

**MINISTRY OF EDUCATION AND SCIENCE,
YOUTH AND SPORTS OF UKRAINE**

KHARKIV NATIONAL UNIVERSITY OF ECONOMICS

Syllabus
of the educational discipline
"INTELLECTUAL PROPERTY"
for students of the speciality 8.14010301 "Study of Tourism"
of all forms of study

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The thematic plan of the given educational discipline is presented including the questions for independent work, that will allow to form the modern thinking, special knowledge and competencies necessary for the use of objects of intellectual property by economic entities.

Recommended for the students of economic specialities.

Подано тематичний план даної навчальної дисципліни із зазначенням питань для самоопрацювання, які дозволять сформувати сучасне мислення, спеціальні знання та компетентності, необхідні для використання об'єктів інтелектуальної власності суб'єктами господарювання.

Рекомендовано для студентів економічних спеціальностей.

Introduction

Under the conditions of universal intellectualization of economy the information and knowledge turn to motive power of innovative development of a society. Creative intellectual activity receives the status of priority strategic activity, and problems of stimulation and protection of intellectual property become prime both for the separate states, and for the world community as a whole. It is conventional, that the innovative model of development is based on an effective utilization of a mental potential, large-scale introduction in the economic circulation of intellectual work products, growth of scales of an intellectual property turnover, purposeful and system reproduction of scientific areas which form a kernel of the newest technological way.

Complexity of the economic nature of intellectual property, constant dynamic development of its objects and the mechanism of commercialization draw increasing attention of science officers and experts, transforming research of this phenomenon in one of the most actual economic problems. In this connection development and introduction of a discipline "Intellectual Property" to the program of experts preparation on a specialty "Study of Tourism" is actual.

The purpose of the educational discipline "Intellectual Property" is mastering knowledge and practical skills in the sphere of protection and the order of property rights of intellectual property.

The primary goals of the given discipline are mastering knowledge generalized in the theory and practice of intellectual property management and their fastening on practical employment, formation skills in decision-making concerning the decision of problems of intellectual property development in the context of innovative progress of domestic economy.

The basis of discipline teaching is lecture. Except for the lectures the practical lessons and seminars about the most important questions of a discipline are assumed. The lessons in lecture hall are supplemented with independent work of students on the recommended literature, abstracts and tasks given to students by a lecturer.

The structure of the program of the discipline "Intellectual Property" is given in tab. 1.

Structure of the program of the educational discipline

Educational discipline: preparation of masters and specialists	The direction, speciality, educational level	The characteristic of the discipline
Number of credits corresponding to ECTS – 3, including: substantial modules – 2; independent work	The code and the name of a direction: "Study of Tourism (by types)" 7.14010301, 8.14010301	Lectures (theoretical preparation) – 17 hrs. Practical lessons (seminars) – 17 hrs. Independent work – 74 hrs
Number of hours on substantial modules: module 1 – 54 hrs; module 2 – 54 hrs; In total – 108 hrs	The code and the name of a direction: "Study of Tourism (by types)" 7.14010301, 8.14010301	Lectures (theoretical preparation) – 17 hrs. Practical lessons (seminars) – 17 hrs. Independent work – 74 hrs
Number of weeks for teaching of a discipline: 17 hrs for specialists, 11 hrs – for masters	The qualifying level: master, specialist	The type of control: examination

1. Qualifying requirements to students

The necessary educational base for studying the discipline is the knowledge received in the sphere of economic theory, micro-economics, innovative management, civil law.

The discipline "Intellectual Property" is referred to a group of normative disciplines. It is an integral part of a cycle of the economic disciplines necessary for working economic subitems of enterprises and financial and economic establishments irrespective of a pattern of ownership and the organizational and legal form of management.

As a result of studying discipline the student should **know**:

the economic-legal contents of intellectual property;

the structure of intellectual property;

the essence and structure of the industrial property;

the essence and specificity of the copyright;

the features of formation and realization of the associated rights;
the essence and the commercialization mechanism of intellectual property;
the structure and classification of licence agreements;
the features of protection of intellectual property rights;
the international aspects of the development of intellectual property;
the role and values of intellectual property in formation of national innovative system.

During the discipline studying the following student **skills** should be generated:

to predict and assess critically the opportunities of an enterprise concerning creation and commercial use of objects of intellectual property;

to develop long-term plans of actions on creation and commercialization of intellectual property objects;

to develop actions on stimulation of intellectual activity and an embodiment of its results in manufacturing;

to make out contracts on purchase, creation, transfer of the rights and sale of objects of intellectual property;

to develop and make out applications on objects of intellectual property for delivery of security documents;

to realize actions on increase of economic, social and ecological efficiency of intellectual activity of an enterprise;

to organize commercial connections with the organizations in occasion of development and use of intellectual property objects;

to provide effective interaction of structural divisions of the enterprise involved in intellectual activity.

Basic **skills** of students are:

to find opportunities of an enterprise concerning the creation of intellectual property objects;

to spend constant monitoring of use of intellectual property objects at an enterprise;

to describe the essence and patent novelty of intellectual property objects;

to define social and economic efficiency of introduction of intellectual property objects at an enterprise;

- to count costs of intellectual property objects;
- to carry out the control over the protection of rights to the objects of the industrial property, copyright and associated rights;
- to provide an objective estimation of their own professional and mental potential;
- to initiate the organization of process of reproduction and an effective utilization of mental potential of an enterprise.

Autonomy of students after studying the discipline consists of the following abilities:

- to define independently the perspective of intellectual property objects;
- to define costs of intellectual property objects;
- to carry out the analysis of a condition of intellectual property objects;
- to form documents of commercialization of intellectual property objects.

