

SYLLABUS FROM THE DISCIPLINE

INTELLECTUAL PROPERTY AND CONTRACT LAW



I semester

Lectures: according to the schedule

Teacher team:

Lecturer: Krutko Iryna Mykolayivna

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Hours of reception and consultations Hours of reception and consultation: every Tuesday from 12.30-14.00

Course web page: <http://do.kart.edu.ua/>

Additional information materials: <http://metod.kart.edu.ua>

The Constitution of Ukraine proclaims the right of everyone to property, including intellectual property. Intellectual property is the result of human creativity. In this regard, intellectual property, and especially industrial property rights (inventions, industrial

designs and marks for goods and services) acquires special significance not only as a means of self-expression, but also as a commercial value. The results of creative activity appear in several aspects: as an idea, as a scientific, cultural heritage of society, information, as a material carrier and as property rights arising from their creation. The discipline "Intellectual Property and Contract Law" has a complex nature, namely the economic and legal nature.

The study of the discipline "Intellectual Property and Contract Law" provides an in-depth study of the relationship between the creation and circulation of intellectual property, firm mastery of the legal mechanism of their regulation, obtaining the necessary skills to qualify creative activities, and protection of property and personal non-property rights of authors and owners. Ukraine and abroad.

The result of studying the discipline "Intellectual Property and Contract Law" is the acquisition by students of universal professional competencies in the use of intellectual property and contract law in the activities of the enterprise.

Professional competencies - autonomy and responsibility and communication, are determined by the ability to use the basic provisions of current legislation in the field of contract law and intellectual property, legal terms, concepts and theories of intellectual property law in the course of economic activity.

Personal competencies are defined through the ability to independently analyze scientific and practical problems, conduct comparative legal analysis, independently analyze and summarize case law, as well as to protect intellectual property.

Communications are manifested in: free possession of terminology in the field of contract law and intellectual property law, skills in working with the Civil Code of Ukraine and other sources for determining intellectual property; ability to further self-improvement in the field of intellectual property.

Autonomy and responsibility: the ability to independently analyze and summarize judicial practice;

- independently solve scientific and practical problems in the field of activities related to the transfer of intellectual property rights;
- understand the reasons, conditions and trends of change of legal doctrine in the field of implementation and regulation of intellectual property;
- participate in the development of regulations in accordance with the profile of their professional activities;
- carry out professional activities on the basis of developed legal awareness, legal thinking and legal culture.

Key competencies that students acquire after studying the discipline "Intellectual Property and Contract Law":

1. Political and social - the ability to work towards achieving socially useful goals;
2. Communicative - mastery of technologies of oral and written communication, including different languages;
3. Special - readiness to perform professional actions independently, objective assessment of one's own work, readiness to take specific actions if necessary;
4. Cognitive - the ability to learn throughout life, the ability to increase and actualize their own potential, self-development.

General subject competencies are formed in accordance with a certain range of disciplines in the training of students.

Why should you choose this course?

Intellectual property right is a person's right to the result of intellectual, creative activity or to another object of intellectual property right, defined by the Civil Code of Ukraine and other law.

An integral part of economic relations is the use of intellectual property.

This is of great importance in the intensive development of the market of intellectual property rights, turning them into an important factor in the competitiveness of the enterprise and the economy as a whole. A modern specialist in any field of knowledge of theory and practice in intellectual property and contract law is necessary to carry out professional activities in terms of economic circulation. The acquired practical skills can be used in the decision of the specific legal situations arising in the field of economic relations.

The main form of economic relations is a contract. In civil law, the concept of contract is one of the main. Roman jurists also noted that contracts (sopigasiiz) are the most common source of civil obligations and attached special importance to them, and Roman law had a holistic and perfect system of contractual structures, which defined the features of the conclusion, amendment and termination of contractual obligations. .

