

## IMPROVEMENT OF LEGAL PROTECTION OF INTELLECTUAL PROPERTY IN MODERN UKRAINE: PROBLEMS AND PROPOSALS



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**Abstract.** The article analyzes the legislation and practice of its application concerning the need to improve the culture of social relations in the field of intellectual property, taking into account the

need to improve the legal protection of intellectual property in Ukraine. This will foster optimizing the conditions for creative intellectual activities of engineers, inventors, scientists, for the development of a civilized market for the results of their activities, for the commercialization of a wide range of objects of intellectual property, for effective and honest business operations and so forth. The issue of the need to codify the current regulatory framework, which affects the regulation of relations in intellectual property law, is analyzed.

The article focuses on the high level of piracy and large-scale infringements of intellectual property rights in Ukraine. The lack of citizens' readiness to respect intellectual property law, the contempt for the protection of the results of intellectual work, and the weakness of the mechanisms of protection and defense of the results of intellectual creativity are emphasized. The reason for violations in the field of intellectual property is defined as the low level of general culture of the citizens of Ukraine and the low level of education in the field of intellectual property. The need to overcome the contradictions existing today in the process of training future lawyers is substantiated, as well as the search for a systematic basis for creating and implementing the model of training students for future professional activities is proposed.

The article proposes to develop and implement a structured program for the implementation of intellectual property management strategy in Ukraine. Given that there are different techniques for managing such projects, and they all include common features, the relevant government agencies and institutions in the field of intellectual property should choose and implement the methodology that best suits the real situation and is the most effective.

**Key words:** *legal protection of intellectual property, legal culture, commercialization of objects of intellectual property, training lawyers in the field of intellectual property, intellectual property management strategy, project management.*

### Introduction

Strengthening the legal protection of intellectual property is extremely important and relevant from the point of view that intellectual activity as the experience of countries with developed economies shows already determines the strategy and tactics of socio-economic development of civilized countries of the world. In these countries the priority is not production but science, culture and technology. In Ukraine there are many problematic issues of legal regulation of this sphere. It is possible to identify the main vectors. These include society's unwillingness to respect intellectual property rights, neglect of intellectual protection, and the absence of effective mechanisms to protect the results of intellectual creativity.

Today we are witnessing high levels of piracy and large-scale violations of intellectual property rights. With regard to the regulation of the subject matter of intellectual property rights it is imperfect. But the most serious problem in this area is both the low level of the general culture of Ukrainian citizens and the low level of education in intellectual property. This is one of the reasons for the inadequate training of judges, employees of the Ministry of Internal Affairs, SSU, customs and tax services and other professionals involved in intellectual property relations.

With regard to the problems of improving legislation in intellectual activities it is worth mentioning the aspects of improving the quality of the regulatory framework, strengthening the

scientific basis and democratization of law-making and law enforcement. In the context of market relations legal regulation in intellectual and creative activities of the human being changes the boundaries of legal influence. The completeness of legal regulation implies the creation of legal guarantees that can ensure the development and implementation of various forms of ownership both in scientific and technological creation and in general. Therefore modern legislation in this area should be complete, systematic and reasonable. This means that all types and forms of relations arising in the process of inventive search are regulated by law. However the completeness of legislation should not be reduced to an increase in the number of regulations. Unification of legislation is necessary on the basis of integration increase of level of systematization and validity of legal regulation.

**Analysis of recent studies and publications.** The issues of the studied problem of intellectual property protection and the level of legal culture were considered in the works of such domestic scientists as G. Androshchuk, M. Galiantych, A. Kodynets, O. Kokhanovska, V. Kryzhna, O. Kharytonova, V. Pylypchuk, V. Pankevych, S. Bondarenko, S. Gordiienko, S. Dovgyi, N. Myronenko, O. Yuldasheva, etc.

**Purpose of the article.** The purpose of this article is to analyze the social preconditions that the organizational and legal aspects of improving the legal protection of intellectual property in modern Ukraine are an important factor in improving the economy of the country, promoting scientific and technical progress, creation of new inventions and highly effective intellectual property objects necessary for Ukraine as well as improving their legal protection.

