additional literature

1. Kuznetsov Yu. M., Mikulonok I. O., Samoilenko O. IN. Workshop on the discipline "Patentology and Copyright". Tutorial / Ed. Yu.M. Body-netsova. – Kyiv: NTUU "KPI", 2014. – 317 p.
2. Text of lectures on the discipline "PROFITING OF INTELLECTUAL PROPERTY RIGHTS" Part 1 "Acquisition of rights to invention (useful model)" for specialties OCC specialist 7.18010011 "Intellectual property" and master 8.18001111 "Concluding. A.S. Romashko - K.: NTUU "KPI" (electronic edition), 2012. – 137 p. [Electronic resource].
3. Text of lectures on discipline «Acquisition of intellectual property rights» Ch. 2 «Acquisition of industrial design rights» for specialties OKH specialist 7.18010011 «Intellectual property», master 8.18010011 «Intellectual property» [Electron-storage resource]. AND. S. Romashko. – Electronic text data (1 file: 432 KB). – Kyiv: NTUU «KPI», 2013. – 64 s. [Electronic resource]. – Access mode: <http://ela.kpi.ua/handle/123456789/2662>
4. Collection of test questions in the discipline «Patentology and copyright» for students of educational and qualification level «master» [Electronic resource] / NTUU «KPI». AND. S. Romashko. – Electronic text data (1 file: 217 KB). – Kyiv: NTUU «KPI», 2013. – 34 s. [Electronic resource]. – Access mode: <http://ela.kpi.ua/handle/123456789/2663>

Information resources of the Internet

- Web-site of the Verkhovna Rada of Ukraine. Legislation of Ukraine <https://zakon.rada.gov.ua/>
- Web-site of the Ministry of Economy Ukraine – <http://www.me.gov.ua/Tags/DocumentsByTag?lang=uk-UA&id=bb27fb37-4305-4686-9ea0-995d1c10f028&tag=DerzhavnaSluzhbaIntelektualnoiVlasnosti>
- Web-site of the State Enterprise «Ukrainian Institute of Intellectual Property» - <https://ukrpatent.org>
- Web-site of the State Organization «Ukrainian Agency for Copyright and Related Rights» - <http://www.uacrr.kiev.ua>
- World Intellectual Property Organization Web Site - <http://www.wipo.int/portal/index.html>

EDUCATIONAL CONTENT

5. Methods of mastering an educational discipline (educational component)

5.1 Distribution of study time by topic

Part 1. Intellectual property right

<i>Names of content modules, topics, hours independent work of students</i>	classrooms, hours	VTS hours
Part 1. Intellectual property right	2	1
Topic 1. Lecture 1. Intellectual property system	2	1
Topic 2. Lecture 2. Emergence and acquisition of intellectual property rights	2	2
Practical lesson 1 with topics 1-2. Intellectual property system. Emergence and acquisition of rights to intellectual property objects	2	1
Topic 3. Lecture 3. Protection of intellectual property rights.	2	1
Topic 4. Lecture 4. Contracts in the field of intellectual property	2	2
Topic 5. Lecture 5. Economics of intellectual property	2	1
Topic 6. Lecture 6. Management of intellectual property	2	1
Practical lesson 3 with topics 5-6. Economics of intellectual property. Management of intellectual property	2	2
Total hours for Part 1:	18	12
Part 2. Patent science and acquisition of rights		
Topic 7 Creation and patent information research of objects of industrial property rights	2	1
Lecture 1. 7.1. Creativity as a type of intellectual work. 7.2. Methods of posing and solving creative problems on the example of invention. 7.3. Stages of development of the invention Lecture 2. 7.4. Patent information and documentation, patent research. 7.5. Patent information resources. 7.6. Patent studies 7.7. Patent form	2	1
Practical lesson No. 1. Solving inventive problems. Patent information search.	2	2
Topic 8 Legal protection of the results of scientific and technical creativity	2	0,5
Lecture 3. 8.1. The procedure for acquiring rights to inventions and utility models	2	1
Practical lesson #2. Selection of analogues and selection of the closest analogue, construction of the formula.	2	0,5
Lecture 4. 8.2. Application for registration of invention rights (useful model)	2	0,5
Lecture 5. 8.2. (continuation)	2	2,5
Practical lesson No. 3. Filing of an application for registration of property rights to an invention (utility model).	2	0,5
Practical lesson No. 4. Filing of an application for registration of property rights to an industrial design.	2	1,5
Lecture 7. 8.4. The procedure for acquiring rights to commercial secrets and innovative proposals. Scientific discovery, semiconductor product, plant varieties and certain aspects of their protection.	2	0,5
Topic 9 Legal protection of commercial designations	2	0,5
Lecture 8. 9.1. Concept of brand (commercial) name and geographical indications	2	0,5
9.2. Acquisition of trademark rights	2	2
Lecture 10. Topic 10 Legal protection of copyright and related rights 10.1. Peculiarities of copyright protection in Ukraine and the world 10.2. State registration of copyrights 10.3. Peculiarities of protection of objects of related rights in Ukraine and the world Topic 11 Unfair competition, its types, mechanisms of prevention, detection and countermeasures. Liability for infringement of rights 11.1. Its types of unfair competition. Provisions on unfair competition in the	2	0,5