Sociability consists of the ability of students:

- to form information about the communications with potential clients;
- to define models of interaction with partners;
- to form project team;
- to cooperate with members of a project team;
- to be able to present the results of researches;
- to be able to prepare presentation of lectures for conferences;
- to be able to conduct scientific discussions;
- to formulate correct questions to the speaker;
- to formulate objectively the advantages of intellectual property object and inform the listeners about them;
- to be able to form the attractive image of intellectual property objects.

2. The thematic plan of the educational discipline

The thematic plan of the educational discipline "Intellectual Property" consists of two modules, each of them is rather a separate independent block of the discipline and all of them are logically connected.

Educational process is carried out in such forms: lectures, seminars and practical lessons, independent work of the students. The structure of the test credit of the discipline is presented in tab. 2.

Table 2

Structure of the test credit of the educational discipline

Theme	Number of hours		
	Lectures	Practical lessons (seminars)	Independent work
Module 1. Theoretical foundations for the formation of intellectual property relations system			
Theme 1. Intellectual property as an economic and legal category	4	4	12
Theme 2. The essence and structure of the industrial property	2	2	14
Theme 3. Features of the formation and development of copyright and associated rights	2	2	12
Module 2. Preconditions and stimulus of intellectual property development in market economy			
Theme 4. Safety and protection of intellectual property rights	3	3	9
Theme 5. Actual problems of intellectual property commercialization	3	3	9
Theme 6. The international cooperation in the sphere of intellectual property	2	2	8
Theme 7. The formation of intellectual property institute in Ukraine	1	1	10
Total	17	17	74

3. The contents of the educational discipline according to modules and themes

Module 1. Theoretical foundations for the formation of intellectual property relations system

Theme 1. Intellectual property as an economic and legal category

The origin of the theory of property during the epochs of the Ancient World and the Middle Ages. The evolution of the theory of property in XVII – XIX centuries. The Modern theory of property.

Intellectual property as a result of intellectual creative activity. Interpretation of the concept "intellectual property" in economic literature in view of different theoretic and methodological approaches. Intellectual property rights. The theory of exclusive rights.

Spheres of intellectual property rights: the industrial property, the copyright and the adjacent rights. Subjects of intellectual property relations. Objects of intellectual property. Variety of sights concerning the structure of intellectual property objects.

Theme 2. The essence and structure of the industrial property

The essence and structure of the industrial property. Attributes of objects which are a part of the industrial property. The basic subjects of the industrial property relations. Objects of a patent right: the inventions useful to model, industrial samples. The basic conditions of patentability of the invention. The basic conditions of granting of a right protection to useful models. The major conditions of a right protection of industrial samples.

The trademark. A slogan. A brand. Classification of trademarks for the goods and services. The company name. Differences of trademarks and service marks from company names. Functions of means of the individualization of participants of a civil turnover, the goods and services.

Nonconventional objects of intellectual property: a know-how, a trade secret, inadmissible of an unfair competition. Topology (topography) of integrated microcircuits, conditions of its protection ability.

Theme 3. Features of the formation and development of copyrights and the associated rights

The essence of the copyright. Specific attributes of the copyright. The basic subjects of the copyright: founders, authors of derivative products and collections, other subjects. The copyright objects and their specific attributes. Classification of the copyright objects. The copyright principles. Personal non-property and property rights.

The associated rights, their attributes. Subjects and objects of the associated rights. The executors' rights. The manufacturers rights of records. The rights of radio and cable announcement organizations. The coordination of personal, individual and public interests as one of the basic purposes of copyrights and associated rights.

Module 2. Preconditions and stimulus of intellectual property development in market economy

Theme 4. Safety and protection of intellectual property rights

Substantiation of need the safety protection of intellectual property rights. The mechanism of intellectual property rights protection. The formation of institute of protection and intellectual property rights protection as law of an information society development. The essence of intellectual property rights protection.

Patent right, its characteristics. Functions of patenting. Main principles of a patent right. The patent. The basic economic concepts of patents. Patent system of intellectual property rights protection. Objects of a patent right: the inventions useful to model, industrial samples, computer programs and etc. Patent descriptions.

Protection of copyright and associated rights. A sign on protection of the copyright. A substantiation of protection necessity and the associated rights protection. Discrepancy of economic and legal relations concerning safety and protection copyright and associated rights. "Piracy" in the sphere of intellectual property, its form, a direction of struggle against it. Counterfeiting. A right protection of intellectual property newest objects (database).

Theme 5. Actual problems of intellectual property commercialization

The essence of intellectual property commercialization. The basic ways of the order of intellectual property rights. The basic subjects of attitudes to intellectual property commercialization. The market of intellectual property, its segments: the market of copyrights, the market of the rights to databases, the market of the rights to trademarks and service marks, the market of patent rights and etc.

The licence agreement. Subjects of the licence agreement. The essence of the licence, kinds of licences. The licence contract and its attributes.

Economic feasibility of licencing. Forms of compensation payment for the licence: lump-sum payment, a royalty. The price of the licence, methods of its definition.

Theme 6. The international cooperation in the sphere of intellectual property

The formation of the global market of the rights to the objects of intellectual property. The problems of settlement of the international relations in the sphere of intellectual property. Interest of the innovative countries a high level of intellectual property rights protection. A piracy and counterfeiting as the global problems of the present time. The forms of purchase of intellectual property rights under conditions of transnational innovative activity. The world intellectual property organization, directions of its activity. The world trade organization and its role in regulation of the international relations in the sphere of intellectual property. The agreement on trading aspects of intellectual property rights.

