

MINISTRY OF SCIENCE AND HIGHER EDUCATION OF THE RUSSIAN
FEDERATION FEDERAL STATE AUTONOMOUS EDUCATIONAL INSTITUTION OF
HIGHER EDUCATION "NORTH CAUCASUS FEDERAL UNIVERSITY"

METHODOLOGICAL INSTRUCTIONS

on completing practical work on the discipline
"PROTECTION OF INTELLECTUAL PROPERTY / ЗАЩИТА
ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ"
for students in the field of study
02.04.01 Mathematics and Computer Science
profile "Training Program for Electronic Information"

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The purpose and objectives of mastering the discipline

The purpose of mastering the discipline "Protection of intellectual property / Защита интеллектуальной собственности" is to form a future specialist in the specialty 02.04.01 Mathematics and Computer Science specialization " Training Program for Electronic Information » deep knowledge and competencies in the field of intellectual property rights protection and enforcement. Students should understand the significance of intellectual property in modern society and the economy, recognize the importance of protecting creative and innovative solutions, and master the legal mechanisms for protecting the rights of authors, inventors, and other copyright holders.

Practical and independent work by students is a mandatory component of the educational process. When determining the content of students' independent work, their level of independence and the requirements for graduates' independence are taken into account to ensure the desired level is achieved during the course of study.

The main forms of organizing students' independent work are: preparation for laboratory work and its defense, homework (including familiarization with regulatory documents, solving problems, answering test questions, filling out a workbook, analytical processing of text), completing course projects or papers, preparing for colloquiums and tests, preparing for practical classes, preparing for a test (exam) in a specific discipline, preparing a report for presentation at a seminar on a given topic, extended study of one of the sections of the discipline, read in lectures in short form, performing computational and graphic work (including using a PC).

Mandatory independent work ensures students are prepared for ongoing classroom activities. The results of this preparation are demonstrated by student engagement in class and the quality of their submitted reports, completed assignments, quizzes, and other forms of ongoing assessment.

Supervised independent work is aimed at deepening and consolidating students' knowledge and developing analytical skills related to the subject matter. The results of these forms of independent work are summarized and monitored during classes, which are conducted in the form of face-to-face work.

Practical Job No. 1

Subject: Intellectual own: general provisions Initial theoretical provisions

Intellectual property differs from other objects of civil rights in that it is intangible in nature.

Source rights, or *form rights* are a document that expresses legal norms (mandatory rules of conduct required by the state).

Right intellectual Intellectual property is one of the five subbranches of civil law. Legislation defining intellectual property rights establishes a monopoly on certain forms of exploitation of the results of their intellectual activity, which may therefore be used by others only with their permission. Intellectual property, broadly understood, encompasses a list of 16 intangible objects covered by temporary exclusive rights established by law, as well as personal non-property and other rights of authors.

The following characteristics of intellectual property can be identified:

- ☐ Intellectual property is the result of intellectual activity in the field of science, art, technology;
- ☐ It has an ideal nature, i.e. it is immaterial;
- ☐ It arises either from the moment of registration or simultaneously with the emergence of the result of intellectual activity;
- ☐ Characterized by the presence of specific rights, for example, the exclusive right and inalienable personal non-property rights, for example, the right of authorship.

Exercise 1:

Provide examples to illustrate the following concepts: "intellectual property", "object of intellectual property", "result of intellectual activity", "intellectual rights", "personal non-property rights", "Exclusive right," "intellectual property subject." Determine the relationship between these concepts and try to depict this relationship graphically.

Exercise 2:

Find the differences in the views of legal scholars from various legal schools on the definition of the concept of "intellectual property".

Exercise 3:

Conduct an analysis of various approaches to defining property rights and Intellectual property rights. How are these approaches similar and different? Present the results of your analysis in a table.

Table 1

Analysis of various approaches to defining property rights and intellectual property rights

Categories of distinction (peculiarities)	Property law	Intellectual Property Law property
Difference in the object		
Difference in legal regulation		
Other features		

Exercise 4:

Analyze how and through what legal mechanisms it is possible to isolate an ideal intellectual property object in civil circulation. Please justify your answer.

Exercise 5

Create a classification diagram for intellectual rights by type.

Exercise 6:

Make a diagram of “Contractual institutions of intellectual property law”.

Exercise 7:

Define the concept of "intellectual property legislation." Describe this concept in a narrow and broad sense. How are the concepts related?

"legislation on the protection of intellectual property" with the concept of "sources of intellectual property rights".

Exercise 8

Identify the main sources of intellectual property.

Exercise 9:

List the main intergovernmental and governmental public law organizations on intellectual property issues and indicate their competence .

Questions For self-control:

1. Science of intellectual property law.
2. Factors influencing the development of intellectual property legislation property, innovations in legislation in the field of intellectual property.
3. Features of the development of intellectual property in Russia.

Practical Job No. 2

Subject: Results intellectual activities, protected copyright right

Initial theoretical provisions

Author's Law is a complex of various rights of authors of works of science, literature and art.

Copyright initially accrues to the author upon the creation of the work. It may then be transferred to another copyright holder by agreement or succession. Under current Russian law, only individuals are recognized as authors of works. No protective documents are required to secure rights. They arise upon the creation of the work. The work must only be fixed on some tangible medium (paper, film,

canvas).

To strengthen protection and simplify the protection of copyright on printed publications (books, magazines, postcards, CD packaging, etc.), a copyright protection sign is affixed, which consists of three elements: the Latin letter "C" in a circle, the name of the copyright holder, and the year of publication of the work.

The author's exclusive right to a work is associated with the ability to dispose of and use the work.

Exercise 1:

Create a classification scheme for copyright objects by type.

Exercise 2:

Identify the norms of substantive law that contain provisions indicating the characteristics of a copyright object.

Exercise 3:

Identify the main sources of copyright and their scope of application.

Exercise 4:

A closed joint-stock company that produced tourist brochures and guidebooks filed a claim in arbitration court against the museum-reserve for compensation for violation

copyright for a cartographic work, which is a map of the reserve's territory with landmarks marked on it.

According to the plaintiff, the defendant is publishing and distributing a revised map of the reserve, the rights to which belong to the plaintiff; no agreement on the transfer of exclusive rights to the cartographic work was concluded.

The court ordered an expert examination to determine whether the map of the reserve created by the defendant was a reworking of the plaintiff's creatively created map or an independent work.

The expert opinion assessed by the court concluded that the plaintiff's map and the defendant's map differ in their external design and authorial style—their original layout on the sheet for visual presentation, the number of symbols, and their captions. The plaintiff's and defendant's maps were created independently by different authors. However, the possibility that the same source information was used in the creation of both maps was admitted. No other evidence was presented to the court.

Give it to me legal assessment emerged incident.

Maybe whether availability exceptional right at plaintiff on your own cartographic work be obstacle other persons (V volume number (to the defendant) on one's own create on basis that one same original information others cards?

Subject to whether satisfaction declared requirement?

Exercise 5:

In the late 18th century, Cavendish, while studying air, discovered a certain non-combinable particle. This fact was well known among scientists and considered an anomaly, but it attracted little attention. Only a century later, Ramsay, continuing this research, discovered argon (and the phenomenon of chemical inertness in general). In 2013, a European journal published an article dedicated to the great discoveries of past centuries. The article drew readers' attention to Ramsay's research and discovery. A.S. Nefedov, who considers himself a descendant of the scientist Ramsay and the legal successor to the exclusive rights to his research and discovery, contacted the publisher demanding royalties for the use of his relative's works.

Possesses whether Nefedov exceptional right on research And opening your relative ?

Rate it legal incident.

Exercise 6:

The limited liability company "City Information Center TV Studio" filed a claim with the arbitration court against the editorial board of the Resonance newspaper for damages for the defendant's violation of copyright.

the plaintiff's rights to the television program guide.

The court established that an agreement had been concluded between the plaintiff and the editorial board of the newspaper "Resonance", according to which the company was obliged to provide the editorial board of the newspaper with its program schedule for publication in exchange for a monthly fee.

During the period of the contract, the editorial board stopped publishing the said television program, announcing the termination of the contract.

The plaintiff launched his own newspaper, which published his television program guide. After the new newspaper's release, the newspaper "Resonance" resumed publishing the plaintiff's television program guide without a contract.

The court found the subject of the dispute to be the program guide as a collection of broadcast materials created through creative activity. It concluded that the order and timing of broadcasts of various types and genres, as well as the categories of listeners and viewers they appeal to, can all be, and in this case, are, the result of creative activity. The court held that in this sense, the program guide is similar to compilations and other composite works, which are recognized as objects of copyright due to the fact that the material included in them is arranged according to an original scheme. The court upheld the claims.

Rate it legal incident.