Acquaintance with the specified course will help students to acquire the corresponding theoretical knowledge and skills, to be guided in the current legislation, to work with the international regulatory legal acts, correctly to apply legal norms to concrete practical situations.

So, if you want to learn how to stand up for your rights, then you should definitely take this course!

COURSE OVERVIEW

This course, which is studied according to the training schedule and gives students a deep mastery of theoretical knowledge on intellectual and contract law and the acquisition of practical skills in the application of laws, principles, methods, technologies and procedures; acquisition of skills and formation of competencies in legal relations for the regulation of intellectual property rights and contract law, property and personal non-property rights of authors, the grounds for their emergence and implementation.

Number of ECTS credits - 3.

Lectures - 8 hours.

Practice - 8 hours.

The course is taught according to the schedule. It is accompanied by text material and group lessons. Students will have the opportunity to apply the acquired knowledge and solve practical problems during discussions in the classroom and the development of relevant tasks, their solutions and drafting documents.

COURSE RESOURCES

Information about the course is posted on the University website (<http://kart.edu.ua>),

including the curriculum, lecture materials, tasks and rules of course evaluation).

Additional material and links to electronic resources are available on the University website in the section "distance learning" along with issues to consider during the preparation for discussion in the audience. The necessary preparation must be completed before the next lecture. You have to be prepared for discussions and brainstorming - we want to know what you think!

COURSE TOPICS

For distance learning

week	Number of hours	Lecture topic	Number of hours	Theme of laboratory, practical, seminar classes
1	2	3	4	5
	2	Intellectual property rights to commercial names.	2	The concept of intellectual property. The system of intellectual property protection in Ukraine
	2	Intellectual property rights to commercial names.	2	Intellectual property rights to commercial names. A trade secret
	2	Intellectual property rights to commercial names.	2	The concept and general characteristics of contract law. General provisions on contracts in the field of economic activity
	2	Intellectual property rights to commercial names.	2	Certain types of contractual obligations
		Intellectual property rights to commercial names.		

Evaluation rules

When filling in the student's test report and test book (individual curriculum), the grade set on a 100-point scale must be transferred to the national scale (5, 4, 3,) and the ECTS scale (A, B, C, D,E)

Determination of the name on a state scale (assessment)	Determining the name on the ECTS scale	On a 100-point scale	ECTS rating
EXCELLENT - 5	Excellent - excellent performance with only a small number of errors	90-100	A
GOOD - 4	Very good - above average with a few errors	82-89	B
	Well - in general correct work with a certain number of gross errors	75-81	C

SATISFACTORY - 3	Satisfactory - not bad, but with many shortcomings	69-74	D
	Enough - the performance meets the minimum criteria	60-68	E
Unsatisfactory - 2	Unsatisfactory - you need to work before you get credit (without re-studying the module)	35-59	FX
	Unsatisfactory - serious further work required (re-study of the module)	<35	F

Tasks for independent work:

1 Students are asked to choose one of 13 topic options to create their own assignment during the semester. For timely and correct performance of the task 25 points are accrued to the current modular control. Points are not awarded for a failed task. The required amount of the task is 50% for the first modular control and 100% for the second modular control. The course of the current task and questions for discussion are sent to the teacher's e-mail or checked by him personally.

2 Students should review one student's or group's work during the semester in person and express their critical remarks.

№ з/п	The name of the task
1	Legal form of realization of the right to intellectual property objects
2	
3	Legal protection of copyright and related rights
4	Legal protection of means of individualization of participants in trade, goods and services
5	International legal protection of intellectual property.
6	Protection of intellectual property rights
7	The concept and general characteristics of contract law in Ukraine
8	General provisions on contracts in economic activity
9	Fulfillment of contractual obligations by business entities (entrepreneurs)
10	Agreements on the transfer of property ownership
11	Agreements on the transfer of property for use
12	Contracts for the performance of works
13	Service contracts

Attending lectures:

Points for this component are awarded in general, if the student did not attend more than 50% of lectures in the module without good reason. The maximum amount is 10 points.

