

# № 4 (54), 2010

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**O. Shtefan**

## Protection and defence of copyright: theoretical aspect

P. 3-17

In this article the author attempts to combine doctrinal position concerning the “protection” and “defense” with the provisions of regulatory legal acts and their enforcement.

**A. Hryshchenko**

## Charging order of proprietary rights of copyright and related rights as the subject of pledge

P. 18-24

The author analyses some problems of pledge of the intellectual property rights. At the very beginning of this article the author shows urgency of this theme. The author provides the analysis of main problems in this sphere. At the end of the article the author tells us about modification of the national legislation.

**H. Dorozhko, Ye. Kifyuk**

## Some questions of protection and defense of digital photographic works

P. 25-28

The authors consider the problems connected with the creation and use of photos. They also offer their suggestions for the development of effective protection of digital photographic products and explanation of the problem of creativity and its influence on the protectability of a work.

## **O. Matskevych**

### **Editor of mass-media as the person of law in copyright**

P. 29-35

This paper gives an analysis of relations between persons in the process of making of print media. Particular attention is paid to studying the problem of recognition of an editor as the person of law in copyright. The author tries to determine the measure of intellectual property rights belonging to the editor.

## **H. Androshchuk**

### **Patent system in the world's economy: development scenarios**

P. 36-53

The article is based on the results of the study «EPO Scenarios for the Future», held on the initiative of professor Alain Pompidou, the President of the European Patent Office. Such studies carried out for the first time, it lasted more than three years and is based on more than one hundred formal interviews with the world's leading experts in the business world, civil society leaders and politicians, experts in intellectual property field, international organizations, patent offices.

## **B. Prakhov**

### **Basic purposes of patent protection of inventions abroad**

P. 54-60

With the mass development of inventing acts supreme value accrues the legal protection of inventions not only domestically but also abroad. The author proves the importance of such protection, and also explains the benefits of such protection in the future.

**N. Ivanytska**

**Particular problems of realization of the rights to the trademark owned by several persons**

P. 61-66

The article contains the analysis of certain issues originating from joint realization of rights for using of the trade mark registered on the names of several persons. In particular some aspects of entering into license agreement or some other contract of disposal of the intellectual property rights are studied. It is substantiated that it would be correct in juridical sense to refer to the analyzed legal relations as «joint possession of intellectual property rights for trade mark». It is found a gap in legislation concerning the form of approval given by all and every joint possessors of intellectual property rights for trade mark to make the license agreement or some other contract of disposal of the intellectual property rights. Filling the gap is offered by means of the applicable laws amending.

**V. Dmitrishin**

**The correlation between agreements on disposal of property and agreements on disposal of intellectual property rights**

P. 67-74

The agreements on disposal of economic intellectual property rights have been considered and the legal analysis of their correlation with civil – law agreements on purchase/sale, donation, rent (leasing) as well as on production have been made.

**N. Moskalyuk**

**Feature of licence contracts on the use of inventions in the field of the genetic engineering**

P. 75-80

In the article the author conducts a study and generalization normatively legal requirements which behave to the license contracts with making of the scientifically grounded special signs of licence contracts on the use of inventions in the field of the genetic engineering.

**O. Simson**

**Innovation law as the guarantee of stable innovational development**

P. 81-86

There is a little studies on innovation law in Ukraine. The author investigates the causes of such phenomenon, as well as the legal nature of innovation law and adduces arguments by which such a right should be represented in the legal system of Ukraine.

**D. Akimov**

**Social grounds of of labor migration: the western and eastern models**

P. 97-91

The author's article highlights one of the key-directions of a new scientific discipline staring its active development – "Migration theory". The author offers to consider the problems connected with the appropriate approach to labour migrants on the part of emigrate-states, that is the attitude to a similar process on the part of the Ukrainian, and by the Ukrainian citizens traveling to work and choosing western or eastern migrational direction.