What guarded copyright right - form or content works? Legal whether solution court?

Exercise 7:

Aton, a closed joint-stock company, filed a lawsuit against Visit, a limited liability company, seeking compensation for copyright infringement. In support of its claim, the plaintiff stated that in 2000, its creative team created collages that were used as advertisements for products sold by the company. The defendant's unauthorized use of the collages to advertise products in the same group served as the basis for filing the current lawsuit.

The defendant based its objections to the claim on the grounds that the disputed product is not a work of art and, therefore, subject to copyright. Furthermore, the plaintiff failed to confirm that the creation of the disputed works took place in the course of performing official duties or fulfilling an official assignment for the employer.

The court established that the collages were indeed created by artists – employees of the plaintiff, hired in the established manner, but documents detailing the official duties of the authors, or documents detailing the assignments for the creation of official works, as well as contracts in which

The plaintiff did not provide any grounds for the emergence of exclusive rights to use a work made for hire.

Maybe whether advertising fully or partially be object author's rights?

What kind documents are being installed And are specified service responsibilities employee?

Rate it legal incident And decide case By being.

Exercise 8:

For several years, A.V. Kuznetsov worked on a scientific work devoted to the climatic conditions of the North, conducting research, conducting experiments, analyzing the results, and formulating his own conclusions and proposals. His wife, A.F. Kuznetsova, assisted her husband and documented all the processes and results.

Following the publication of the work, the couple's marriage was dissolved. A.F. Kuznetsova filed a lawsuit against A.V. Kuznetsov for the division of their jointly acquired property, including the exclusive (property) rights to the work, believing she owned a property right equal to 50 percent. A.F. Kuznetsova believes this share is legally hers, as the work was created through joint creative effort and, furthermore, all rights to the work were acquired by the spouse during the marriage and, therefore, should be divided equally.

Rate it legal incident And decide case By being.

Exercise 9:

Sole proprietor A.P. Valuev filed a claim in arbitration court against Vitrazh LLC seeking compensation for the illegal use of technical specifications (TU) developed for the production of Pochemuchka and Mashenka confectionery products. In support of his claim, A.P. Valuev stated that he personally developed and implemented the technical specifications by placing them on his products. According to the plaintiff, the technical specifications developed and implemented by him are his property and, therefore, may be used and applied only with his consent.

The defendant did not acknowledge the claim, citing that the technical specifications are not subject to copyright, as they were developed in accordance with GOST R 51740-2011.

"Technical Specifications for Food Products. General Requirements for Development and Design" (adopted and put into effect by Resolution No. 191-st of the State Standard of the Russian Federation dated April 25, 2011), which establishes general requirements for technical specifications for Russian food products intended for sale to the public and for industrial processing for food purposes.

*They admit it whether technical conditions object author's rights?
Rate it legal incident By being.
Which solution must accept court?*

Exercise 10:

Photographer A. A. Petrov posted photographs he had taken dedicated to Defender of the Fatherland Day on a website. Some time later, Petrov discovered the photographs published in a local newspaper. Since the photographer had not consented to the reproduction of his works, he contacted the newspaper's editor-in-chief, demanding that the illegal use cease. The editorial staff refused to comply with Petrov's request, citing that the photographs were not subject to copyright because they lacked a creative element; they only captured monuments and city streets. Unsatisfied with the response, Petrov sought clarification from a lawyer.

IN roles lawyer, give skilled answer.

Questions For self-control:

1. Objects of copyright.
2. Subjects of copyright.
3. Exclusive right of the author.
4. Methods of disposing of exclusive rights.
5. Agreement on alienation of exclusive rights.

Practical work No. 3

Subject: Rights, adjacent With copyrighted

Initial theoretical provisions

Along with protecting the rights of authors of works of science, literature, and art, Russian copyright law recognizes and protects related rights, which received their name due to their proximity and close connection with the rights of authors.

Adjacent Rights are the rights of a performer, producer of phonograms, broadcasting or cable broadcasting organizations, arising in connection with the creation and use of phonograms, performances, productions, radio and television broadcasts.

This concept was introduced due to the fact that the rights in question are similar in nature to copyright, and, moreover, most objects of related rights cannot exist without copyright objects and, accordingly, are derivative of them. The fact is that many authors themselves are unable or unwilling to perform their works, but grant this right.

famous musicians and singers, who in turn can transfer the right to record their performance to phonogram producers and the right to broadcast it to a broadcasting organization, whose rights are also exclusive and subject to protection, like copyright.

The producer of a phonogram and the performer have the right to use a sign of protection of related rights to notify of their rights. This sign is placed on the case of the phonogram and consists of three elements: the Latin letter "P" in a circle; the name of the holder of exclusive related rights; and the year of first publication of the phonogram.

Exercise 1:

Draw up a diagram of intellectual related rights indicating their ownership by specific entities.

Exercise 2:

Draw up a diagram of “Agreements on the transfer and provision of exclusive rights”.

Exercise 3:

Make a table of restrictions on related rights with references to specific provisions of Part Four of the Civil Code of the Russian Federation.

Exercise 4:

Perspektiva LLC, which is engaged in recording performances, entered into an agreement with A. A. Shcherbakov for the recording of a video clip of a song performed by him and the subsequent use of the LLC

Perspektiva's video recordings were made for commercial purposes. Some time after the video was recorded, Perspektiva LLC learned that the video it had created had been broadcast on television. Believing its rights had been violated, Perspektiva LLC sued the infringer for compensation for the broadcast of the video. The defendant contested the claim, arguing that the broadcast of the video took place under a license agreement with Rim LLC. In support of its arguments, the defendant presented the contract concluded with Rim LLC and a video cassette with Rim LLC listed as the manufacturer. A.A. Shcherbakov, who was brought in to participate in the case, explained that the recording of the song performed by him was performed only once by Perspektiva LLC under the contract.

Which view agreements was concluded between Shcherbakov A. A. And OOO "Perspective"? Who V this case is violator exceptional rights?

Rate it legal incident By being.

Exercise 5:

Ivanov S. A. downloaded music from one of the Internet sites Works, including pieces by classical composers (Mocera , Verdi, and several others) and pieces by contemporary performers. Ivanov recorded these works on a disc, which he played for a group of friends at a reunion with classmates. While listening to the pieces, one of Ivanov's acquaintances, Semenov, heard a piece of his own music, previously

recorded for him on a phonogram, copies of which were available for sale. Semenov asked Ivanov where he had obtained the recording of his work. Ivanov explained how he had made the recording, citing that it was done solely for personal purposes and without the intention of material gain. Semenov began to doubt the legality of Ivanov's use of the musical works, so he consulted a lawyer.

Rate it legal incident By being.

IN roles lawyer, please consult Semenova.

Exercise 6:

the singer Ivchatova performed a new song in Hungary for the first time, composed by Soprykin and set to lyrics by Rodnikov . In May 1945, the phonogram producer Melodiya, under a commercial contract with the singer, produced phonograms of this and other songs performed by Ivchatova .

In June 1998, Ivchatova discovered copies of previously recorded songs performed by her for sale. The distribution of the recordings was handled by a society

Fonoteka, with which Ivchatova had no contract. Believing her rights had been violated, Ivchatova filed a lawsuit seeking to recover the income the infringer had received from the sale of counterfeit copies of the phonogram. The defendant contested the claim, arguing that the exclusive rights to the plaintiff's performance of the songs recorded in 1945 had expired.

Rate it legal incident And suggest option his solutions.

Exercise 7:

Singer Sokolov discovered he had the ability to sing countertenor, so he began singing female parts at his concerts. During a medical examination, doctors recommended that he give up singing female parts, advising him to sing exclusively as a baritone. The doctors justified their recommendation by arguing that Sokolov's voice could eventually deteriorate and he might lose the ability to sing altogether.

Some time later, Sokolov, ignoring doctors' recommendations, signed a licensing agreement with Melodiya radio station to record and broadcast his performances as a countertenor. During the recording, Sokolov damaged his vocal cords and was unable to sing for several months. Sing. After recovering, the singer stated that he could no longer sing as a countertenor and offered to perform the pieces as a baritone. Due to the singer's inability to fulfill the terms of the contract, Melodiya radio offered to terminate Sokolov's contract, but only if he was compensated for the losses.

Rate it legal incident. Is whether circumstance, indicated V agreement, basis For termination agreements V one-sided okay?

Have the right whether organization demand collection With Sokolova losses?

Allow me case By being.

Exercise 8:

The radio station "Voice" recorded a concert featuring underage soloists Petrov and Voloshin without the performers' consent. The recording was broadcast without identifying the performers. Later, Petrov and Voloshin's parents discovered recordings of their children's performances, produced by the Melodiya company, for sale.