The creation of appropriate legal protection of intellectual property in Ukraine in the context of the globalization of scientific achievements, the latest technologies, the Internet, etc., can no longer be considered only as an internal affair of Ukraine. The development of national intellectual property legislation therefore reflects the transformation that is taking place in society. This is a logical and understandable response to the changes in the economic life of the State and an attempt to create conditions for the realization of the rights of citizens to creative activities provided for in the Constitution of Ukraine. At the same time it is an attempt to create a reliable mechanism for the protection of intellectual property rights. To this end national legislation implements the rules and regulations adopted by the international community. The need for such harmonization is an objective requirement of the times which cannot be ignored.

It is clear that legislation in any sphere of social relations cannot be perfect. This has

always been, and will continue to be, prevented by circumstances related to the development of society. Humanity is moving towards new achievements, absorbing all that is fit for purpose and rejecting all that hinders this objective process. Therefore while addressing gaps, shortcomings, contradictory provisions in existing national legislation, inconsistencies with international standards in intellectual property we note that these issues need to be addressed in a comprehensive manner, thoughtful, given the feasibility immediately.

Strengthening the legal protection of intellectual property at the current stage of development of Ukraine is necessary also because intellectual activity, as the experience of countries with a developed economy, will determine the strategy and tactics of social and economic development of our state. It is not production but science, culture and technology, that will be the defining priority. The concept of "**culture**" should be understood in its broad sense. It is education, culture of behavior, scientific and technical level of production, literature, art and many other components that determine the level of civilization of a society.

The level of culture demonstrates the worldview, attitude, moral principles and other human values as a society as a whole and each individual. That is, it is culture in the broad sense of this concept predetermines, forms the spiritual world of society and each individual.

Consideration should also be given to the fact that intellectual property law is not a well-established (stable) homogeneous part of law but rather that it is constantly in the process of change, including: harmonization of national legislation with international law.

The development of a national system for the protection of intellectual property in the context of Ukraine's integration into the European Community is an integral part of the

international system for its protection. The National Strategy for the Development of the Intellectual Property in Ukraine for the period up to 2020 defines the general provisions of priorities and prospects for the development of the National Intellectual Property System in particular the goal, strategic directions and main tasks, the use of which should be directed to the implementation of public policy in intellectual property. However, today there are many unresolved problems in its predecessor – the Concept of Development of the State System of Legal Protection of Intellectual Property on 2009-2014 which was approved by the decision of the Board of the State Department of Intellectual Property (Protocol of March 11, 2009. No. 11) in order to determine ways to further develop and improve the state system of legal protection of intellectual property, the priorities of which are the most complete, timely, high-quality provision to individuals and legal entities of the acquisition and protection of intellectual property rights in accordance with international norms and standards. Among them, ensuring reliable guarantees of legal protection of intellectual property is an integral attribute of statehood of any civilized country. For this there is a sufficient legal basis: the provisions of the Constitution of Ukraine (art. 41, 54), the norms of the Civil Code of Ukraine (Issue IV "Intellectual Property Rights"), Economic, Criminal, Customs Codes of Ukraine, Ukrainian Code of Administrative Offences. In Ukraine there are special laws in intellectual property: "On protection of rights on inventions and useful models", "On protection of rights on industrial samples", "On protection of rights on marks for goods and services", "On protection of rights on plant varieties", "On protection of rights on indication of origin of goods", "On protection of rights on topography of integrated circuits", "On copyright and related rights», «On protection of economic competition", "On distribution of audio-visual copies of works and phonograms", "On peculiarities of state regulation of activity of economic entities, connected with production, export, import of discs for laser reading systems". There are a number of secondary legislation.

In Ukraine, the organizational structure of the bodies providing activities in intellectual property protection has been formed. It has been created and operates and there is also a

strong legal and regulatory framework that generally meets international norms and standards, appropriate infrastructure has been built and mechanisms for implementing legal norms have been introduced.