The international cooperation in the sphere of a patent right. The Parisian convention on protection of the industrial property, its position. The contract on patent cooperation. The European patent department, directions of its work.

The international aspects of protection and protection of copyright and associated rights. The Bern convention on the literature and works of art protection.

Theme 7. The formation of intellectual property institute in Ukraine

National innovative system. The value of intellectual property in the formation of national innovative system. The obstacles on the way of national innovative system formation in Ukraine.

Statutory acts in the sphere of intellectual property in Ukraine. The concept of the development of national system of intellectual property right protection. Intellectual property right according to the Civil code of Ukraine. The problems of formation of institute of intellectual property institute in Ukraine and directions of their solution.

4. Plans of lectures

Educational lecture is logically completed, scientifically proved and systematized statement of the certain scientific or scientific and methodical question. Lecture is one of the basic forms of educational lessons. It is meant to form a basis of knowledge in the certain scientific area, and also to define a direction, the basic contents and character of all other kinds of educational lessons and independent work of students on a corresponding discipline. Lecture should cover all new issues, that are in legislative documents, literature and has appeared in practice, to cover dynamics of changes and some inconsistent questions.

Module 1. Theoretical foundations for the formation of intellectual property relations system

Theme 1. Intellectual property as an economic and legal category

1. Evolution of theoretical ideas of the contents and structure of property.
2. The economic and legal contents of intellectual property.
3. Structure of intellectual property.

Recommended references: main [2; 12]; ancillary [15; 18; 28; 38; 43; 44; 47; 48; 51].

Theme 2. The essence and structure of the industrial property

1. Economic and legal relations concerning the objects of a patent right.
 2. The means of individualization of participants of the civil circulation of goods and services as the important component of intellectual property.
 3. Attitudes concerning nonconventional objects of intellectual property.
- Recommended references:* main [3; 9; 10; 12]; ancillary [19; 20; 24; 35; 36; 43; 48; 50].

Theme 3. Features of the formation and development of copyright and associated rights

1. The essence and specificity of the copyright.
 2. The features of formation and realization of the adjacent rights.
- Recommended references:* main [1; 7; 12]; ancillary [16; 19; 20; 23; 43].

Module 2. Preconditions and stimulus of intellectual property development in market economy

Theme 4. Safety and protection of intellectual property rights

1. Need of safety and protection of intellectual property rights.
 2. Protection of the industrial property rights.
 3. Protection of copyright and associated rights.
- Recommended references:* main [12]; ancillary [17; 19; 26; 29; 37; 38; 41; 43; 50].

Theme 5. Actual problems of intellectual property commercialization

1. The essence and the mechanism of intellectual property commercialization.
 2. Licence agreements, their structure and classification.
 3. Economic efficiency of licencing.
- Recommended references:* main [11; 12]; ancillary [25; 39; 43; 47; 49].

Theme 6. The international cooperation in the sphere of intellectual property

1. The problems of the global market formation of intellectual property rights to objects.
2. The international cooperation in the sphere of a patent right.
3. The international aspects of safety and protection of copyright and associated rights.

Recommended references: main [12]; ancillary [27; 40; 42; 50].

Theme 7. The formation of intellectual property institute in Ukraine

1. The role and values of intellectual property in the formation of national innovative system.
2. Problems and prospects of intellectual property development in Ukraine.

Recommended references: main [8; 12]; ancillary [17; 21; 22; 45; 46; 48].

5. Plans of practical lessons seminars

Seminar is an organizational form of educational lessons at which the teacher organizes discussion of questions on corresponding themes with students. Seminars are delivered in the form of conversation, reviewing and discussion of abstracts and reports, discussions and etc. Seminars provide the reinforcement of the knowledge received at lectures and during the independent studying of some issues of a discipline. The basic purpose of the seminars is expansion, deepening and reinforcement of the theoretical knowledge and their direction to the increase of mastering the level of a teaching material, development of skills and habits, scientific thinking and oral speech of students. At each seminar the teacher estimates knowledge of students, their participation in discussions, skills to formulate and defend their points of view.

Module 1. Theoretical foundations for the formation of intellectual property relations system

Theme 1. Intellectual property as an economic and legal category

1. Origin of the theory of property during an epoch of Ancient World and the Middle Ages.
2. The Evolution of the theory of property in XVII – XIX centuries.

3. The modern theory of property.
4. The essence and structure of intellectual property.

Recommended references: main [2; 12]; ancillary [15; 18; 28; 38; 43; 44; 47; 48; 51].

Theme 2. The essence and structure of industrial property

1. Objects of industrial property, their features.
2. The legal characteristic of inventions.
3. A right protection of useful models.
4. The industrial sample as an object of a patent right.
5. The history of trade marks.
6. A know-how as a specific object of intellectual property.

Recommended references: main [3; 9; 10; 12]; ancillary [19; 20; 24; 35; 36; 43; 48; 50].

Theme 3. Features of the formation and development of copyright and associated rights

1. The essence and nature of copyright.
2. The comparative characteristic of patent and copyright.
3. The associated rights: subjects and objects.

Recommended references: main [1; 7; 12]; ancillary [16; 19; 23; 43; 50].

Module 2. Preconditions and stimulus of intellectual property development in market economy

Theme 4. Safety and protection of intellectual property rights

1. A patent right and its principles.
2. Subjects of a patent right.
3. Procedure of delivery of patent.
4. Foreign experience of the copyright protection.

Recommended references: main [12]; ancillary [17; 26; 29; 37; 41; 43; 50].