The parents of the underage performers, believing that their children's rights had been violated, filed a complaint with the radio station, demanding that the illegal distribution of the phonograms cease and that compensation in the amount of 100,000 rubles be paid for the use of the performances.

The radio station refused to satisfy the claim, citing the fact that Petrov and Voloshin were performing unprotected works, the performances took place in the Stroitel Cultural Center with free entry, and the consent of ten-year-old Petrov and twelve-year-old Voloshin was not sought, since they are not fully capable citizens due to their age.

Describe actions radio stations "Voice" on item their conformity law. Violated whether rights Petrova And Voloshin, If Yes, That which? Rate it legal incident And allow me case By being.

Questions For self-control:

1. Concept and content of related rights.
2. Free use of protected works.
3. Methods of protecting copyright and related rights.
4. Collective management of copyright and related rights.

Practical work No. 4

Subject: Patent right

Initial theoretical provisions

Patent law arose as a basis for the creation and maintenance of a monopoly on the use of inventions in the conditions of competition between producers, as a tool for reimbursing the costs of development and implementation of new technical solutions and a source of profit.

Patent on An invention is a temporary monopoly on the production of a product in exchange for disclosure of information about the invention.

Patent law, like copyright, can be considered in objective and subjective senses.

In an objective sense, *patent Law* is a sub-branch of civil law that regulates the procedure for the emergence, exercise and protection of rights to inventions, utility models and industrial designs.

In the subjective sense, *patent right* - these are the property and personal non-property rights of patent holders and other subjects of patent legal relations.

The exclusive right to an invention, utility model, or industrial design arises only after state registration and the issuance of a patent.

A *patent* is a state protection document that certifies the exclusive right of the patent holder to the relevant invention, utility model, or industrial design.

Exercise 1:

List the sources of patent law in hierarchical order.

Exercise 2:

Provide examples of objects that, under certain conditions, may be recognized as objects of patent law.

Exercise 3:

Create a table “Intellectual rights of industrial property subjects”.

Exercise 4:

The Federal Executive Authority for Intellectual Property reviewed two applications received within a few days of each other. On October 15, 2012, an application for an industrial design was filed by V.P. Ignatyev. On October 20, 2012, an application was filed by OOO

" Stroyresurs " for the invention - "Smoke Registration Device", which passed the formal examination with a positive decision.

Ignatiev V.P., having read the description of the invention, stated to the Rospatent expert that the technical solution given in the formula of the invention "Smoke registration device" contains a set of essential features that repeat the essential features given in the application for an industrial design.

The expert, V.P. Ignatiev, rejected the objection, citing that the applications were submitted for different industrial property objects, and therefore the identity of the proposed solutions was excluded. *It is legitimate whether answer expert?*

Rate it legal incident. How follows decide given task?

Exercise 5:

Research institute staff—laboratory director S. P. Vikhrev , laboratory assistants A. A. Shilnikov and V. P. Usol'tsev— created a method possessing all the hallmarks of an invention related to magnetic and electromagnetic shielding techniques for biological, biophysical, and biomedical research in the field of studying the effects of magnetic fields on biological and biophysical objects. V. S. Kostin, a young patent specialist at the institute, was involved in searching for and analyzing analogs of the invention.

The employees were not given any official assignment to develop the method; they worked on their invention at the institute in their free time, but used the institute's resources and equipment in the process .

During the patent application process, disagreements arose between the inventors. According to S.P. Vikhrev , the right to obtain a patent belonged to the research institute, as the invention was created at the institute and with the use of the institute's resources. V.S. Kostin stated that he should be included among the co-authors, as he had done extensive work searching for and analyzing similar inventions. A.A. Shilnikov believed that all those who worked on the invention should be listed as authors and copyright holders in the application. V.V. Usoltsev insisted that only the laboratory director and laboratory assistants who were directly involved in the invention's creation could act as authors and copyright

holders.

Since the institute's employees were unable to resolve their differences on their own, they sought legal advice.

Who right V this dispute?

IN roles lawyer, give motivated consultation.

Exercise 6:

Spektr LLC filed a claim in arbitration court against Tron CJSC to cease infringement of the plaintiff's exclusive right to an industrial design. In support of its claims, the plaintiff stated that in 2000, Rospatent issued a patent in its name for an industrial design featuring an original combination of graphic images in blue and yellow. In 2006, the plaintiff discovered a website with a homepage confusingly similar to the registered industrial design. The website's homepage image reproduced virtually all graphic elements in the same color scheme.

The defendant, objecting to the plaintiff's demands, asked the court to dismiss the claim, citing the fact that the website page was created by him. himself; he knew nothing about the registration of the industrial design; the website page is an independent object of copyright, the exclusive right to which belongs to Tron CJSC.

Rate it legal incident.

How follows decide given task?

Exercise 7:

A. A. Vasiliev, an employee of Melena LLC, developed a device for dispensing various substances while working on an invention. Vasiliev's device proved highly effective and in demand. Melena LLC began manufacturing the device and introducing it to the market. Two months after creating the device, A. A. Vasiliev proposed to the head of Melena LLC that he patent his invention. After receiving no response, two months later, A. A. Vasiliev independently submitted an application for the invention, listing himself as the author and patent holder. Upon learning of this, the head of the company demanded that A. A. Vasiliev withdraw the application. According to the head of the company, only the employer has the right to obtain a patent for an employee invention.

Justified whether requirement manager?

Rate it legal incident And decide dispute By being.

Exercise 8:

While performing work under a government contract, employees of a research institute created an invention. The work was paid for in accordance with the terms of the contract and transferred by the contractor to the client under an acceptance certificate. Since the government contract did not specify who would own the patent, the inventors proposed to their management that they patent the invention in the name of the research institute. However, the management had doubts about whether the exclusive right to an invention created under a government contract using budgetary funds could accrue to the organization

fulfilling the government contract—that is, the contractor, not the client. Therefore, it was decided to postpone the patent application for one year. A year later, the institute's representatives sought clarification from a lawyer.

Rate it legal incident.

IN roles lawyer, please consult representatives scientific- research institute.

Questions For self-control:

1. Objects of patent law.
2. Conditions for granting legal protection to objects of patent rights.
3. Exclusive right to objects of patent rights.

Practical Job No. 5

Subject: Funds individualization legal persons, goods, works, services And enterprises

Initial theoretical provisions

For any organization or entrepreneur, it's always important for their products or services to be well-known and in demand. To help consumers distinguish between similar products from different manufacturers, there are special means of differentiation—in other words, individualization—of both the product itself and its manufacturer. Individualization means are not always the result of intellectual activity, but Article 1225 of the Civil Code of the Russian Federation equates them with such. Individualization means are intellectual property and are subject to exclusive rights, whereby only the copyright holder has the right to use the registered object and simultaneously prohibit or permit its use by others.

The means of individualization of legal entities, goods, works, services and organizations that are granted legal protection are (Article 1225 of the Civil Code of the Russian Federation): company names; commercial designations; trademarks and service marks; names of places of origin of goods.

Exercise 1:

Determine the types of liability for violation of rights to means of individualization and provide specific provisions provided for by the Civil Code of the Russian Federation, the Criminal Code of the Russian Federation, and the Code of Administrative Offenses of the Russian Federation.

Exercise 2:

Make a diagram of “Forms and civil law methods of protecting exclusive rights to means of individualization.”

Exercise 3:

Sovremennye Sistemy JSC filed a claim in arbitration court against StroyInvestProekt LLC seeking compensation equal to double the value of the goods bearing the plaintiff's trademark. As a legal justification, the plaintiff cited the provisions of Subparagraph 2, Clause 4, Article 1515 of the Civil Code of the Russian Federation, and as a factual circumstance, it stated that the defendant manufactured reflective devices for distribution among preschoolers and elementary school students. The reflective devices were manufactured under a government contract, which was fully executed on October 19, 2007.

The defendant did not agree with the claim, stating that the application of the liability measure provided for in subparagraph 2 of paragraph 4 of Article 1515 of the Civil Code of the Russian Federation is impossible, since the Law of the Russian Federation "On Trademarks, Service Marks and Appellations of Origin of Goods", in force at the time of execution of the contract, did not provide for such a liability measure.

*Maybe whether application To to the offender such measures responsibility,
How collection double size cost goods, provided subp. 2 p. 4 Art. 1515 GC Russian*

Federation?

Has whether meaning For applications To to the offender measures responsibility, provided subp. 2 p. 4 Art. 1515 GC Russian Federation, That circumstance, What defendant distributed flickers With illegally inflicted on them commodity familiar after introduction V force parts fourth GC Russian Federation?

Decide incident.

Exercise 4:

The Vityaz company filed a claim with the arbitration court against the Premium company for compensation in the amount of 100,000 rubles.