Paris Convention and in Ukraine 11.2. Anti-piracy, trolling and counterfeiting. Piracy and trolling in Ukraine and the world 11.3. Parasitic marketing at sports, mass and cultural events		
Practical lesson No. 6. Protection of commercial secrets. Copyright registration.	2	2
Modular control work.	2	
Preparation for the test		6
Test	2	
Total hours for Part 2:	36	24
Together for parts 1 and 2:	90	36

5.2. Method of mastering

Theoretical part

PART 1. Intellectual property rights – 12 hours (6 lectures)

Lecture 1. Intellectual property system (2 h.)

Purpose:

educational: to form an idea of intellectual property rights, the system of objects of intellectual property rights, subjects of rights to them and the content of their rights, for-legislation in the field of intellectual property, the state system of legal protection of intellectual property;

developmental: formation of logical legal thinking;

educational: to cultivate a positive and respectful attitude to the legal science.

Contents of the lecture:

1. Concepts: « intellectual property object» and « intellectual property right».
2. Objects of intellectual property rights.
3. Entities of intellectual property rights.
4. National legislation on intellectual property.
5. International intellectual property law.
6. State system of intellectual property.

Lecture 2. Origin and acquisition of rights to intellectual property (2 h.)

Purpose:

educational: to form an idea of the emergence and acquisition of the right to various objects of intellectual property rights, the difference between the concepts of « emergence of » and « acquisition of the right» to intellectual property rights;

developmental: formation of logical legal thinking;

educational: to cultivate a positive and respectful attitude to the legal science.

Contents of the lecture:

1. Disappearance of copyright rights.
2. The emergence of rights to objects of related rights.
3. Acquisition of rights to patent law objects and industrial designs.
4. Acquisition of rights to commercial designations.
5. Origin and acquisition of the right to other objects of intellectual property rights.

Lecture 3. Intellectual property rights protection (2 h.)

Purpose:

educational: to form an idea of the concept, grounds, forms, ways of protection of rights of other-state property;

developmental: formation of logical legal thinking;

educational: to cultivate a positive and respectful attitude to the legal science.

Contents of the lecture:

1. Concepts and grounds for protection of intellectual property rights.
2. Jurisdictional form of protection of intellectual property rights.
3. Non-jurisdictional form of protection of intellectual property rights.

Lecture 4. Intellectual Property Agreements (2 h.)

Purpose:

educational: to form an idea of contractual ways of disposing of property rights of intellectual property;

developmental: formation of logical legal thinking;

educational: to cultivate a positive and respectful attitude to the legal science.

Contents of the lecture:

1. The concept and content of the contract.
2. Contracts at the stage of creating an intellectual property object.
3. Contracts at the stage of using the intellectual property object.
4. Agreement on the transfer of exclusive property rights of intellectual property.
5. Other agreements on the disposal of property rights of intellectual property.

Lecture 5. Intellectual property economy (2 h.)

Purpose:

educational: to form an idea of commercialization of intellectual property rights;

developmental: formation of logical legal thinking;

educational: to cultivate a positive and respectful attitude to the legal science.

Contents of the lecture:

1. Intellectual property as an intangible asset.
2. Estimation of the value of rights to intellectual property.
3. Intellectual property accounting.
4. Taxation of transactions with intellectual property rights.
5. Commercialization of intellectual property rights.

Lecture 6. Intellectual property management (2 h.)

Purpose:

educational: to form an idea of the principles of intellectual property management, the re-creation cycle of the object of intellectual property rights, the management of the object of intellectual property at different stages of its life cycle;

developmental: formation of logical legal thinking;

educational: to cultivate a positive and respectful attitude to the legal science.

Contents of the lecture:

1. The concept of management and the principles of intellectual property management.
2. The life cycle of the intellectual property object.
3. Management of the intellectual property at various stages of its life cycle.

Part 2 patent capacity and acquisition of rights – 24 hours

10 lectures, 1 modular control work and a count)

Topic 7 creation and patent information research of volume property rights

Part 2. Lecture 1

7.1. Creativity as a kind of intellectual work. Social aspects of scientific and technical creativity. General characteristics of invention.

7.2. Methods of solving and solving creative problems on the example of invention. In-general classification of methods for solving inventive problems, their essence.

7.3. Stages of development of the invention

Part 2. Lecture 2

7.4. Patent information and documentation, patent research. Patent document-status and regulatory framework of patent information activities. State system of patent information. National and international classifications of industrial property.

7.5. Patent information resources. Non-proprietary information. Use the internet to search for patent information

7.6. Patent research contents and procedure of patent research. Life cycle of the object of economic activity. Patent form. Use of patent information in the creation and development of new equipment. Patent landscape – concept and applied-no.