However, as evidenced by practice and massive violations of intellectual property rights, the system is vulnerable. They are well known to professionals and reminding them will not move until compliance with the well-written norms of existing legislation becomes the norm for owners of property rights, their users and government officials. The shortage of such in Ukraine is obvious. It has intensified with changes of political elites and their attempt to form management teams not on such professional grounds as education, work experience, achievement, but on belonging to this political force.

Issues of codification of intellectual property law on objective values common to all objects of intellectual property remain topical. Existing problems in gaps in legislation as well as intellectual property include the lack of legislative development regarding the contractual transfer of know-how as defined in the Law of Ukraine "On the state regulation of activities in technology transfer".

The protection of intellectual property rights in the global computer network of the Internet also awaits the legislative regulation. International obligations require an effective system of intellectual property protection. It is therefore important to bring national legislation into line with the requirements of the European Union Directives and European national legislation, the World Intellectual Property Organization Copyright Treaties, on the performance and phonograms and recommendations of this organization for the protection of the most advanced information technology facilities.

With regard to other problems in intellectual property it should be noted that there is no clear legislative regulation of the object of industrial property, the commercial (brand) name. In the current conditions of development of the market economy and as a consequence of the growth of the competitive struggle of various economic entities the identification of participants in economic turnover acquires special importance. They are interested in forming a positive attitude towards themselves, gaining recognition in the market, and this is possible only when

consumers and other producers can correctly identify the subject and his activities. One of the criteria for identification is the brand name. The legal regulation of relations according to brand names is carried out by different legal acts. But these acts cannot provide answers to many questions related to the emergence, use and termination of the right to a brand name.

The absence of a separate law containing the definition of a brand name, settled the controversial issues arising in this sphere, established adequate protection of the right to the firm, made it more difficult for the subjects of civil circulation to exercise their rights, these social relations. The adoption of the relevant law will contribute to the improvement of the state regulation of the competitive environment and the development of market relations.

We believe that the improvement of the current legislation on commercial (brand) names can be realized by the adoption of the Law of Ukraine "On the protection of rights to trademarks, geographical indications and commercial names". Such a law should establish a legal regime for three objects of intellectual property: trademark, geographical indication and commercial name. With regard to the latter, the concept of a commercial name should be defined, the requirements for its formation and the features of legal protection should be established.

In line with world practice a list of the conditions under which a name cannot be recognized as commercial should be provided. First of all these are designations that do not correspond to their definition or are contrary to public policy, the principles of humanity and morality or containing abbreviated or complete names of international intergovernmental organizations without the permission of the competent organ of those organizations or their owners, official names of States and major cities, complete or abbreviated names of state bodies, authorities, local authorities and derivatives of these names.

Attention should also be given to the content of commercial name rights. Commercial naming rights are proprietary rights to use a commercial name, to prevent other persons from abusing a commercial name including prohibiting such introduction and other legally established property rights. And with regard to the question of termination

of rights to a commercial (brand) name, a list should be provided of the grounds on which the right to a commercial name ceases, namely: in the event of liquidation of a legal person, termination of the entrepreneurial activity of a natural person or by a court decision.

Also the solution of conflicts of rights to commercial names and trademarks, commercial names and domain names, the fate of a commercial name need a legislative definition in the case of reorganization of a legal entity and there is no definition of the concept of consolidation of commercial names, etc.

As the case law shows today the conflict between trademark and commercial name is more frequent in the application of Article 6 of the Law of Ukraine "On Protection of Marks for Goods and Services", paragraph 3 of which establishes: "can not be registered as signs, identical or similar so that they can be confused with the brand names known in Ukraine and belong to other persons who have obtained the right to them before the date of submission of the application for homogeneous goods and services". The concept of information of a commercial name used in this article is not defined either in legislation or in legal literature. In this regard the courts are faced with a number of contentious issues including the determination of criteria for establishing the fact of the collection of commercial names on the territory of Ukraine; questions of determining the territory on which such a list will be distributed; questions of defining criteria for which evidence of the identity of the brand should be considered generally accepted, etc. The definition of the form of the commercial name may be of great practical importance in resolving disputes over the use and protection of well-known marks.