The claim is based on the defendant's illegal use of the plaintiff's trademark. However, since the infringement was a one-time occurrence and, in the plaintiff's view, did not result in a significant infringement of their rights, compensation is sought for the minimum amount of 100,000 rubles.

By the decision of the arbitration court, which was upheld by the ruling of the appellate court, the claim was satisfied.

In the cassation appeal, the defendant requests that the judicial decisions adopted in the case be amended in terms of the recovery of compensation in the amount of 100,000 rubles and that a new judicial decision be adopted on the recovery of compensation in the amount of 1,000 rubles.

The defendant believes that the amount of compensation collected from him is, by its legal nature, a penalty; the court should have assessed the proportionality of the compensation amount and the violation committed and reduced the amount of compensation collected by virtue of Article 333 of the Civil Code of the Russian Federation.

Rate it incident.

Subject to whether cassation complaint satisfaction?

Exercise 5:

The prosecutor filed a lawsuit against a sole proprietor for committing an offense under Article 14.10 of the Code of Administrative Offenses of the Russian Federation. In support of his claim, the prosecutor stated that the entrepreneur illegally used the "SUBARU" and "HONDA" trademarks in advertising on the building of a store that sells auto parts, on the store's business cards, and in the "Auto STOP" newspaper. The placement of the "SUBARU" and "HONDA" logos for advertising purposes is reflected in the offense report. The prosecutor issued a ruling to initiate administrative proceedings against the entrepreneur.

There is whether event administrative offenses And fact his committed by an entrepreneur ?

Were there grounds for drawing up a report on administrative offense ?

Rate it legal incident.

Exercise 6:

The Mosfilm film concern filed a claim with the arbitration court against RosNIIROS on the protection of its rights to its trade name and the prohibition of the use of the plaintiff's trade name when registering the domain www.mosfilm.ru in the name of another person.

In support of its claims, the plaintiff argued that the illegal use of its trade name misleads other participants in civil transactions and violates the plaintiff's rights. The defendant, in objecting to the stated claims, cited the fact that the domain name had been registered by the owner of the information resource without any violations. There were no grounds for denying the registration, as no other similar domain had been registered prior to the registration of the said domain.

Rate it legal incident.

Exercise 7:

Limited Liability Company " ProBureau Office" filed a claim with the arbitration court against Limited Liability Company "PROBUREAU" with the following demands: to oblige the defendant to stop violating the exclusive right to a trademark, expressed in the use of the protected element of the trademark

"PROBURO", which is also part of the registered trade name of the plaintiff, by removing (excluding) the designation

"PROBURO" from all the defendant's documentation related to the introduction of services into civil circulation, including from the constituent documents, in relation to classes 16, 28, 35, 39 and 42 of the International Classification of Goods and Services; on the recovery of monetary compensation for violation of the exclusive right to a trademark .

The court established the following. ProBureau Office LLC was registered by the Moscow Registration Chamber on July 17, 2000. The Unified State Register of Legal Entities (USRLE) extract for ProBureau Office LLC indicates that its primary economic activity is the wholesale and retail sale of books, newspapers, magazines, stationery, games, and toys.

ProBureau Office LLC is the trademark holder for the word mark " ProBureau " in relation to classes 16, 28, 35, 39, and 42 of the International Classification of Goods and Services (ICGS) with a priority date of August 2, 2006, as confirmed by a certificate. PROBureau Office LLC is registered as a legal entity.

by the city administration decree of October 20, 1999. According to the extract from the Unified State Register of Legal Entities, the said company carries out the following main types of activities: trade and procurement activities, including wholesale and retail trade, printing and advertising activities.

Subject to whether application To controversial legal relations norms parts fourth GC Russian Federation?

Which meaning has date priority commodity sign plaintiff And dates registration legal persons, participating V controversial legal relationship?

Decide legal incident.

Questions For self-control:

1. The concept of rights to means of individualization.
2. Legal protection and defense of trademarks.
3. Rights to the designation of origin of goods.
4. Rights to a trade name.

Practical Job No. 6

Subject: Right on secret production (know-how)

Initial theoretical provisions

In the Russian Federation, production secrets or know-how have only been recognized as objects of intellectual property since 2008; prior to this, know-how was not subject to exclusive rights.

One of the reasons for including know-how in the list of intellectual property objects is the need to legally protect and defend the results of scientific, technical, and experimental design work conducted within organizations. Organizations often do not patent new technical solutions, but keep them secret to avoid the lengthy patenting process and the disclosure of technical solutions in the event of a patent failure.

A production secret (know-how) (Article 1465 of the Civil Code of the Russian Federation) is recognized as information of any nature (production, technical, economic, organizational and others) on the results of intellectual activity in the scientific and technical sphere and on the methods of carrying out professional activities, which have commercial value due to their being unknown to third parties, if third parties do not have free access to such information on a legal basis and the owner of such information takes reasonable measures to maintain its confidentiality, including the introduction of a commercial secret regime.

Information that requires mandatory disclosure or that cannot be restricted in access, as established by law or other legal act, cannot be recognized as a trade secret.

Exercise 1:

Draw a diagram showing the characteristics that define the concept of know-how.

Exercise 2:

Draw up a diagram of the classification of rights to trade secrets by their types.

Exercise 3:

Lux Limited Liability Company filed a lawsuit against O.P. Svirina for lost profits. In support of its claims, the plaintiff stated that one of the company's activities is catalog sales under an agreement with OTTO Premium. Partner . Product sales are carried out as follows: customers select products from catalogs located in the company's office, a manager accepts orders and prepares the necessary documents; the order is then sent to OTTO Premium. Partner , where all orders are processed, and the selected items are then sent to the company; company employees accept the goods; and customers pay for and receive their ordered goods. Svirina worked for the company as a manager, and her responsibilities included accepting and processing orders. According to the plaintiff, the defendant, while working as a manager, had access to a computer connected via the internet to the order center, copied clients' personal data and used information constituting the company's commercial secret, resulting in losses for the plaintiff in the form of contractor losses.

The court found that the plaintiff did not issue a local regulatory act that would contain rules on the procedure for handling information, the procedure for its transfer, accounting, registration, copying, storage, etc.

Determine circle legally significant circumstances, subject clarification for the right permissions affairs.

Decide case By being.

Exercise 4:

A shareholder of the Closed Joint-Stock Company "Investbank" filed a claim with the arbitration court for the provision of copies of the following documents to the plaintiff: the bank's charter with amendments and additions, the decision to establish the bank and the document on its state registration; financial statements; minutes of annual and extraordinary general meetings ; staffing schedule.

The defendant denied the claims, arguing that satisfying the plaintiff's demands would violate the company's commercial secrecy regime. Furthermore, requesting the staffing schedule, which also contains information constituting a commercial secret, would constitute dissemination of information about the bank's employees without their consent, which is unacceptable under the Federal Law "On Information and Informatization."

and information protection."

Rate it legal incident.

Exercise 5:

Employees of Helios Limited Liability Company, acting on official assignment, have developed an inventive method for maintaining a specified level of the hypogeomagnetic field induction vector modulus in a shielding cylindrical chamber. The method comprises rotating the shielding cylindrical chamber by an angle proportional to the first differential signal obtained by comparing the specified level of the hypogeomagnetic field induction vector modulus with the current value of the hypogeomagnetic field induction vector modulus, measured inside the shielding cylindrical chamber in real time. This changes the current value of the hypogeomagnetic field induction vector modulus until the specified level is established, after which the current value of the hypogeomagnetic field induction vector modulus is maintained at the specified level. When discussing the protectability of the obtained result, the founders of the company decided to keep the trade secret secret, and therefore a commercial secrecy regime was introduced at the enterprise: an order was issued on the procedure for handling information containing information on the trade secret, and a regulation on commercial secrets was approved, which employees with access to classified information have read and signed.

Some time later, the authors of the method, believing they had intellectual property rights to their invention, independently applied to the federal executive body for intellectual property rights to patent their invention. The company's management considered these actions to be a disclosure of information constituting the company's trade secret.

Rate it legal incident.

Have the right whether were authors secret production serve application on receiving patent inventions?

Exercise 6:

The New Technologies Research Institute, the copyright holder of the trade secret comprising the manufacturing technology for the "Electromagnetic Field Measuring Instrument," and the Impulse Company, have entered into a license agreement granting exclusive rights to the trade secret without the institute retaining the right to use it or the right to license it to others. According to the terms of the agreement, the licensee has the right to use the trade secret for five years, subject to maintaining the confidentiality of the information provided to them.