7.7. Patent form. Appointment and preparation

Topic 8 legal protection of results

Scientific and technical creativity

Part 2. Lecture 3

8.1. The procedure for acquiring rights to inventions and useful models.

General provisions. The concept of invention and useful model. Objects of inventions and coris models. Objects not recognized by inventions (useful models). Entities of the right to invent (useful models). Conditions for granting legal protection to inventions (coris-one models). Fees for the acquisition of rights. Procedure for obtaining a patent: date of application, priority of application, revocation and change of application. Temporary legal protection, publications on the grant of a patent, examination of the application, registration of a patent, issuance of a patent.

Part 2. Lecture 4

8.2. Application for registration of rights to invent (useful model).

List of materials when submitting an application in ukraine. Requirement of unity of invention (coris-one model). Invention formula (definition, structure, assembly, features). Requirements for the description of the invention (useful model). Requirements for graphic materials that explain the description of the invention. Abstract of the invention. Registration of application documents. Application fee.

Part 2. Lecture 5

8.2. Application for registration of rights to invent (useful model). (continued-input)

Types and essence of examinations on applications, records on the application types of conclusions, decisions and requests of the patent examination body on the materials of the application for a patent for a patent for a patent (useful model).patenting of the invention (useful model) in foreign countries and features of the international procedure under the pct agreement of the international application, international publication, international search. Registration of an international application for an invention. Mechanisms and warnings of industrial trolling.

Part 2. Lecture 6

8.3. Procedure for acquiring rights to industrial samples

The concept of industrial design. Unregistered industrial design. Protection of non-registered industrial designs in the eu and ukraine and its term. Objects of pro-industrial samples. Objects that are not recognized as industrial designs. Entities of the right industrial designs conditions for the provision of legal protection and conditions of protection of a pro-industrial model. Examination of industrial samples. Registration period. The scope of legal protection. Fees for the acquisition of rights. Expertise. Requirements for applying for registration of an industrial sample. List of materials when submitting an application in ukraine and requirements for them. System of classification of industrial samples. Protection of industrial design in foreign-terrestrial states, including under the hague system. Features of the international application and its examination.

Part 2. Lecture 7

8.4. Procedure for acquiring rights to trade secrets and rationalizing propo-zit. Scientific discovery, semiconductor product, plant varieties and certain aspects of their protection.

Information with limited access its types and characteristics. Information that may not be a trade secret. The concept of “ know-how” and its relation to intellectual property rights. Rationalization proposal in ukrainian legislation. Relationship of the rationalization proposal

with other objects of intellectual property rights. Comparative analysis of the protection of the rationalization proposal in the world. Methods of protection of information that has commercial value for the enterprise (institution, organization) composition of semiconductor products. Scientific discoveries. Plant varieties

Part 2. Lecture 8

Topic 9. Legal protection of commercial means

9.1. The concept of branded (commercial) name and geographical indication

Identification of commercial designations as typical objects of intellectual property rights. The concept of branded (commercial) name; trademarks; geographical indications. Content of the right to a commercial name and geographical indication. Right-hand protection of unregistered commercial designations. Relationship between different intellectual property rights.

9.2. Acquisition of trademark rights

entities and objects of trademark rights. Conditions for granting legal protection. Grounds for refusing legal protection.

Part 2. Lecture 9

9.2. Acquisition of trademark rights (continued)

Rules for applying for registration of a certain commercial designation as a typical object of intellectual property rights. Rules for examination of applications for the registration of commercial designations, which are typical objects of intellectual property rights. Application of the provisions of international classification agreements relating to trademarks. Independent trademark search before the registration procedure and during monitoring to detect violations of rights using available electronic j-rel. International trademark protection under the madrid system. An example of etching an international application. Trademark features in accordance with the association agreement.

9.3. Acquisition of rights to geographical indications

Geographical indication is an important aspect of the quality goods market. Types of geographical indications. Procedure for acquiring rights to a geographical indication application of the provisions of international agreements relating to geographical indications. Features related to geographical indications in accordance with the association agreement.

Part 2. Lecture 10

Topic 10. Legal protection of authoric and related rights

10.1. Features of copyright protection in ukraine and the world.

Copyright objects / objects. The scope of legal protection and the term of protection.

10.2. State copyright registration.

Security document: type, obligation. Composition of the application, examination of the application, procedure of receipt, cost. Rights arising from the security document. Notifications of the owner about their rights. Official works. Co-authorship. Use of copyright objects without the consent of the owner. Acquisition of rights abroad. Wipo pro proof wipo service

10.3. Features of protection of objects of related rights in ukraine and the world

Objects/subjects of related rights. The scope of legal protection and the term of protection.

Topic 11. Undobrosovisic competition of its types, mehanisms of warning, explanation and protection.

Responsibility for violation of rights

11.1. Unscrupulous competition of its species

Regulations on unfair competition in the paris convention and in ukraine

11.2. Counteraction to piracy, trolling and counterfeiting.

Piracy and trolling in ukraine and around the world. Mechanisms for preventing unfair competition and counterfeit products.

