

СУМСЬКИЙ ДЕРЖАВНИЙ УНІВЕРСИТЕТ  
ЮРИДИЧНИЙ ФАКУЛЬТЕТ  
ЛІГА СТУДЕНТІВ АСОЦІАЦІЇ ПРАВНИКІВ УКРАЇНИ

**ПРАВОВІ ЗАСАДИ ФУНКЦІОНУВАННЯ ПУБЛІЧНОЇ ВЛАДИ  
ЩОДО ЗАБЕЗПЕЧЕННЯ  
ІНТЕЛЕКТУАЛЬНОГО РОЗВИТКУ ТА БЕЗПЕКИ СУСПІЛЬСТВА**

МАТЕРІАЛИ  
Міжнародної науково-практичної конференції  
(Суми, 19-20 травня 2016 року)



Суми  
Сумський державний університет  
2016

---

## СЕКЦІЯ 5

### ЦИВІЛЬНЕ ПРАВО ТА ПРОЦЕС

---

#### **INTELLECTUAL PROPERTY PROTECTION: UNEQUAL EXCHANGE OF INFORMATION AND TECHNOLOGY BETWEEN COUNTRIES**

*Goncharova A. V.*

*Ph.D., assistant professor of the Faculty of Law  
Sumy State University*

The development of informational and communicational technologies has significantly intensified exchange of information, goods and services between countries. Growth of volumes and rates of exchanging information and the latest technology in globalization does not recognize national borders. Even four years ago, the English philosopher Francis Bacon said: "Who owns the information - owns the world." Today, when the amount of knowledge in the world doubles every five years, the words of Francis Bacon are really relevant. In the current circumstances "to have knowledge" – means quickly orientation of themselves in the flow of new information, easily finding necessary information in the huge repository of knowledge. It is important that the costs for the searching for the necessary information do not exceed the economic benefits from its use. Nowadays computer networks become the main means of preservation and transmission of the data.

Exchange of information and new technologies between countries has unequal character. This causes inequality in the distribution of income from intellectual property between the countries and complicates international protection of the rights of intellectual property.

We should note that on 10,February, 2016 the US Chamber of Commerce has published the fourth edition of the International Index of intellectual property. It tested 38 national economics that issue together about 85% of world GDP. The data, published in the Index showed that half of the tested countries have recognized the benefits of IP and strengthened their systems. And this, in turn, has contributed to their total scores comparing with the previous year. Evaluation of each economy is based on 30 indicators, grouped in six categories: patents, copyrights, trademarks, trade secrets, the rights and participation in international treaties. In the 4th edition of the Index of IS is also used new dimension of counterfeit products, which provides more accurate assessment of falsification [1].

Unified standards set by international intellectual property system, are too high for developing countries. The greatest concern is caused by restriction of access of developing countries to information and technologies in medicine, agriculture and education. Developed countries insist on unification of the protection of intellectual property, it means bringing national regimes of intellectual property protection to the too high international standards. The requirement for bringing the national legislation to international standards is a condition for international investment. With the adoption of the TRIPS Agreement the US began the practice of pressure on member states by initiating disputes concerning non-compliance with the Treaty. The USA putting pressure on developing countries through the annual monitoring of the state protection of intellectual property in the world and conclusion of bilateral agreements on intellectual property aimed at establishing free trade zones, regional trade agreements. At the international level the main internal conflict of the

system of intellectual property protection is the deterioration of the global economic inequalities caused by the imposition of developed countries and transnational corporations uniform standards of intellectual property protection. The introduction of the unified system of intellectual property protection in countries with fundamentally different levels of economic development under globalization has contradictory effects on the economy of developing countries [2, p. 136].

It is important to note, that the global intellectual property protection system has been already formed. In recent years Ukraine has significantly increased the process of entering into international structures governing intellectual property, and is a party of the universal conventions and agreements in this field [3].

Great significance for the effective protection of intellectual property is the process of Ukraine's accession to the European regional structures, regulating the protection of intellectual property rights, and first of all in the framework of the European Union. There are also some unsolved problems in this direction - uncertainty of Ukraine's position on the Eurasian Patent Convention and establishing relations with the Eurasian Patent Organization, the lack of perspective programs of interaction with the European Patent Office and the Office of Harmonization in the Internal Market (Trademarks of EU). The dominant role in bilateral relations in this area certainly belongs to the United States, the world's technological leader. This factor, not just the threat of sanctions by the United States, is a powerful impetus to development of intellectual property protection in Ukraine. The main task of the intellectual property protection system - is to ensure holders with the economic rights and society - with the right to cultural and technological progress and reducing aggressive policy towards developing countries.

#### **REFERENCES:**

1. In the world of the intellectual property. [Electronic resource]: Access: <http://www.patent-kravets.ru/about/referaty-tekushhix-zarubezhnyx-publikacij/v-mire-intellektualnoj-sobstvennosti>
2. Vira Valley. Heritage of James I and Queen Anne : Intellectual Property Protection in Time and Space / Vera Valley. - K. : The spirit and the letter, 2010. - 216 p.
3. The adaptation of Ukraine's legislation to EU legislation in the field of intellectual property [electronic resource]: Access: <http://www.patent-kravets.ru/about/referaty-tekushhix-zarubezhnyx-publikacij/v-mire-intellektualnoj-sobstvennosti/>

## **ЗАХИСТ ПРАВ СПОЖИВАЧІВ, ЯКІ КУПУЮТЬ ТОВАР ЧЕРЕЗ МЕРЕЖУ ІНТЕРНЕТ**

**Биряк Л.П.**

*студентка II курсу юридичного факультету*

*Сумського державного університету*

**Науковий керівник: Гончарова А.В.**

*к.ю.н., доцент, доцент кафедри АГПФЕБ*

*Сумського державного університету*

Чим більше розвиваються технічні засоби, тим більшої популярності набуває купівля товарів за допомогою мережі інтернет. Майже кожен сьогодні не виходячи з дому купує собі щось новеньке, адже часто це дешевше, забирає менше часу та у таких магазинах більший асортимент товарів. Але постає питання, а чи безпечно купувати товари в мережі інтернет? Саме тому, дослідження цієї теми набуває