A year after the agreement was signed, the licensee discovered on the Internet Online advertising and information materials from the New Technologies Research Institute disclosed general information about the technology licensed to the company under a license agreement. The company, Impuls, appealed to the licensor to remove the confidentiality clause from the agreement and reduce the remuneration, arguing that disclosure of the nature of the professional secret had reduced sales of products

manufactured under the license agreement. However, the institute refused to amend the agreement. According to the institute's director, disclosure of information about the technology does not mean the loss of its exclusive right to the professional secret.

Rate it legal incident.

Exercise 7:

Employees of the Modul Research Institute developed a new technology for manufacturing metal structures, which was designated a trade secret. Only two employees—A.S. Volkov and V.P. Buinov —had access to the trade secret . Several months after the new technology was designated a trade secret, customs authorities, during a pre-boarding inspection of a passenger's belongings, discovered prohibited items, as well as microfilms containing a similar description of the metal structure manufacturing technology developed at the institute. The passenger turned out to be a foreign national. An investigation revealed that the microfilm had been purchased by the foreign citizen from Buinov , an employee of the institute . Buinov explained that he had disclosed the trade secret due to recent financial difficulties. Furthermore, in his defense, Buinov pointed out that the foreign citizen had assured him of confidentiality within the Russian Federation.

Rate it legal incident.

Preserved whether exceptional right on secret production at institute "Module" after transmissions microfilms, containing secret intelligence, foreign to the citizen?

Which measures responsibility Can apply To To Buinov ?

Maybe whether foreign citizen be attracted To responsibility for purchase microfilms with information, components know-how institute, And attempt export microfilms for border?

Questions For self-control:

1. Protection and protection of rights to trade secrets.
2. Explain the concept of "trade secret". How does it differ from the concepts "trade secret" and "information"?
3. What are legal forms protection intellectual right on secret production?

Practical Job No. 7

Subject: Broadcast And transition exceptional right on objects intellectual property

Initial theoretical provisions

According to civil law, the holder of an exclusive right to an intellectual property object is granted the right to use and dispose of it. This right can be disposed of either by fully transferring the exclusive right to another person (a derivative copyright holder) or by temporarily granting the right to use it. The copyright holder has the right to dispose of their exclusive right in any manner consistent with the law; for example, they have the right to transfer the exclusive right to another person by agreement. Such an agreement is called an agreement on the alienation of the exclusive right.

Exercise 1:

Conduct a comparative analysis of the license agreement and the agreement on the alienation of exclusive rights; present the results of the analysis in the form of a diagram or table.

Exercise 2:

E. S. Inokentyev and P. I. Komkov decided to establish a legal entity in the form of a limited liability company. During the discussion of the company name, Inokentyev proposed the following names for the company: "Inkom Federation," "Inkom RF,"

InkomRossiya . Komkov proposed assigning the company 118 a corporate name – ООО Русское Инком.

The information necessary for preparing the documents was transferred to the lawyer.

IN roles lawyer, please consult Inokentyeva And Komkova on item possibilities use selected options names V quality branded names created societies

.

Exercise 3:

URAL Sakhar Limited Liability Company filed a claim with the arbitration court to prohibit Ural-Sakhar 1 Limited Liability Company from using a confusingly similar brand name.

The defendant objected to the satisfaction of the claims, Citing the fact that URAL Sakhar LLC failed to submit to the court a title deed that would confirm the registration of the plaintiff's trade name. Furthermore, according to the defendant, its trade name is not identical to the plaintiff's trade name.

Rate it legal incident.

WITH what moment arises legal security branded names?Decide case.

Exercise 4:

Since 2000, Detstvo LLC has used the trade name "Mishutka" in its operations, featuring a distinctive graphic style and vibrant color scheme. The company used this trade name to identify its enterprise, which produces children's educational toys. The trade name was featured in advertising, on a sign at the entrance to the production facilities, and in stores selling wholesale and retail products.

In 2008, children's toys from another manufacturer, Solnechnoye CJSC, appeared on the market. Their packaging bore the designation "Mishutka," which was confusingly similar to the commercial designation of Detstvo LLC, but in a different color combination.

According to Detstvo LLC, the use of two confusingly similar designations misleads consumers, and therefore Detstvo LLC filed a lawsuit to protect its right to a commercial designation.

In objecting to the satisfaction of the stated claim, the defendant indicated

that he is the owner of a word trademark

"Mishutka," registered by the Federal Executive Authority for Intellectual Property on January 10, 2008. At the same time, the plaintiff did not provide the court with any title deed confirming the right to the trade name.

How are related between by yourself right on commercial designation And right on commodity sign?

Rate it legal incident.

Exercise 5:

Siberia LLC filed a lawsuit against individual entrepreneur Anatoly Viktorovich Raduga to protect his rights to the commercial designation "Raduga," specifically to prohibit the individual entrepreneur from using a designation that is confusingly similar to the plaintiff's commercial designation, and to recover compensation for the infringement of his exclusive rights.

In support of its claims, the company indicated that for 15 years it had been using paint and varnish production enterprises in order to individualize its activities. The trademark "Raduga" (Rainbow), executed in a distinctive graphic style, was introduced to the city of Novosibirsk and the Novosibirsk region. Over time, the trademark became known among a certain circle of consumers and acquired distinctive qualities. It was featured in advertising, on signs at the entrance to production facilities, and in stores selling wholesale and retail paints and varnishes.

In 2013, paints and varnishes from another manufacturer, owned by Anatoly Viktorovich Raduga, a sole proprietor, entered the market. The sole proprietor's product packaging also bore the "Raduga" designation, confusingly similar to the commercial designation of Siberia LLC.

According to Siberia LLC, the use of two confusingly similar designations misleads consumers, and therefore the plaintiff considers the defendant to be a violator of the exclusive right to a commercial designation.

In objecting to the satisfaction of the stated claim, the individual entrepreneur cited the disputed designation as his last name and the fact that he acquired entrepreneurial status in accordance with the established procedure, as confirmed by a state registration certificate issued by the Federal Tax Service. According to the entrepreneur, as an individual, he has the right to a name, just as a commercial organization has the exclusive right to its own company name. Furthermore, in accordance with the Russian Federation Law "On the Protection of Consumer Rights," the entrepreneur is obligated to indicate his name as the manufacturer on the packaging of his products.

During the trial, the circumstances of the plaintiff and defendant's use of the "Raduga" trademark were confirmed. Furthermore, the court established that Anatoly Viktorovich Raduga was indeed registered as an individual entrepreneur in January 2013 and, since that date, has been engaged in the commercial production of paints and varnishes under the "Raduga" name.

Which solution should be accepted By business? Subject to whether lawsuit
OOO

"Siberia" satisfaction?

Questions For self-control :

1. Conduct a comparative analysis of a license agreement and an agreement on the alienation of exclusive rights.
2. What are the features of a custom-made contract?

Practical Job No. 8

Subject: Protection objects intellectual property V networks Internet

Initial theoretical provisions

Today, numerous instances of intellectual property rights violations occur in the online information sphere. In response, measures are being taken to strengthen the legal protection of intellectual property rights online.

Most often, intellectual property violations involve the use of trademarks online. The situation is complicated by the fact that national laws in different countries have different legal protection regimes, meaning that legal disputes over intellectual property rights involving foreign elements are resolved differently in different countries. Another challenge is the new ways trademarks are used online, particularly in mobile apps and social media.

Exercise 1:

Draw up a detailed diagram of civil law methods for protecting copyright and related rights.

Exercise 2:

Describe the relationship between the following concepts: “protection of copyright and related rights”, “protection of copyright and related rights”, “civil law methods of protecting copyright and related rights”.

Exercise 3:

Provide specific examples of technical means of protecting a work.

Exercise 4:

The advertising agency distributed advertising and information brochures that included a map showing the location of the advertiser's office, Berkut LLC.

Imperia, the copyright holder of the cartographic materials, filed a lawsuit against the advertising agency (the advertising distributor) and Berkut LLC (the advertiser) to prohibit the use of the map. In support of its claim, the plaintiff argued that cartographic maps and diagrams are protected by law, and therefore the use of parts of such maps requires the consent of the copyright holder.

In objecting to the stated demands, Berkut LLC indicated that Borrowing elements from parts of maps that are not in themselves creative and do not possess significant novelty (street names, building numbers, etc.) does not constitute use requiring the consent of the copyright holder. Furthermore, the advertiser used its

The scheme was used solely for the purpose of informing third parties of its location. The advertising agency dismissed the claim, arguing that, under advertising law, it is not responsible for the content of the advertisement.

Give it to me legal assessment arguments sides. Decide case By being.

Exercise 5:

The public organization "Russian Authors' Society" (RAO) filed a lawsuit

against individual entrepreneur V.S. Molotov for monetary compensation for copyright infringement, citing the fact that in the premises of the beauty salon

"World of Happiness," where the defendant carries out business activities providing cosmetic services, publicly performed musical works included in the program blocks of Radio "Classics," without properly formalizing an agreement with the authors of the works used, thereby violating exclusive property rights.