11.3. Parasitic marketing at sports, mass and cultural events.

Examples of parasitic marketing and countermeasures.

PRACTICAL PART

Part 1. Intellectual property rights – 6 hours (3 practical classes)

Practical lesson 1. Intellectual property system. Origin and acquisition of rights to intellectual property (2 h.)

Purpose:

educational: to summarize knowledge about intellectual property rights, the system of intellectual property rights, the subjects of their rights and the content of their rights, the emergence and acquisition of the right to intellectual property;

developmental: formation of logical legal thinking;

educational: to cultivate a positive and respectful attitude to the legal science.

Repeat questions: Concept: « Intellectual Property Object» and « Intellectual Property Rights ». Objects of intellectual property rights. Entities of intellectual property rights. National legislation on intellectual property. International intellectual property law. State system of intellectual property. Disappearance of copyright rights. The emergence of rights to objects of related rights. Acquisition of rights to patent law objects and industrial designs. Acquisition of rights to commercial designations. Origin and acquisition of the right to other objects of intellectual property rights.

Questions for analysis:

1. How do you understand the concepts of «creative activity » and «intellectual activity ». Give examples. Justify the answer.

2. What concept is broader – «author» or « subject of law»? Who can be the author of – fi-winter or legal entity? Justify the answer.

3. How do you understand the concepts of « emergence of intellectual property rights» and « acquisition of intellectual property rights»? Give examples. Answer the justification.

4. Can a personal letter be considered an object of copyright for another person? Who has the right to dispose of such a letter – by its author or the person to whom it is written?

5. Can there be objects of related rights without copyright? Justify the answer. What rights do the songwriter – have to be copyrighted or related? Does the song-to-bearer have the right to dispose of the lyrics and music? If so, under what conditions?

6. How do you understand the concept of «co-authorship»? Commercials, films are co-authored. How is it possible to dispose of property rights to such copyright objects? Is it possible to dispose of property with the right? If so, under what conditions?

7. How to distinguish inventions and useful models from:

– trade secrets, know-how;

– scientific discovery.

Practical lesson 2. Protection of intellectual property rights. Intellectual Property Agreements (2 h.)

Purpose:

educational: to generalize knowledge about the protection of intellectual property rights and contractual ways of disposing of property rights of intellectual property;

developmental: formation of logical legal thinking;

educational: to cultivate a positive and respectful attitude to the legal science.

Questions to repeat: The concept and grounds for the protection of intellectual property rights. Jurisdictional form of protection of intellectual property rights. Non-jurisdictional form of protection of intellectual property rights. Concept and content of agreements in the field of intellectual property. Contracts at the stage of creating an intellectual property object. Contracts at the stage of using the intellectual property object. Agreement on the transfer of exclusive property rights of intellectual property. Other agreements on the disposal of property rights of intellectual property.

Task:

1 Check out the sample intellectual property contracts: <https://ukrpatent.org/uk/articles/copyright-reg> (p. 5 Information on the state register-rail of copyright and agreements relating to the author's right to work).

2. Prepare a statement (<https://ukrpatent.org/uk/articles/copyright-forms>) on the registration of a contract relating to the author's right to work: a) agreement on the alienation of property rights of intellectual property; b) license agreement.

Questions for analysis:

1. Compare the concepts of « protection of intellectual property rights» and « protection of intellectual property rights».

2. Compare the terms «alternative (extrajudicial) protection of intellectual property rights» and «non-irisdictional form of protection of intellectual property rights».

Practical lesson 3. Intellectual property economy. Intellectual Property Management (2 h.)

Purpose:

educational: to generalize knowledge about the commercialization and management of rights to intellectual property;

developmental: formation of logical legal thinking;

educational: to cultivate a positive and respectful attitude to the legal science.

Questions to repeat: Intellectual property as an intangible asset. Estimation of the value of rights to intellectual property. Accounting for intellectual property. Taxation of transactions with intellectual property rights. Co-mertialization of intellectual property rights. The concept of management and the principles of manager-to-intellectual property. The life cycle of the intellectual property object. Management of the intellectual property at various stages of its life cycle.

Questions for analysis:

("What is the role of commercialization of intellectual property rights in the development of society? Give examples. Justify the answer.

(How do you understand the concept of « balance of interests of intellectual property rights entities»? Give examples. Justify the answer.

Part 2 Patent studies and acquisition of rights - 12 hours (6 practical classes)

Practical lesson №1.

Solving inventive problems. Patent information search.

Theoretical part

1 Levels of inventions. Conscientious and unscrupulous patents

2 Methods of solving inventive problems

3. Selection of the International Patent Classification column

4. Performing a patent search (acquaintance with patent bases)

5. Demonstration of one of the methods of solving inventive problems

The practical part when working in the audience

6. Define the IPC section of the object on the task of the teacher and write the name of the section of the class, subclass, main group
 7. Find patents by patent bases under the defined IPC heading 1-3.
 8. Survey on the topic of the lesson
- Practical part for independent work
8. Definition of the IPC rubric of the object on the topic of the master's thesis with the name of the section, class, subclass, main group.
 9. Selection of 2-3 analogues of the object on the topic of master's thesis.