Theme 5. Actual problems of intellectual property commercialization

1. Intellectual property commercialization as a component of intellectual capital.

2. Economic and legal aspects of licencing.

3. Kinds of licences.

Recommended references: main [11; 12]; ancillary [25; 39; 43; 47; 49].

Theme 6. The international cooperation in the sphere of intellectual property

1. The global market of rights to intellectual property objects.

2. The development of international cooperation in the sphere of patent right.

3. International and legal protection of copyright and associated rights.

Recommended references: main [12]; ancillary [27; 40; 42; 50].

Theme 7. The formation of intellectual property institute in Ukraine

1. The state system of intellectual property safety and protection in Ukraine.

2. The problems and prospects of intellectual property institute formation in Ukraine.

Recommended references: main [8; 12]; ancillary [17; 21; 22; 45; 46; 48].

6. Independent work of the students

Independent work of the students is one of the forms of training, the basic form of mastering teaching material during free time after obligatory educational lessons. Independent work on the educational discipline "Intellectual Property" includes: work with lecture material, work with legislative, normative and instructive materials, preparation for seminars and practical lessons, work with the questions, given for independent work.

6.1. The list of questions for independent studying

Module 1. Theoretical foundations for the formation of intellectual property relations system

Theme 1. Intellectual property as an economic and legal category

1. The essence and specificity of intellectual capital.
2. The structure of intellectual capital.
3. The disagreements of intellectual property.

Recommended references: main [2; 12]; ancillary [15; 18; 28; 38; 43; 44; 47; 48; 51].

Theme 2. The essence and structure of industrial property

1. National patent classifications.
2. The history of occurrence of company names and signs for goods and services.
3. The differences between well-known and famous trademarks.
4. The features of know-how and trade secret.

Recommended references: main [3; 9; 10; 12]; ancillary [19; 20; 24; 35; 36; 43; 48; 50].

Theme 3. Features of the formation and development of copyright and associated rights

1. The history of copyright.
2. The objects of copyright according to the Civil code of Ukraine.

Recommended references: main [1; 7; 12]; ancillary [16; 19; 20; 23; 43].

Module 2. Preconditions and stimulus of intellectual property development in market economy

Theme 4. Safety and protection of intellectual property rights

1. The origin of patenting.
2. The features of patenting process in the developed countries.

Recommended references: main [12]; ancillary [17; 19; 26; 38; 41; 43; 50].

Theme 5. Actual problems of intellectual property commercialization

1. Kinds of licencing which concern competitive policy of the government.
2. The conclusion of the license contract according to the Civil code of Ukraine.
3. Options and their role in the market of intellectual property objects.
Recommended references: main [11; 12]; ancillary [25; 39; 43; 47; 49].

Theme 6. The international cooperation in the sphere of intellectual property

1. The newest practice of intellectual property rights infringement.
2. Intellectual property as an object of international agreements.
3. The international agreements concerning industrial property protection.
4. Insurance of intellectual property in Europe.
Recommended references: main [12]; ancillary [27; 40; 42; 50].

Theme 7. The formation of intellectual property institute in Ukraine

1. Functions of the state bodies concerning the intellectual property safety and protection in Ukraine.
2. A problem of piracy and distribution of counterfeit products in Ukraine.
Recommended references: main [8; 12]; ancillary [17; 21; 22; 45; 46; 48].

7. Questions for self-diagnostics

1. How is the essence of the concept "intellectual property" treated in modern economic literature?
2. Characterize the evolution of scientific approaches to the essence of intellectual property institute.
3. Describe the structure of intellectual property right.
4. Characterize subjects of intellectual property attitudes.
5. How can the objects of intellectual property be classified?
6. What are intrinsic attributes of the objects of intellectual property right?
7. Characterize the essence and structure of industrial property.
8. What kinds of intellectual property are the objects of intellectual right?

9. Describe the features of inventions as the objects of industrial property.
10. Under what conditions the right protection is given to the useful models?
11. Describe the major characteristics of the industrial sample as the object of intellectual property.
12. What is a trademark? What kinds of trademarks are there?
13. Characterize the essence and purpose of company names and names of places of goods origin.
14. What is the role of means of individualization of goods and services civil circulation participants in modern market economy?
15. Characterize the nonconventional objects of intellectual property.
16. Characterize the essence of a category "copyright".
17. Describe the general and distinctive attributes of copyright and patent rights.
18. List subjects and objects of copyright.
19. What is the essence of copyright main principles?
20. How are disagreements of individual and public interests concerning products of science, literature and art issues are solved within the limits of the institute of copyright?
21. What are the essence and specificity of the category "the associated rights"?
22. Characterize the subjects and objects of associated rights.
23. What is the basic purpose of the institute of copyright and associated rights?
24. What is the necessity of intellectual property rights safety and protection caused by?
25. Describe the essence, basic features and principles of a patent right.
26. Characterize the patent right objects.
27. Why does the quantity of countries which give a right protection to useful models increase in the modern world?
28. What is "counterfeiting", "piracy" in the sphere of intellectual property? Are there any methods of struggle against these phenomena?
29. Characterize the institute of databases rights protection.
30. What problems it is rather right on objects of intellectual property generates penetration of commercial attitudes into network Internet?