The individual entrepreneur denied the claim, citing that broadcasting organizations enjoy exclusive neighboring rights to their broadcasts. They can exercise this right in any legal manner and broadcast their programs to an unspecified group of people. Turning on a radio in a beauty salon, a location with free access and free admission, does not fall under any of the legally specified methods for exercising the exclusive neighboring rights of broadcasting organizations. Therefore, no agreements are required with either broadcasting companies or authors. Furthermore, according to the defendant, the list of areas in which rights management organizations can obtain state accreditation does not include the exercise of exclusive neighboring rights of broadcasting companies (Article 1244 of the Civil Code of the Russian Federation). Therefore, it is possible to conclude a licensing agreement for the right to publicly perform radio programs in locations, even with paid admission, directly with broadcasting organizations.

Has whether attitude public execution To such view use works, How playback?

Had whether place, based on from conditions tasks, playback performance? Rate it legal incident.

IN roles judges, accept solution By case.

Exercise 6:

In January 2013, Sokolov P.I. completed work on the creation literary work - the novel "Star Trek". In October of the same year, a theft occurred in his apartment. Among the stolen items was the manuscript of the novel, which the author kept at home. Upon discovering the loss, Sokolov P. I. filed a crime report with law enforcement agencies. At the investigator's suggestion to provide an estimate of the damage, Sokolov indicated the value of the stolen goods as 100,000 rubles, including the value of material things - 2,000 rubles, the value of the manuscript, which the victim estimated at the cost of an exclusive (property) right - 98,000 rubles. Subsequently, the person who committed the theft was identified as the victim's neighbor, Frolov V. I., however, following the investigation, the initiation of a criminal case was refused due to the lack of corpus delicti under Article 158 of the Criminal Code of the Russian Federation, since the amount of damage did not exceed 2,500 rubles. In the reasoning of his ruling, the investigator indicated that the value of the manuscript, as a stolen item, should be determined based on the value of the paper, and not on property rights, the protection of which is carried out through civil law.

In September 2013, Semyonov discovered copies of the published novel in a bookstore, listing I. P. Volkov as the author, with the copyright holder being OOO Dom Knigi. Furthermore, Semyonov discovered the following discrepancies: the

novel had been published under a different title, the content had been altered inconsistently with Semyonov's original intent , and the end of the novel contained a note indicating a sequel was to follow.

Which rights Semenova were violated? Legally whether resolution about refusal V excitement criminal affairs?

What kind ways civil law protection Semenov Maybe take advantage of For protection their own right?

Who is violator right Semenova ?

Questions For self-control:

1. What are the main reasons for the need to develop legal mechanisms for protecting intellectual rights in the Internet space?
2. What forms of protection of intellectual property rights currently exist for objects posted on the Internet?

Topics abstracts For independent work

1. Invention
2. Utility model and comparison of other industrial property objects
3. Industrial design
4. Brand name
5. Name of the place of origin of goods
6. Trademark
7. Know-how
8. Breeding achievement
9. Copyright
10. Damage from infringement of intellectual property rights
11. Counterfeit products and measures to combat them
12. Scientific discoveries
13. Franchising
14. Leasing
15. Licensing
16. Intellectual property, concept, classification.

Design abstract

The abstract is completed on separate A4 sheets of paper, which must be bound. It is recommended that all sheets be numbered consecutively, beginning with the title page. The title page is not numbered. Page numbers begin on page 2, "Contents." The page number is centered in the bottom margin of the sheet.

The recommended length of the work is 20-25 typewritten pages. Margins: top – 2 cm, bottom – 2 cm, left – 3 cm, right – 1.5 cm. Font size: Times New Roman 14, 1.5 line spacing, 1.25 paragraph indent. Justified text alignment.

The abstract begins with a title page. The table of contents appears on the following page. The content should be relevant to the chosen research topic and must be approved by the supervisor.

The work concludes with a list of references.

Direct quotes taken verbatim from scientific literature must be enclosed in

quotation marks and include a citation. A citation to the source used must be included in square brackets next to such citations.

The bibliography should include both cited sources and all monographs, textbooks, statistical compilations, etc., used in writing the coursework. The bibliography is compiled in alphabetical order, with regulatory documents listed first.

Questions For self-tests

1. The scope of legal protection of an invention is determined ...
2. Copyright applies to...
3. The conditions for the author to exercise the right to withdraw an unpublished work include...
4. The protection of copyright, name, and reputation is in effect...
5. Works are not subject to copyright if they...
6. Works that have fallen into the public domain may be used by...
7. The principles of copyright are...
8. The legal protection of integrated circuit topographies extends...
9. The author of the invention is recognized as...
10. The producer of phonograms may use their related rights... 11. Public performance, broadcast or cable transmission of a phonogram published for commercial purposes is permitted... Answer: without the consent of the producer of the phonogram and the performer, but with payment rewards
12. Without the consent of the author and without payment of royalties, the reproduction, broadcast or cable transmission of works of architecture, photography or fine art...
13. What concept does this definition refer to: a set of legal norms regulating relations regarding the creation of works of science, literature, art...
14. In the event of the assignment of exclusive rights to use the work to the author...
15. Public performance of musical works during official ceremonies...
16. The exclusive right to use a work created in the performance of an official assignment belongs to...
17. The compiler of the collection and the authors of the documents included in the collection have the following rights...
18. In the event of the assignment of exclusive rights to use the work, the author retains...
19. Disputes regarding authorship of an invention are subject to consideration...
20. The patent certifies...
21. An application for a patent on behalf of and in the interests of an individual permanently residing outside the Russian Federation may be submitted by...
22. The transfer of intellectual property is considered a sale for VAT purposes and is subject to taxation at the rate...
23. For the registration of a license agreement related to a patent for an invention, industrial design, or utility model, a fee is charged...
24. When taxing intangible assets such as patents for inventions, industrial designs, and utility models, a tax is collected...

25. The criteria for patentability of an industrial design include ...
26. The conventional priority of a trademark is established...
27. A patent attorney acts on the basis of...
28. In the absence of a contract, the patent holder of a service invention is...
29. When a work is published anonymously or under a pseudonym, the author's rights are exercised by ...
30. Copyright in works created in the course of performing official duties, in the absence of a contract, belongs to...
31. The right to use the designation of origin of goods registered in accordance with the established procedure may be granted...
32. To which of the concepts does this definition refer: "the constructive implementation of means of production and consumer goods, as well as their component parts"...
33. The objective form of expression of the result of creative activity is...
34. Translator of copyright subjects...
35. Extension of the validity period of registration of the appellation of origin of goods ...
36. Registration of a trademark may be declared invalid...
37. Information related to "know-how" ...
38. Transfer of ownership rights to the tangible media of computer programs and databases...

List recommended literature

1. Bliznets I. A., Gavrilov E. P., Dobrynin O. V., et al. Intellectual Property Law: textbook / edited by I. A. Bliznets. – M.: Prospect, 2011. – 960 p.
2. Gorodov O.A. Industrial Property Law: textbook. – M.: Statut, 2011. – 942
3. Dozortsev V. A. The concept of exclusive rights // Problems of modern civil law: Collection of articles. - M.: Gorodets, 2000. - P. 287-320.
4. Dyakonova S.N. Innovative Management: Textbook: recommended by VSUACE / Voronezh. State University of Architecture and Civil Engineering (Voronezh SUACE). - Voronezh: [b. i.], 2012 (Voronezh: Department of Operational Printing of the Publishing House of Textbooks and Textbooks - Methodological Manuals of VSUACE, 2012). - 182, [1] p. - ISBN 978-5-89040-425-1: 46-91.
5. Eremenko V. I. On the establishment of the Court of Intellectual Property Rights in the Russian Federation // Legislation and Economics. – 2012. – No. 8. – P. 9-22.
6. Zenin I. A. Intellectual Property Law: a textbook for masters / I. A. Zenin . - 8th ed. - M.: Yurait Publishing House, 2013. - 567 p.
7. Intellectual Property. Current Issues of Theory and Practice: Collection of Scientific Papers. Vol. 1 / edited by V. N. Lopatin. – Moscow: "Yurait Publishing House", 2008. – 312 p.
8. Kalyatin V. O. Intellectual property (exclusive rights): textbook for universities. - M.: Publishing house "NORMA" (Publishing group