Practical lesson №2.

Selection of analogues and choice of the nearest analogue, construction of a formula.

Theoretical part

- 1 Selection of analogues and choice of prototype for invention (useful model).
 - 2 Generalization of pairs of signs
 - 3 Compilation of the claims formula (useful model) on the product/way with the use of the basic laws of logic.
 - 4 Formal examination of the formula (search for errors in the formulas for real patents).
- The practical part when working in the audience
- 5 Execution of formal examination of formulas by options.

6. Survey on the topic of the lesson

Practical part for independent work

7 Selection of the nearest analogue on the topic of the master's thesis

Practical lesson №3. Application for registration of property rights for wine-movement (useful model).

Theoretical part

- 1 Preparation of the application form.
- 2 Preparation of documents for the application on the example of a real patent.

The practical part when working in the audience

- 3 Drawing up a formula on the task of the teacher.
- 4 Survey on the topic of occupation/ compilation of other application materials

Practical part for independent work

5 Compilation of a set of documents for registration of rights to a useful model in the form EXCLUSIVELY of his bachelor's / master's thesis.

Practical lesson №4. Application for registration of property rights for a industrial design

Theoretical part

1 Selection of the ICP heading by the Ukrpatent base, determination of the name of the industrial design

2 Search for industrial samples (bases of registered industrial design)

3 Preparation of the application form.

4 Application for registration of industrial design on examples.

The practical part when working in the audience

5 Definition of a list of images of an industrial design

6 Survey on the topic of occupation/ compilation of other application materials.

Practical part for independent work

7 Definition of ICP codes of an industrial design related to the topic of the master's thesis. Search by bases of Ukrpatent and WIPO. Compilation of descriptions and images.

Practical lesson №5. Application for registration of property rights for a peat-wave stamp.

Theoretical part

1 Collection of source data.

2 Grouping the list of goods and services according to the MCT codes using the Inter-net service «Manager of goods and services» («Goods & Services Manager»).

3 Classification of trademarks (TM) according to the Vienna classification.

4 Preparation of a description of the trademark containing the verbal part.

- 5 Preparation of the application form and documents for it.
6. Organization of independent trademark search.
The practical part when working in the audience
- 7 Survey on the topic of occupation/ compilation of application materials with the definition of headings of the Nice and Vienna classification.
Practical part for independent work
- 8 Selection of an existing / development of a new trademark for the production of goods / provision of services related to the startup / topic of the master's thesis (for example, for the production of products / processes studied, or for equipment used in production/materials).
Search for similar trademarks

Practical lesson №6. Protection of trade secrets. Copyright registration.

Theoretical part

- 1 Classification of information with limited access
- 2 Specifics of trade secrets, its detection in the materials of the application for the invention (useful model) and documentation
- 3 Procedure for applying for copyright registration and determining the composition of additional documents and material medium
- The practical part when working in the audience
- 4 Detection in the materials of the application for the invention (useful model) commercial mystery-tsi
- 5 Defining a list of documents for copyright registration for a specific copyright object
- 6 Registration of an application for copyright registration

Practical part for independent work

- 7 Detection of a possible trade secret to a patent on the subject of a master's thesis.

6. Independent work of students of higher education

Part 1. Intellectual property right

Students' independent work includes preparation for classroom classes by mastering lecture materials, studying basic and additional literature and legislation, and performing practical tasks.

№ з/п	Topic/question submitted for independent study	VTS hours
1.	Topic 1. Intellectual property system Familiarize yourself with international documents in the field of intellectual property	2
2.	Topic 2. Emergence and acquisition of rights to intellectual property objects Familiarize yourself with the specifics of the emergence or acquisition of the right to non-typical objects of intellectual property law	2
3.	Topic 3. Protection of intellectual property rights Familiarize yourself with ways to protect intellectual property rights	2
4.	Topic 4. Agreements in the field of intellectual property Familiarize yourself with sample contracts in the field of intellectual property: https://ukrpatent.org/uk/articles/copyright-reg (clause 5 Information on state registration of copyright and contracts relating to the author's right to a work) and prepare an application (https://ukrpatent.org/uk/articles/copyright-forms) on the registration of an agreement concerning the author's right to a work: a) an	2

	agreement on alienation of property rights of intellectual property; b) license agreement.	
5.	Topic 5. Economics of intellectual property	2
6.	Familiarize yourself with the specifics of taxation of transactions with intellectual property rights	2
	Topic 6. Management of intellectual property	12