31. How can the problems protection of the rights to the objects of intellectual property in a global information network be solved?
32. Why is there a necessity of assessing the objects of intellectual property?
33. Describe the essence and the mechanism of intellectual property commercialization.
34. What are the essence and practical value of licence agreements?
35. Characterize the subjects and objects of licence agreements.
36. How can licence agreements be classified?
37. Carry out the comparative analysis of methods of price of the licence definition.
38. Describe the essence and specificity of a royalty.
39. How is it possible to make use of foreign experience of intellectual property commercialization in Ukraine?
40. Characterize the major preconditions of formation of the global market of the rights to intellectual property objects.
41. Describe the purpose and the basic directions of activity of the World intellectual property organization.
42. What role in solving the problems of the international cooperation in the sphere of intellectual property is played by the World trade organization?
43. Characterize the essence and directions of the international cooperation in the sphere of a patent right.
44. Describe the international aspects of safety and protection of copyright and associated rights.
45. Define the role and place of Ukraine in the system of the international attitudes to the intellectual property objects.
46. What role is played by intellectual property institute in the development of national innovative system?
47. What role is played by the state in the sphere of formation and development of intellectual property in the developed countries of the world and in Ukraine?
48. What problems of intellectual property institute require the prime solution?
49. What is a specificity of intellectual property objects insurance?
50. Characterize the major directions of the improvement of the system of intellectual property protection rights in Ukraine.

8. Individual and consulting work

Individual and consulting work is a kind of teacher's communication with students which is carried out under the schedule of individual and consulting work in the form of: individual lessons, tutorials, check and defence of tasks which are given to the students as a current control and etc.

Individual lessons are given to students with the purpose of their preparation level increase and of individual creative abilities development. Individual tutorials include answers of the teacher to the problem questions of theoretical character in the discipline.

Tutorial is the form of educational lessons which includes an explanation of the certain theoretical positions or aspects of their practical application, consideration of typical examples and ways of use of knowledge received during studying the discipline in practice.

Individual and consulting work for a complex estimation of teaching material mastering is carried out in the form of an individual defence of independent and individual tasks, preparation of abstracts for performance at seminars, preparation of theses for performance at the scientific conferences.

9. A technique of training process activization

While teaching the discipline "Intellectual Property" for activization of educational process the application of such modern educational technologies, as problem lectures, mini-lectures, work in small groups, seminars-discussions, presentations are stipulated. The basic differences of active and interactive methods of training from the traditional ones define not only a technique and technics of teaching, but also high efficiency of educational process which appears in high motivation of students, application of the theoretical knowledge in practice, increase of students consciousness, an ability to make independent decisions, the abilities to make collective decisions and social integration, habits of solving the conflicts, development of the ability to compromise.

The distribution of forms and methods of training process activization by themes of a subject matter is resulted in tab. 3.

**The distribution of forms and methods of training process activation
by themes of the discipline**

The name of the theme	Practical application of educational technologies
Module 1. Theoretical foundations for the formation of intellectual property relations system	
Theme 1. Intellectual property as an economic and legal category	<i>Problem lecture</i> on the theme "Intellectual activity and intellectual capital is an economic basis of an information society", <i>work in small groups</i> concerning the definition of kinds and results of intellectual activity; the <i>presentation</i> of work in small groups
Theme 2. The essence and structure of the industrial property	<i>Seminar-discussion</i> on the theme "Specificity of industrial property"; <i>mini-lecture</i> on the theme "Features of modern branding"
Theme 3. Features of the formation and development of copyright and associated rights	<i>Mini-lecture</i> on the theme "History of copyright"
Module 2. Preconditions and stimulus of intellectual property development in market economy	
Theme 4. Safety and protection of intellectual property rights	<i>Mini-lecture</i> on the theme "Evolution of modern system of safety and protection of intellectual property rights"; <i>a seminar-discussion</i> on the theme "The problem of a proportion of subsystems of intellectual property right protection: a patent right and copyright"
Theme 5. Actual problems of intellectual property commercialization	<i>Mini-lecture</i> on the theme "Franchising as a way of trademarks licencing"
Theme 6. The international cooperation in the sphere of intellectual property	<i>Problem lecture</i> on the theme "Intellectual property in the epoch of Internet"
Theme 7. The formation of intellectual property institute in Ukraine	<i>Seminar-discussion</i> on the theme " The formation and development of intellectual property institute in Ukraine: problems and prospects"

Problem lectures are directed at the development of students' logic thinking. The circle of questions on a theme of lecture is limited by two or three key moments, the attention of students is concentrated on a material which hasn't been covered in textbooks, experience of foreign educational

institutions with distribution of a printed material to students during lectures and allocation of the main conclusions made concerning the points which are considered. At teaching a lecture material questions for independent contemplation are offered to students. Thus the lecturer asks a question which induces the student to search for the decision of a problem situation. Such system forces students to concentrate and start to think actively searching the right answer. At the beginning of carrying out a problem lecture it is necessary to formulate precisely a problem which is necessary to be solved by the students. At a statement of a lecture material it is necessary to avoid the direct answer to the questions, and to cover a lecture material so that the received information could be used by the students while solving the problem.

Mini-lectures provide a statement of a teaching material for a short-time interval and are characterized by significant capacity, complexity of logic constructions, images, proofs and generalizations. At the beginning of carrying out a mini-lecture the lecturer attracts the students attention to the necessity of presenting the stated lecture material in a so-called structural and logic way. While considering the fixed questions, the lecturer delivers the compressed material. The lecture lessons waken the student' activity and attention at perception of a material, and also direct them to use the system approach at reproduction of the information which they have received from the lecturer.

Seminars-discussions provide an exchange of opinions and sights of participants in occasion of a discussed problem and its separate aspects. Such seminars develop the independence of students' thinking and ability to analyse the information, form the certain outlook, develop skill to formulate ideas, state them and give reason during the further discussion, and also to estimate ideas and offers of others.