- "NORMA-INFRA-M"), 2000. - 480 p.
9. Makovsky A.L. Exclusive rights and the concept of Part Four of the Civil Code // Civil law of modern Russia / Comp. O.M. Kozyr and A.L. Makovsky. Moscow: Statut, 2008. - P. 103 - 141.
 10. Novoseltsev O. V. Intellectual property in the civil law system: problems of legal understanding // Intellectual property. Actual problems of theory and practice : collection of scientific works. Vol. 1 / Ed. by V. N. Lopatin. Yurait , 2008. – P. 93-108.
 11. Okonskaya N.K. Intellectual property: social and philosophical justification / Perm state technical university. - Perm, 1998. - 200 p.
 12. Sennikov N. L. System, subject of intellectual industrial property law (Methodological recommendations) // Legal science and education. - 2008. - No. 2. - P. 23-25.
 13. Sergeev A. P. Intellectual Property Law in the Russian Federation: Textbook. - 2nd ed., revised and enlarged. - M.: PBOUL Grizhenko E. M., 2001. - 752 p.
 14. Sudarikov S.A. Intellectual Property Law: textbook. – M.: Prospect. – 2010. – 368 p.
 15. Tychinin S.V., Turanin V.Yu., Beletskaya A.A. Contractual forms of investment in innovation // Modern law. - 2012. - N 2. - P.41-43. 49
 16. Khalipova E. V. Constitutional and legal concept of intellectual property (formation and evolution). - M.: Dialog-MSU, 1998. - 212 p.
 17. Arzumanyan , A. B. International standards for the protection of intellectual property [Electronic resource]: textbook /A.B. Arzumanyan . — Rostov-on-Don, Taganrog: Publishing house Southern Federal University, 2019. - 96 p. - ISBN 978-5-9275-32-16-2. URL: [https:// www.iprbookshop.ru/95787.html](https://www.iprbookshop.ru/95787.html)
 18. Burakova , E.A. Intellectual Property Management [Electronic resource]: study guide / E.A. Burakova , T.V. Pas'ko, T.V. Dyachkova . - Tambov: Tambov State Technical University, EBS ASV, 2019. - 80 p. - ISBN 978-5-8265-2093-2. URL: [https:// www.iprbookshop.ru/99800.html](https://www.iprbookshop.ru/99800.html)
 19. Girfanova, L.R. Innovative and patent activity [Electronic resource]: educational manual / L. R. Girfanova. — Saratov: IP Er Media, 2019. — 96 p. — ISBN 978-5-4486-0734-9. URL: [https:// www.iprbookshop.ru/83266.html](https://www.iprbookshop.ru/83266.html)
 20. Protection of intellectual property [Electronic resource]: guidelines / compiled by M. I. Kharitonov. - St. Petersburg: St. Petersburg State University of Architecture and Civil Engineering, Electronic Library System ASV, 2017. - 51 p. URL: [https:// www.iprbookshop.ru/74328.html](https://www.iprbookshop.ru/74328.html)
 21. Ostapenko, G.F. Intellectual Property Management [Electronic resource]: a textbook for masters / G.F. Ostapenko, V.D. Ostapenko. - 2nd ed. - Moscow: Dashkov i K, 2020. - 160 p. - ISBN 978-5-394-03914-0. URL: [https:// www.iprbookshop.ru/111025.html](https://www.iprbookshop.ru/111025.html)
 22. Smirnova, O.E. Fundamentals of Patent Law and Intellectual Property

Protection [Electronic resource]: textbook / O.E. Smirnova.

— Novosibirsk: Novosibirsk State University of Architecture and Civil Engineering (Sibstrin), EBS ASV, 2016. — 89 p. — ISBN 978-5-7795-0797-4.

URL: [https:// www.iprbookshop.ru/68809.html](https://www.iprbookshop.ru/68809.html)

23. Terekhov, A. V. Protection of the Results of Intellectual Activity [Electronic resource]: a tutorial / A. V. Terekhov, V. N. Chernyshov , E. V. Sysoev. - Tambov: Tambov State Technical University, EBS ASV, 2017. - 79 p. - ISBN 978-5-8265-1786-4.

URL: [https:// www.iprbookshop.ru/85963.html](https://www.iprbookshop.ru/85963.html)

24. Tolok, Yu. I. Intellectual Property Protection and Patent Studies [Electronic resource]: study guide / Yu. I. Tolok, T. V. Tolok. - Kazan: Kazan National Research Technological University, 2013. - 294 p. URL: [https:// www.iprbookshop.ru/60381.html](https://www.iprbookshop.ru/60381.html)

25. Cherkasova, O. V. Protection of Intellectual Property [Electronic resource]: textbook / O. V. Cherkasova. - Ekaterinburg: Ural University Publishing House, 2017. - 104 p.

— ISBN 978-5-7996-2145-2.

URL: [https:// www.iprbookshop.ru/107034.html](https://www.iprbookshop.ru/107034.html)

MINISTRY OF SCIENCE AND HIGHER EDUCATION OF THE RUSSIAN FEDERATION
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STATE AUTONOMOUS EDUCATIONAL
INSTITUTION OF HIGHER EDUCATION
NORTH CAUCASIAN FEDERAL UNIVERSITY

Methodological guidelines

for students on organizing and conducting independent work
in the discipline " PROTECTION OF INTELLECTUAL PROPERTY "
for students majoring in
02.04.01 Mathematics and Computer Science

Stavropol
202 6

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1. General Provisions

Independent work is the planned educational, educational and research, or scientific research work of students, carried out outside of class (in class) time, as assigned and under the methodological guidance of the teacher, but without his or her direct participation (with partial direct participation of the teacher, leaving the leading role to the students' work). To Vladislav Vyacheslavovich

Student independent work (SIW) at a university is an important form of student learning and research activity. Student independent work plays a significant role in the rating system of learning.

The main types of independent work for students include:

–formation and assimilation of the content of lecture notes based on the educational literature recommended by the lecturer, including information educational resources (electronic textbooks, electronic libraries, etc.);

–writing reports;

–preparation for seminars, practical and laboratory work, their design;

–compilation of an annotated list of articles from relevant journals in the fields of knowledge (pedagogical, psychological, methodological, etc.);

–implementation of educational and research work, project activities;

–preparation of practical developments and recommendations for solving problematic situations;

–completing homework assignments in the form of solving individual problems, performing typical calculations, computer calculations and individual work on individual sections of the discipline content, etc.;

–computer-based current self-monitoring and progress monitoring based on electronic training and assessment tests;

–completion of coursework (projects) within the framework of disciplines;

–completion of final qualifying work, etc.

The methodology for organizing students' independent work depends on the structure, nature, and characteristics of the discipline being studied, the number of hours for its study, the type of assignments for students' independent work, the individual qualities of students, and the conditions of educational activities.

The process of organizing students' independent work includes the following stages:

- preparatory (defining goals, drawing up a program, preparing methodological support, preparing equipment);

- basic (implementation of the program, use of techniques for searching for information, assimilation, processing, application, transfer of knowledge, recording of results, self-organization of the work process);

- final (assessment of significance and analysis of results, their systematization, assessment of the effectiveness of the program and work methods, conclusions on areas of labor optimization).

Independent work on the course "Information technologies for teamwork and project activities" is aimed at developing the following **competencies** :

Code	Formulation
P K -6	Capable of conducting patent research, determining forms and methods of legal protection and defense of rights to the results of intellectual activity, and managing rights to them to solve problems in the field of development of science, engineering and technology

2. The purpose and objectives of independent work

The main goal of organizing and implementing independent work coincides with the goal of student

education – the formation of a set of general scientific, professional and universal competencies of the future bachelor.

When organizing independent work, developing the ability to work independently to acquire knowledge, skills, and the ability to organize educational and research activities is an important and essential condition. The goal of students' independent work is to master fundamental knowledge, professional skills, and relevant professional activities, as well as experience in creative and research activities. Students' independent work promotes the development of independence, responsibility, self-discipline, and a creative approach to solving academic and professional problems.

The objectives of the SRS are:

- systematization and consolidation of the acquired theoretical knowledge and practical skills of students;
- deepening and expanding theoretical knowledge;
- development of skills in using regulatory, legal, reference documentation and specialized literature;
- development of students' cognitive abilities and activity: creative initiative, independence, responsibility and organization;
- development of independent thinking, abilities for self-development, self-improvement and self-realization;
- development of research skills;
- use of material collected and obtained during independent work and laboratory classes.

3. Technological map of independent student work

Codes of implemented competencies	Type of student activity	The final product of independent work	Assessment tools and technologies	Volume of hours, including (astr.)		
				SRS	Contact work with the teacher	Total
2nd semester						
P K- 6	Preparing for lectures	Lecture notes	Interview	4 , 0	4 , 0	8 , 0
P K- 6	Preparation for practical classes	Electronic report	Interview	4 , 0	4 , 0	8 , 0
P K- 6	Independent study of literature	Abstract	Interview	4 , 0	4 , 0	8 , 0
P K- 6	Self-testing, preparation for testing	Testing	Test tasks	4 , 0	4 , 0	8 , 0
Total for 2nd semester				36,0	36,0	40,0
Total				36,0	36,0	40,0

4. Control points and types of reporting on them

Quality control and deadlines for independent work are assessed in accordance with the academic schedule and are formatted according to the assignment. The following knowledge rating is provided:

Description of the rating scale

Within the framework of the rating system, students' academic performance in each discipline is assessed during ongoing monitoring and midterm assessment.