Part 2 Patent science and acquisition of rights

№ з/п	Topic/question submitted for independent study	VTS hours
1.	Topic 7 Creation and patent information research of objects of industrial property rights The concept of "system" and the systematic approach in the creative process. Methodological basis and social aspects of scientific and technical creativity. Stages of development of the invention. Psychological features of scientific and technical creativity. Definition and basic concepts of engineering psychology. Familiarize yourself with the section of the International Patent Classification corresponding to the topic of the master's thesis. Find analogs of the object according to the topic of the master's thesis and choose the closest analog. VTS to Practical lesson 1	4
2.	Topic 8 Legal protection of scientific and technical results Read the « Rules for drawing up and applying for an invention and applying for a useful model », « Rules for drawing up and applying for an industrial design ». Regulatory acts on semiconductor products. Make a formula for an invention or useful model on the topic of your master's thesis. Make a set of documents for registration of rights to a useful model on the topic of your certification work. Identify the ICP codes of the industrial design as the topic of your work. Make a description and identify the image. Get acquainted with search bases for industrial samples. Get acquainted with the types of information that cannot be attributed to trade secrets VTS to Practical Lesson 2, 3, 4, and 6 (Part)	8,5
3.	Topic 9 Legal protection of commercial designations Read the « Rules for drawing up, submitting and reviewing an application for a certificate of Ukraine as a mark for goods and services». Definition of codes of the Nice and Vienna classifications. Selection of similar trade marks VTS to Practical Lesson 5	3
4.	Topic 10 Legal protection of copyright and related rights. Get acquainted with the Procedure of state registration of copyright and agreements relating to the author's right to work VTS to Practical Lesson 6(Part)	1,5
5.	Topic 11 Unfair competition of its species, mechanisms for prevention, detection and counteraction. Read the Law of Ukraine "On Protection from Unfair Competition» and the Association Agreement	1
6.	Preparation for the standings	6
	Together	36

7. Educational Discipline Policy (Educational Component)

7.1. Forms of work

Lectures are conducted using visual means of presenting the material and with you using methodological materials, access to which is available from higher education applicants. Students receive all materials through e-mail, campus or telegram group.

Higher education recipients are involved in the discussion of lecture material and ask questions about its essence.

In practical classes, forms of individual and collective work (team work, pair work) are used to implement the tasks of the teacher to acquire the skills of self-constant practical work.

When studying the course, active and collective learning strategies are used, which are determined by the following methods and technologies:

1. methods of problem learning (problem presentation, partially searchable (ev-broad conversation) and research method);
2. personal-oriented (evolving) technologies based on active forms and teaching methods (" brainstorming ", " situation analysis ", etc);
3. information and communication technologies that provide the problem-research nature of the learning process and intensify the independent work of higher education applicants (electronic presentations, applications based on computer-thermal and multimedia practical tools (tests), addition of tra-diet training sessions by means of interaction based on network communication capabilities (software, mobile applications, etc.).

7.2. Rules of attending classes

Classes can be held in classrooms according to the schedule. Classes can also be conducted online in synchronous mode using video media, provided that the recipient of higher education is clearly identified. Conducting classes online should be provided by the relevant order on the KPI. Igor Sikorsky.

If there are good reasons, the higher education recipient must promptly (in 1 day) to inform the teacher about the reasons for the possible omission of the control measure.

If it is not possible to report in advance, the higher education recipient must contact the teacher within one week to agree on the form and procedure for eliminating the debt.

If the classroom falls on a non-working day (festive, memorable, etc.), the material of such a lesson partially goes to the category "Self-employed work of higher education applicants", and is partially added to the next lesson. It is also possible to save time for missed classes when performing modular control work in extracurricular time (by testing).

7.3. Rules for assigning incentive and penalty points

Incentive points for:

- + 5 points – for active work in at least 5 lectures (questions, requests to clarify aspects of lecture material, constructive denial of the information-this and participation in discussions);
- + 10 points – student author (inventor) object for which application is submitted (only if the set of materials and application number) is submitted;
- + up to 10 - mastering the remote course of WIPO DL-101 "Fundamentals of intellectual property" (Free), provided the screen is provided with the result of the final exam. Assurance during paid courses is not encouraged. Assignment during classes of other free courses (as well as paid courses paid by the student before the first of September, when teaching discipline in the first semester or until the first of February, when teaching in the second semester), in relation to intellectual property, is carried out subject to such a volume of the course, which is equivalent to the volume of the above course (at least 50 hours.);
- + up to 5 - mastering the remote course WIPO DL101R - DL-101 for Ukrainian students in a language other than Russian, and for foreign students – a language different from the language of the country, from which the student originates (is added to the above points for the course).

Penalty points are not provided.

1. University policy

8.1. Academic integrity policy

The policy and principles of academic integrity are defined in section 3 of the Code of Honor of the National Technical University of Ukraine "Kyiv Polytechnic Institute named after Igor Sikorsky". Read more: <https://kpi.ua/code>.