Work in small groups enables structured lectures or practical lessons (seminars), to create the opportunities for participation of each student in work on a theme of lessons, provides formation of personal qualities and experience of social dialogue. After a problem coverage or a summary of a material students are offered to be united in groups of 5 – 6 persons and to present the vision and perception of a material at the end of lessons.

Presentations are performances before an audience which are used for representation of certain achievements, results of group work, the report on individual tasks, instructing. One of positive features of presentation and its advantages in educational process is an exchange of experience which was received by the students while working in small groups.

10. System of current and final control of students' knowledge

The system of assessing the knowledge, skills and competencies of students provides exhibiting estimations at all forms of lessons.

Students' knowledge checking and assessment exist in such forms:

1. Assessing of the students' knowledge during seminars and practical lessons.

2. Assessing an individual research task performance.

3. Carrying out the intermediate control.

4. Carrying out the modular control.

5. Carrying out the final written examination.

Current assessment of students' knowledge and check of a readiness level of a student to perform a concrete work are carried out during practical and seminar lessons. The objects of the current control are:

1) an activity and productivity of student's work during a semester on studying the program material of the discipline, attending the lessons;

2) a performance of an individual research task;

3) a performance of the intermediate control.

Current assessment of students' knowledge it is carried out according to a 12-point scale by such criteria:

12 points. The student gets knowledge of a teaching material and effectively applies it to perform practical tasks which are stipulated by the curriculum. The answer of the student is full, correct, logic, contains the analysis, ordering, generalization. The student is able to find and use independently sources of the theoretical and practical information and to estimate it. He establishes cause and effect inter subject connections, gives the reasonable conclusions, correctly and consciously uses all the received documentation within the limits of the curriculum, faultlessly carries out practical tasks with use of typical algorithm (sequence of actions), independently developed. He displays cognitive and creative interest to the selected speciality.

11 points. The student gains the generalized knowledge of teaching material in full and is capable to use it for performance of all practical tasks stipulated by the curriculum. The answer of the student is full, correct, logic and also contains the analysis, ordering, generalization of a teaching

material. He is able to find and use independently sources of the theoretic and practical information and to estimate it. He also establishes cause and effect and inter subject connections, gives the reasonable conclusions, is correctly and consciously applies all kinds of the received information. He carries out practical tasks correctly, in full both with use of typical algorithm, and independently develops it. When answering and performing practical tasks he makes insignificant discrepancies which independently finds out and corrects. He displays cognitive and creative interest to the selected speciality.

10 points. The student is able to consciously acquire the new economic information in volume which is stipulated by the program, acquires profound knowledge of a teaching material and is capable to use correctly it for practical tasks performance. The answer of the student is full, correct, logic, contains the analysis and ordering. The student establishes cause and effect and inter subject connections, gives the reasonable conclusions with insignificant consultation of a teacher. He is able to use independently sources of theoretic and practical information and correctly applies the received information. He carries out practical tasks correctly, in full both with use of typical algorithm, and in a little bit changed conditions. When answering and performing practical tasks he makes discrepancies which can correct independently. He displays cognitive and creative interest to the selected speciality.

9 points. The student accumulates the basic teaching material in oral, written and graphic forms and applies it at performance of practical tasks both in typical, and in complicated conditions, defines the basic concepts, analyzes, compares and systematizes the information, establishes relations with a solved question and makes the conclusions. His answer is correct, logic and proved enough. The student carries out practical tasks in typical algorithm with consultation of a teacher, consciously uses helpful information. When answering and performing practical tasks he makes insignificant mistakes which can correct himself.

8 points. The student independently with understanding reproduces the basic teaching material and applies it at performance of practical tasks in typical conditions (standard situations), defines the basic concepts, analyzes, compares the information, establishes its connections with a solved problem and makes the conclusions. The answer is correct, logic and proved enough. The student carries out practical tasks in typical algorithms with the advisory help of a teacher, consciously uses helpful information. When answering and performing practical tasks he makes insignificant mistakes which partially corrects.

7 points. The student independently with understanding reproduces the essence of substantive provisions of a teaching material and applies it at performance of practical tasks in typical conditions, defines the basic concepts, categories and laws, analyzes, makes the conclusions. His answer is correct, but contains discrepancies and is insufficiently proved. He carries out practical tasks in typical algorithms with the advisory help of a teacher, uses the helpful information. When answering and performing practical tasks he makes insignificant mistakes which partially corrects.

6 points. The student without sufficient understanding reproduces the basic teaching material and carries out practical tasks with episodic help of a teacher, with several mistakes defines the basic concepts, categories, laws, can partially analyze teaching material, compare and make the conclusions. When answering and performing practical tasks he makes insignificant mistakes.

5 points. The student without sufficient understanding reproduces substantive provisions of a teaching material and carries out practical tasks with the partial help of a teacher, with mistakes defines the basic concepts, can partially prove and analyse the answer. During the answer and performance of practical tasks he makes mistakes which cannot correct independently.

4 points. The student without understanding reproduces a teaching material and carries out practical tasks with the help of a teacher, has significant difficulties at the analysis and comparison of economic events and processes. During answering and performing the practical tasks he makes a significant amount of mistakes which cannot correct independently.

3 points. The student copes with the material at a level of separate fragments which represent an insignificant part of a teaching material.

2 points. The student copes with the material at an elementary level of mastering, states it in abrupt sentences, does not find out an ability to state an idea at an elementary level.

1 point. The student copes with the teaching material at a level of elementary recognition and reproduction of separate facts, elements, objects which are designated by the student separate words or sentences.