Current control

5. Procedure for completing independent work by a student

5.1 . Methodological recommendations for working with educational literature

When working with books, you need to select literature, learn to read it correctly, and keep records.

To select literature, the library uses alphabetical and systematic catalogs.

It is important to remember that rational skills in working with a book always mean great savings of time and effort.

The instructor teaching the course recommends the appropriate selection of textbooks. Required literature may also be listed in the course's teaching materials.

When studying the material in a textbook, you should move on to the next question only after correctly understanding the previous one, describing on paper all the calculations and computations (including those that are omitted from the textbook or given in the lecture for independent derivation).

When studying any discipline, independent individual work plays a large and important role.

Particular attention should be paid to defining the course's key concepts. Students should thoroughly analyze examples that illustrate these definitions and be able to construct similar examples independently. It's important to develop a clear understanding of what you're learning. Taking supporting notes is helpful. When studying the material from the textbook, it's helpful to supplement your lecture notes in the designated margins in your notebook. You should also note any questions you've identified for consultation with the instructor.

It is recommended to highlight the conclusions obtained as a result of the study in the notes so that they are better remembered when rereading the notes.

Experience shows that many students find it helpful to create a reference sheet containing the most important and frequently used formulas and concepts. Such a sheet helps students remember formulas and key points of the lecture, and can also serve as a constant reference for them.

Reading scientific text is part of cognitive activity. Its goal is to extract the necessary information from the text. The effectiveness of the action largely depends on how consciously the reader approaches the printed word (finding the necessary information, assimilating it in whole or in part, critically analyzing the material, etc.).

There are **four main attitudes towards reading scientific text** :

information retrieval (the task is to find and highlight the desired information)

assimilative (the reader's efforts are aimed at fully comprehending and remembering both the information presented by the author and the entire logic of his reasoning)

analytical-critical (the reader strives to critically comprehend the material, having analyzed it, and determined his attitude toward it)

creative (creates in the reader a readiness in one form or another - as a starting point for his own reasoning, as an image for action by analogy, etc. - to use the author's judgments, his train of thought, the result of observation, the developed methodology, to supplement them, to subject them to new testing).

The main types of systematic recording of what has been read:

Annotation is an extremely brief, coherent description of a book (article) viewed or read, its content, sources, nature and purpose;

Planning is a brief logical organization of the text, revealing the content and structure of the material being studied;

Thesis is a concise reproduction of the author's main assertions without using factual material;

Quoting is the verbatim copying of excerpts and extracts from the text that most significantly reflect a particular idea of the author;

Note-taking is a brief and sequential presentation of the content of what has been read.

A summary is a complex way of presenting the contents of a book or article in a logical sequence. A summary integrates previous notes and allows for a comprehensive understanding of the book or article's content. Therefore, the ability to create an outline, make notes, take excerpts, and other notes determines the technique of summary writing.

5.2. Methodological recommendations for compiling lecture notes:

1. Read the text carefully. Look up any unfamiliar words in reference books. When taking notes, be sure to include reference information in the margins.

2. Highlight the main points and make a plan.

3. Briefly formulate the main points of the text, note the author's argumentation.

4. Take notes on the material, strictly following the outline. When taking notes, try to express your thoughts in your own words. Keep your notes clear and concise.

5. Write quotes correctly. When quoting, keep in mind the brevity and significance of the idea.

In the summary, it is advisable to present not only thesis statements but also their evidence. When formatting the summary, strive for the conciseness of each sentence. The author's thoughts should be

presented concisely, with care taken to maintain style and expressiveness. The number of additional elements in the summary should be logically justified, and entries should be arranged in a specific sequence consistent with the logical structure of the work. Leave margins for clarification and addition.

Mastering note-taking skills requires a student to be determined and to work independently on a daily basis.

5.3. Methodological recommendations for preparation for practical classes

To maximize the benefit of practical classes, it's important to remember that exercises and problem solving are based on lecture material and typically involve a detailed analysis of specific topics covered in the lecture course. It's important to emphasize that only after the lecture material has been mastered from a specific perspective (namely, the perspective from which it is presented in lectures) will it be reinforced in laboratory classes, both through discussion and analysis of the lecture material and through solving problem situations and tasks. Under these conditions, students will not only master the material well but also learn to apply it in practice, and will also receive additional incentive (and this is very important) to actively engage with the lecture.

When independently solving problems, it's important to justify each step of the solution based on the theoretical principles of the course. If a student sees several possible solutions to a problem (problem), they should be compared and the most efficient one selected. It's helpful to create a brief plan for solving the problem (problem) before beginning calculations. Solutions to problematic problems or examples should be presented in detail, with calculations arranged in strict order, separating auxiliary calculations from the main ones. Solutions should be accompanied by comments, diagrams, drawings, and illustrations, if necessary.

It's important to remember that the solution to each learning problem should be followed through to the final logical answer required by the conditions, and, if possible, with a conclusion. The resulting answer should be verified using methods specific to the nature of the problem. It's also helpful (if possible) to solve the problem in several ways and compare the results. Problem solving of this type should be continued until solid solving skills are acquired.

Practical work No. 1-5,8 are completed by students of correspondence and part-time education independently.

5.4. Guidelines for self-assessment of knowledge

After studying a specific topic using notes in the notes and textbook, as well as solving a sufficient number of relevant problems in practical classes and independently, the student is advised to conduct a self-assessment of the acquired knowledge by answering test questions on the topic studied.

If necessary, you need to carefully review the material again.

Sometimes, a lack of understanding of a particular question only becomes apparent upon further study. In this case, it's necessary to go back and review the poorly understood material. An important criterion for mastering theoretical material is the ability to answer interview questions.

Evaluation criteria:

The grade "pass" is given to a student if he/she makes a rational choice regarding the methods of protecting intellectual property rights, carries out patent research in the field of computing technology and communication systems, makes a rational choice regarding the methods of protecting intellectual property rights with errors, carries out patent research in the field of computing technology and communication systems with errors, makes a rational choice regarding the methods of protecting intellectual property rights with difficulty, and carries out patent research in the field of computing technology and communication systems with difficulty.

A grade of "fail" is given to a student if he/she does not make a rational choice regarding methods of protecting intellectual property rights and does not carry out patent research in the field of computer technology and communication systems.

Description of the rating scale

The maximum possible score for the entire ongoing assessment is set at 55. A current assessment is considered passed if the student receives at least 60% of the maximum score established for that assessment. The rating score assigned to a student for a current assessment completed within the deadlines set in the assessment schedule is determined as follows:

Level of completion of the control task	Rating score (as a percentage of the maximum score for the test task)
Great	100

Good	80
Satisfactory	60
Unsatisfactory	0

5.6. Methodological recommendations for preparation for tests students' independent work

Independent work is monitored by the teacher in the classroom.

The following types of control are provided: interview, assessment of the report and its presentation.

Detailed criteria for assessing competencies are provided in the Fund of Assessment Tools for Conducting Current and Interim Assessments.

6. List of literature for completing independent work

List of key literature

1. Zharova A.K., Maltseva S.V. Protection of intellectual property. – 2018.
2. Aliyev S. B., Izmaylova E. Yu. Legal basis for regulating intellectual property in the Eurasian Economic Union // Eurasian Economic Integration. - 2015. - No. 3 (28). - P. 65-75.

List of additional literature

1. Korshunov N. M., Eriashvili N. D., Kharitonova Yu. S. Patent law. Study guide. – 2012.
2. Nemirova T. A. Activities of customs authorities to protect intellectual property // Epoch of Science. - 2017. - No. 12. - P. 52-56.
3. Savina V. On the relationship between the norms of business law and intellectual property law // Intellectual Property. Copyright and Related Rights. - 2016. - No. 8. - P. 45-52.

List of educational and methodological support for independent work of students in the discipline

1. Methodological guidelines for organizing students' independent work in the discipline " Protection of intellectual property ". Stavropol: SKFU, 2025 .
2. Guidelines for practical classes on the discipline " Protection of intellectual property ". Stavropol: SKFU, 2025 .

List of resources of the information and telecommunications network "Internet" necessary for mastering the discipline

1. <http://biblioclub.ru/> – University library online " Biblioclub "
2. <https://4brain.ru/liderstvo/> – Leadership: Lessons from an Effective Manager
3. <https://spravochnik.ru/psihologiya/> – Psychology Handbook