8.2. Norms of ethical behavior

The norms of ethical behavior of students and employees are defined in section 2 of the Code of Honor of the National Technical University of Ukraine «Kyiv Polytechnic Institute named after Igor Sikorsky». Read more: <https://kpi.ua/code>

Evaluation and control measures

The main part of the student's rating is formed through active participation in practical concepts and obtaining the results of modular control work.

Modular control work and enrollment is carried out by a lecturer from section 2 (lecturer of the Department of Machine Construction Mechanical Engineering Institute).

Part 1. Intellectual property rights

Current control: express survey on the topic of the lesson, testing, solving legal problems, preparation of document objects

Calendar control: carried out twice a semester as a monitoring of the current state of compliance with the requirements of the silabus.

Semester control: the offset of two parts of the discipline is carried out by a lecturer from section 2 (teacher of the Department of Construction of machines Mechanical and machine-building insttutu).

Conditions of admission to semester control: established by the lecturer of 2 parts of the discipline

Part 2 Patent recognition and acquisition of rights

Current control: express survey on the topic of the lesson, testing, solving problems, preparation of VTS

Calendar control: carried out twice a semester as a monitoring of the current state of compliance with the requirements of the silabus.

Semester control: the offset of two parts of the discipline is carried out by a lecturer from section 2 (teacher of the Department of Construction of machines Mechanical and machine-building inst).

Conditions of admission to semester control: established by the lecturer of 2 parts of the pre-magic discipline

RATING SYSTEM FOR EVALUATION OF TRAINING RESULTS

Part 1. Intellectual property rights

1) Current control: express survey on the topic of the lesson, performance of test tasks, discussion of legal cases, preparation of draft documents,

The student's rating consists of points obtained for express surveys on the topic of the lesson, discussion of legal cases, solving practical problems, supplementing the answers of other students in the process of discussion in practical classes, performing test-to-do tasks online and preparing document objects. In just 1 practical lesson, a student can get up to 11 points. In the absence of a student on a practical concept, it is necessary to work out the missed lesson by solving online tests (dos-tup to the test is provided by the teacher) or solving legal problems (by sending work to the e-mail of the teacher).

	Type of activities	Maximum possible score
Practical class No. №1	express survey on the subject of the class,	11

Practical class No. №2	discussion of legal cases, supplementing the answers of other students in the process of discussion in practical classes, performance of test tasks, preparation of practical tasks	11
Practical class No. №3		11
Total for part 1		33

1) Calendar control: is carried out twice a semester as a monitoring of the current state of fulfillment of the syllabus requirements.

Criterion	First	Second
Term	8th week	14th week
Conditions for obtaining a positive result	if the current rating score is at least 50% of the maximum possible score at the time of the calendar control	if the current rating score is at least 50% of the maximum possible score at the time of the calendar control

Part 2 Patent recognition and acquisition of rights

Assessment of the recipient of higher education in practical classes

Current control:

Weight score – an average of 5 in 2 academic hours - one practical lesson. For practical №3 maximum score 10. Students can choose to take a test or actually work on objects during or after a practical lesson (for such work can be counted and additional points).

For evaluation at remote (evaluation, preferably by testing) have

up to 5 points – the student is prepared for a practical lesson, present on it and passed the test (up to 5-6 points) or the task (up to 5-6 points);

up to 5 points – the student is absent from the lesson, within 2 weeks after the vi-preaching practical lesson took the task of a teacher, independently processed the same and performed and submitted the completed task within 2 weeks after the practical re-tya;

up to 2 points - student, who was present at the lesson and passed the test or task and added-done performed independent work to the lesson (in addition to the practical №3) for 2 weeks after the relevant practical lesson ;

0 points – student is absent from the lesson, did not work on the topic on their own, you-clad did not perform the task.

To evaluate at ocular (non-remote) learning and by performing teacher tasks or solving their own problems related to professional activity

up to 6 points – student is prepared for a practical lesson, present on it is ak-must behave in classes (puts and answers questions, participates in discussions, etc.), performs the tasks of a teacher (will be very rare if the student "infected" with knowledge);

up to 5 points – student is prepared for a practical lesson, present on it you-performs the task of the teacher correctly and in time (within 2 weeks after the answer-day practical lesson);

up to 5 points – the student is absent from the class, within 2 weeks after the vi-triggered practical lesson took the task of a teacher or did work on the subject of bachelor's / master's thesis, independently worked out the topic and performed and re-entered the task within 2 weeks after the practical lesson;

up to 2 points - student, who was present at the lesson and completed the task and additionally did his independent work before the lesson (in addition to the practical № 3) for 2 weeks after the relevant practical lesson ;

0 points – student is absent from the lesson, did not work on the topic on their own, you-clad did not perform the task.