The control of regular performance of independent work and activity over seminar lessons is carried out according to 12-point scale by the following criteria:

- 1) understanding, a level of mastering the theory and methodology of problems which are considered;
- 2) a level of mastering the discipline material;

3) acquaintance with the basic and additional recommended references considered within the limits of the discipline;

4) acquaintance with legislative and statutory acts concerning intellectual property;

5) skill to unite the theory with practice by consideration of practical situations, the performance of tasks, carrying out of calculations when performing the tasks which have been given for self-study, and the tasks placed for consideration in an auditorium;

6) the logic, structured style of a written material statement and at performances in auditorium, skill to prove the position to carry out generalization of the information and to make conclusions.

The individual research task is estimated by such criteria as:

1) independence of performance;

2) logicity and sequence of a material statement;

3) completeness of a theme revealing;

4) validity of conclusions;

5) use of statistical information and additional references;

6) presence of specific proposals;

7) quality of registration.

The intermediate modular control of students' knowledge level provides revealing the a lecture material mastering by the students and their skills to apply it for the solution of a practical situation and the question, directed to the decision of a practical task, and also test tasks in the form of written work which contain questions of theoretical character.

The modular control is exercised twice a semester. At it is carried out to define the level of students' knowledge of theoretical and practical questions of the discipline. The modular control is carried out and estimated for two components: the practical modular control and the lecture modular control. The estimation for a practical component of the modular control is exposed by the results of students' knowledge assessment during the seminar and practical lessons, performance of an individual research tasks and the intermediate control over the schedule of educative process. The lecture modular control is carried out in writing.

The sample of the modular control task

Variant 1

1. Answer the theoretical questions:

1. How is the essence of a category "intellectual property" treated in the modern economic literature?
2. Compare the theory of the property right and the theory of exclusive rights. What theory is the most comprehensible to the Ukrainian economy? Why?
3. Name the basic attributes which enable to connect objects of the industrial property into one group.
4. What is the role of means of participants individualization of goods and services civil circulation in modern market economy?

2. Answer the test questions:

1. Is it conventional, that the intellectual property covers such spheres of rights as:
 - a) industrial property, copyright and associated rights;
 - b) industrial property and the rights which concern the results of intellectual activity during the research and design development;
 - c) copyright and associated rights;
 - d) the rights concerning scientific products, works of art, associated rights and etc.
2. Separate persons, collectives (groups) of persons, a society as a whole, the state are:
 - a) objects of intellectual property attitudes;
 - b) subjects of intellectual property attitudes;
 - c) components of intellectual property;
 - d) passive components of intellectual property attitudes.
3. Objects of copyright and associated rights are:
 - a) results of creative activity in scientific, technical and industrial spheres;
 - b) means of individualization legal persons, individualization production, the executed works, services;
 - c) nonconventional objects of intellectual property;
 - d) created as a result of creative intellectual activity of the authors of literary, scientific works, works of art, computer programs, databases, TV and radio broadcasting.
4. Objects of intellectual property of a separate enterprise on a payment of workers of an enterprise are divided into:
 - a) own, involved, borrowed;
 - b) internal, external, foreign;
 - c) own, ordered, got;
 - d) own, share, got.
5. The major objects of a patent right are:
 - a) the inventions useful to model, industrial samples;
 - b) signs for goods and services, works of art, efficiency proposals;

- c) execution, soundtracks, devices;
- d) computer programs, databases, programs of the organizations' announcement.

6. Patentability of an invention is:

- a) conformity to conditions of granting the right protection, the stipulated legislation;
- b) conformity to public interests, principles of humanism and morals;
- c) presence of original creative idea;
- d) absence of disclosing of an invention essence for a uncertain circle of persons.

7. Useful models differ from inventions in the following ways:

- a) they cover broader audience of objects;
- b) they have lower inventive level;
- c) they require more difficult procedure of a right protection granting;
- d) they provide longer validity of the security document.

8. The basic ways of the order of intellectual property rights include:

- a) sale of property rights, alienation of property rights;
- b) sale of property rights, rent of property rights;
- c) transfer of property rights by patenting, the purchase of property rights;
- d) sale (alienation) of property rights, transfer of property rights by licencing.

9. The sanction to use of intellectual property objects is:

- a) the licence contract;
- b) the licence;
- c) the licence agreement;
- d) the licensor.

10. Allocate the given approaches to value costs of intellectual property objects in the proper order:

- a) costly, comparative, profitable;
- b) profitable, costly, investment;
- c) investment, comparative, analog;
- d) profitable, comparative, innovative.

The final control of students' knowledge of the discipline is carried out on the basis of written examination by the use of examination cards. It is passed when there are positive estimations under the modular control. The assessment of students' knowledge by the results of written examination is carried out according to 12-point scale by the criteria concerning current assessment of students' knowledge.

The general assessment of students' knowledge of the educational discipline "Intellectual Property" is carried out on the basis of modular control and written examination.

The sample of an examination card

KHARKIV NATIONAL UNIVERSITY OF ECONOMICS

Speciality: 8.14010301 "Study of Tourism" (by types)"

Semester: 1 (10)

Educational discipline: "Intellectual Property"

The examination card 1

Task 1

Describe the content of the category "intellectual property". What is ambiguity and discrepancy of approaches in the modern economic literature to the definition of intellectual property essence caused by? How do the "intellectual capital", "intellectual resources", "intellectual property" correspond to the concept?

Task 2

Analyse the dynamics of quantity of the industrial property objects which are used by different kinds of economic activities in Ukraine for the corresponding period (tab). Make the conclusions.