Degree of involvement:

The purpose of the course is to engage you in a discussion, expand your learning opportunities for yourself and your peers, and give you another way to test your knowledge of law in public administration. Participation will be evaluated based on the

number and accuracy of your answers. Issues, although encouraged, are not evaluated in this block. We strive to provide all students with equal and fair opportunities to increase their own involvement. The maximum amount is 10 points.

Practical training:

Evaluated by visits (up to 3 points), the degree of involvement (up to 7 points) and a brief presentation of the task (up to 5 points). The degree of involvement is determined by participation in the work of the discussion club on jurisprudence. The maximum amount is 15 points.

Modular testing:

Evaluated by the correct answers to the test modular questions (10 questions in the test, each correct answer is evaluated in 4 points). The maximum number is 40 points per module.

Test:

- The student receives a credit for the results of the modular 1st and 2nd control by accumulating points. The maximum number of points that a student can receive is 100 (up to 60 points of current control and up to 40 points of testing). The arithmetic mean of the sum of modular grades is the credit score. If the student does not agree with the proposed scores, he can increase them on the test.

Teacher team:

Krutko Iryna Mykolayivna (<http://kart.edu.ua/kafedra-etip-ua/istoriya-stvorenniya-kafedri-etip-ua>) - lecturer on jurisprudence at UkrDUZT. Received Areas of research: intellectual law, contract law, family law, labor law; social security law; Administrative Law; Criminal Law.

Gaivoronska Tetyana Mykolayivna (www.kart.edu.ua/kafedra-etip-ua / [kolectuv-kafedru-etip-ua / etip12@ukr.net](mailto:kolectuv-kafedru-etip-ua@ukr.net)) - lecturer on legal issues at UkrDUZT. Received the degree of Ph.D. in the specialty 12.00.06 - land law, agrarian law, environmental law, natural resource law; awarded the academic title of associate professor of the Department of Occupational Safety and Environment at UkrDUZT in 1994. Areas of scientific activity: ecological, land, natural resource relations on railway transport, legal relations on the railways of Ukraine.

Program learning outcomes

After studying the discipline, students must master the following skills:

- carry out a comprehensive analysis of intellectual property;
- to form a modern scientific understanding of the essence of intellectual property, methodological links and patterns of development;
- understand the importance of copyright and related rights;
- to master practical skills in the legal regulation of patent law;
- to acquire fundamental knowledge on the legal protection of intellectual property and their protection in Ukraine and the world;

- be able to correctly assess the situational circumstances and make optimal decisions on the effectiveness of the application in practice of the rules governing private law relations with a foreign element;
- be able to competently compile relevant documents, such as contracts, applications, receipts, work independently with regulatory materials, educational and special literature;
- be able to quickly find the necessary material, regulations, correctly interpret and apply them in specific situations.
- acquaintance with the current Ukrainian and international legislation regarding contractual and copyright law, intellectual property;
- acquisition of skills in working with regulations;
- application of acquired knowledge in solving practical issues in the field of legal regulation of contractual, copyright and intellectual property.

Code of Academic Integrity

Violation of the Code of Academic Integrity of the Ukrainian State University of Railway Transport is a serious violation, even if it is unintentional. The code is available at:

<http://kart.edu.ua/documentu-zvo-ua>

In particular, compliance with the Code of Academic Integrity of UkrDUZT means that all work on exams and tests must be performed individually. When working independently, students can consult with teachers and other students, but must solve problems on their own, guided by their own knowledge, skills and abilities. References to all resources and sources (for example, in reports, independent papers or presentations) should be clearly identified and properly designed. In the case of working with other students on individual tasks, you should indicate the degree of their involvement in the work.

Integration of students with disabilities

Higher education is a leading factor in raising social status, achieving spiritual, material independence and socialization of young people with disabilities and reflects the state of development of democratic