№ з/п	Control measure	score
1	Performance of practical task 1.	5
2	Solving inventive problems. Patent information search.	5
3	Performance of practical task 2. Selection of analogs and selection of the closest analog, construction of the formula.	10
4	Completion of practical task 3. Application for registration of property rights to an invention (utility model).	5
5	Implementation of practical task 4. Application for registration of property rights to an industrial design.	5
6	Implementation of practical task 6. Protection of commercial secrets. Copyright registration.	5
	Total for practical tasks	35
7	Modular control work. Part 1 Inventions, utility models, industrial designs	17
8	Modular control work. Ch.2 Rationalization proposal, commercial designations, commercial secret, know-how, copyright, related rights	15
	Total for modular work	32
	Total for part 2	67

Calendar control: is carried out twice a semester as a monitoring of the current state of fulfillment of the syllabus requirements.

Criterion	First	Second
Term	8th week	14th week
Conditions for obtaining a positive result	if the current rating score is at least 50% of the maximum possible score at the time of the calendar control	if the current rating score is at least 50% of the maximum possible score at the time of the calendar control

8. Види контролю та рейтингова система оцінювання результатів навчання (PCO)

8.1. Види контролю

Вид контролю	Спосіб контролю
<i>Поточний контроль</i>	Перевірка виконання практичних занять відповідно до розкладу занять, модульні контрольні роботи
<i>Календарний контроль</i>	Проводиться двічі на семестр як моніторинг поточного стану виконання вимог силабусу
<i>Семестровий контроль</i>	Залік

8.2. Rating system

Overall rating score of the discipline "Intellectual Property and Patent Studies" (maximum 100 points):

$$R\Sigma = R1 + RPr1 + RPr2 + RPr3 + RPr4 + RPr5 + RPr6 + RMCR1 + RMCR2,$$

where R1 – rating score for the section "Intellectual property and patent science – 1. Right-to-intellectual property "(from 0 to 33 points inclusive) – is exhibited by the teacher of the responsible module; RPr1 ... RPr6 – rating points for the performance of works provided by practical classes №1...№6; RMCR1 and RMCR2 – rating points for 1st and 2nd modular con-troll works – see n. 7.5.

The final rating cannot exceed 100 points.

8.3. Intimate control work

If the recipient of higher education does not satisfy the scored number of points, the results of the re-ting assessment are canceled and the recipient of higher education writes a test of control work in the whole discipline "Intellectual Property and Patent Science".

Scheduled control work is a test that can be estimated from 0 to 100 points.

Questions can be:

- in the form of a traditional question;
- in the form of a statement with which the recipient may agree (answer "yes") or disagree (answer "no").

8.4. Table of correspondence of rating points to grades on the university scale

Number of points	Evaluation
95...100	Perfectly
85...94	Very good
75...84	Fine
65...74	Satisfactorily
60...64	Enough
Less than 60	Unsatisfactorily

9. Additional information on the discipline (educational component)

1. The presence of a single patent for the invention (useful model) is equated to the performance of work in practical classes №2 and№3 with maximum weight score.
2. The presence of a single patent for an industrial design is equated to the "work on a practical lesson №4 with the maximum weight score.
3. The presence of a single certificate of registration of the mark for goods and services is equated to work on a practical lesson №5 with maximum weight score.
4. The presence of a single certificate of copyright registration for the work is equal to the performance of work on a practical lesson №1 with the maximum weight score.
5. Availability of WIPO course certificate DL-177 The use of patent information is equal to the performance of work in practical classes №1 with maximum weight score.
6. For foreign students for whom it is impractical to study the legislation of Ukraine, it is possible to enroll in WIPO courses DL-101 "Fundamentals of Intellectual Property", provided that the final exam result is provided (is evaluated up to 50 points), DL-177 Correction of patent information (is estimated up to 20 points), DL-101PCT Introduction to a patent cooperation agreement (is estimated up to 5 points). Patent – is estimated at 25 points (search of a patent of his country, related to the specialty, search for analogues to it, in addition to those specified in the patent, a description of the essence of the codes of the INID patent, selection of structural elements of the patent: headings of the IPC to which the invention belongs, information that makes up the formula and the following sections of the description: the field of technology to

which the invention belongs; the level of technology; the essence of the invention; a list of drawing figures, if there are references in the description; information confirming the possibility of implementation; preparation of a draft formula for its invention).

The project of the work program of the discipline (silabus) is composed of:

Part 1. k.yu.n. Dmitrenko Victoria Victorina, Ph.D. Yasharov Maria Mykolayivna, Ph.D., doc. Maritz Daria Alexandrovna

Part 2. Ph.D., Assoc. Romashko Alla Sazonovna, Ph.D., Assoc. Yurchishin Oksana Yaroslavivna, Ph.D., doc. Samoilenko Oleksiy Vasilyevich;

Approved:

Extended meeting of the Department of Design of machines of NN MMI (protocol № 19 from 17.06.2021.)

Silabus project approved by: KPI Methodical Commission named after Igor Sikorsky 06/24/2021

The working program of the academic discipline (syllabus) was compiled by:

Associate Professor of the Department of Machine Design, Candidate of Technical Sciences

Alla Romashko

Approved by the department of machine design

(Протокол №19 від 26.06.2023)

Agreed by the methodical commission of NN IAT

(Протокол №6 від 22.06.2023)