Task 3

Object, which is estimated and protected by the patent, is a design of the automatic device for welding. The automatic device for welding, which is compared, has the big weight, demands the top skills of a welder. Output and distribution of welding automatic devices during five years are the following: 1st year – 200 units, 2nd year – 1 000 units, 3rd year – 1 000 units, 4th year – 1 000 units, 5th year – 800 units. The price of one new welding unit device is 1200 c.u., and of the compared one is 970 c.u. Factor of discounting is 15 %.

Define a project costs of intellectual property by means of a method of advantage in profit.

Task 4

During the manufacturing of a drink new installation is applied to the mixing, protected by the patent for useful model. As a result quantity produced with the use of new installation of a drink increased from 200 litres up to 220 litres per hour. Other objects of the industrial property on given operations (mixing) from the date of introduction of installation were not used, the organizational and industrial actions directed to the increase per hour, also were not used.

Define a part of profit if the usage of new installation for mixing in common benefit received in the specified period of time the profit is 5.4 million hrn.

Use of industrial property objects in Ukraine

Name of a branch	Quantity of the offers used					
	Inventions		Useful models		Industrial samples	
	2005	2006	2005	2006	2005	2006
In total	3 629	2 911	1 631	2 176	717	876
Agriculture	1	17	–	3	–	3
Industry	826	827	401	495	587	752
Mining industry	56	47	7	22	6	7
Processing industry	762	775	393	469	579	745
Manufacturing and distribution of electric power, gas and water	8	5	1	4	2	-
Building	19	13	12	3	-	-
Trade, repair	32	40	27	44	23	33
Activity of hotels and restaurants	–	–	–	2	4	4
Activity of transport and communication	9	20	9	13	–	2
Financial activity	8	9	–	3	7	9
Operations with real estate, granting of services to businessmen	1 206	906	420	656	91	69
Research and development	1 132	879	412	629	86	66
The government	12	8	1	4	–	–
Education	1 235	1 003	689	868	2	4
Public health services	56	67	69	85	–	–
Granting of municipal and individual services	225	1	3	–	3	–

Task 5

Travel agency "CAM" has registered a sign for their services in the form of an apple and the inscription below "CAM" with capital letters, and also the name of agency "CAM". After a while workers of tour agency have casually learned, that the similar sign for the goods and services is used by the state of emergency "Shoes factory "CAM".

Taking into account, that the presence of two legal persons with similar names and signs for the goods and services can lead to a mess and consumers' confusion, the travel agency has sent to the Economic court the requirement about an interdiction of use by shoe factory of a sign for the goods and services and about compulsory renaming of the factory.

1. How is registration of signs for the goods and services carried out?
2. Is the use of a trademark by the respondent similar to a trade mark of the claimant?
3. Are there any grounds for satisfaction of claimant's requirements?

Criteria of assessment of written examination paper in the educational discipline "Study of Tourism"

Carrying out of final examination. The result of studying the discipline is carrying out the assessment of knowledge by means of written examination. A condition of an examination set is a positive mark of the current modular control of knowledge.

Each examination card consists of five tasks of three levels of complexity:

one **stereotypic task**, the maximal mark for which makes 1.5 points for an accomplished task;

three **diagnostic tasks**, the maximal mark for which makes 2 points for each task;

one **heuristic task**, the maximal mark for which is 4.5 points.

Each task of the examination card is estimated separately and has its own criteria. In a stereotypic task the basic competences which the student has acquired are supervised.

In diagnostic and heuristic tasks the professional competences and skills corresponding them which the student owns are supervised. In a heuristic task besides the student's competence the analysis of an accomplished task that leads to the true conclusions, with corresponding recommendations is supervised, and also the student's creativity and skill to carry out interrelation between the received professional knowledge, skills and features of a modern situation in economy of Ukraine are estimated.

Thus the estimation of the accomplishment of stereotypic, diagnostic and heuristic tasks is carried out on the following criteria which correspond to the points stated in tab. 4. The final estimation of examination consists of a score for the performance of all tasks.

Table 4

Criteria of assessment

Tasks	The point	Criteria of assessment
	1.0	The true tasks performance (calculations)
Total sum of points for the performance of one task	1.5	
2, 3, 4 (diagnostic)	0.5	The true tasks performance (calculations)
	1.0	The presence of a substantiated conclusion
	0.5	The presence of the generated recommendations (administrative actions) by task results
Total sum of points for the decision of one task	2.0	
5 (heuristic)	0.5	The true tasks decision (calculations)
	0.5	The presence of a substantiated conclusion
	0.5	The presence of the generated recommendations (administrative actions) by task results
	2	Creativity in the performance of a task, the statement of own position in the generated conclusions and recommendations
	1	Awareness on a modern economic situation and use of this knowledge while performing the task
Total sum of points for the performance of a task	4.5	

The final estimation in the discipline according to the University parameters of students' knowledge success of students is converted into a final estimation on scale ECTS (tab. 5).

Table 5

Parameters of students' progress according to the assess system of ECTS scale

The percentage of students who as usual successfully reach a corresponding estimation	Mark by ECTS scale		Marks by a scale used in KhNUE	Mark by a national scale
10	Excellent performance	A	12 – 11	Excellent
25	Above an average level	B	10	
30	In general the work is correct with the certain quantity of mistakes	C	9 – 7	Good
25	Not bad, but with some lacks	D	6	Satisfactory
10	Performance is satisfactory	E	5 – 4	
–	Necessity of reexamination	FX	3	Unsatisfactorily
–	Teach-repeat routine	F	2 – 1	

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for students of the speciality 8.14010301 "Study of Tourism"
of all forms of study

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