Also common categories of violations of commercial name rights are its unlawful or conflicting use in domain names, trademarks or commercial names in which rights belong to other persons.

Thus the urgent need today to improve the legal regulation of commercial names both for the functioning of individual enterprises and for the development of fair competitive relations in our country and in the international market. In the light of current legal and economic processes such improvements should be made by bringing the

relevant legislation into line with the norms of the Civil and Economic Codes of Ukraine, harmonization with relevant EU legislation, improvement of the legislation on commercial names to take into account international and national experience in its application in practice.

Bearing in mind all the above let us emphasize the need to further improve the legislation aimed at ensuring the constitutional rights of citizens to the protection of intellectual property, ensuring favourable conditions for the creation of new, modern objects of intellectual property, development of civilized market of these objects. State assistance to the protection of intellectual property requires the introduction of organizational legal measures, the pooling of efforts of various government bodies, non-governmental institutions and public organizations, identification of further ways of development of the national system of legal protection of intellectual property.

In the context of market relations, legal regulation in intellectual and creative human activities presupposes a change in the boundaries of legal influence. The completeness of legal regulation leads to the creation of legal guarantees that can ensure the development and implementation of various forms of ownership, both in the sphere of scientific and technological creativity and in general. Therefore modern legislation in this area should be complete, systematic and reasonable. This means that all types and forms of relations arising in the process of inventive search are regulated by law. However the completeness of the legislation should not be reduced to an increase in the number of normative acts. Unification of legislation is necessary on the basis of integration, increase of level of systematization and validity of legal regulation.

Improving the national system for the protection of intellectual property in the context of Ukraine's integration into the European Community is an integral part of the international system for its protection. The National Strategy for the Development of the Intellectual Property in Ukraine for the period up to 2020 has been approved, defining the general provisions of the priorities and prospects for the development of the National Intellectual Property System in particular the objective, strategic directions and main

objectives to be used in the implementation of public policy in intellectual property.

The strategy of innovative development of Ukrainian society today is the development of the latest scientific ideas and technologies, including grid technologies. In this context the development of the intellectual sphere in Ukraine requires both the improvement of the regulatory framework and the improvement of mechanisms for State management of intellectual property and the development of the institutional framework. Improving mechanisms for acquiring legal protection of intellectual property, improving incentives in intellectual property and creating effective mechanisms for the protection of intellectual property rights are also topical issues. It is necessary to develop effective methods of preventing, counteracting, investigating intellectual property crimes, raising awareness and developing a high culture of the general public in the field of intellectual property. Achieving this requires raising the level of education in intellectual property, expanding international partnership, cooperation in intellectual property. Another equally important task is to ensure a high level of intellectual security, address the issues of recycling of products in which intellectual property objects, as well as financial and material-technical provision of introduction of innovative model of development of Ukrainian society. A separate issue is the implementation of national monitoring and evaluation of the implementation of the latest ideas, developments but tools and grid technologies. When developing a strategy for the innovative development of the Ukrainian State it is also necessary to take into account the problems of the development of globalization which needs a theoretical understanding of trends in the evolution of the legal system, cybernetic, psychological and economic science and especially the science of intellectual property law.

The most relevant issues in the above context are: the establishment of an effective and efficient legal and institutional system for the protection of intellectual property rights in Ukraine; the expediency of implementing the best practices of the countries of Central and Eastern Europe in intellectual property in national legislation as well as harmonization with European and world standards.

Many aspects of the current intellectual property strategy (hereinafter referred to as



IP) are determined to a large extent by international and regional rules that may impose obligations on the countries concerned. It cannot be completely imposed or introduced from outside. Only the country itself could develop a detailed strategy suited to its specific conditions, allocate the necessary resources to achieve real results and then take practical steps to implement the strategy. The State must direct its efforts not only to the development of the strategy but also to its application.

It was necessary to have a clear picture of the situation in parallel with a realistic assessment of what could be achieved. IP activities should be analysed in the light of general information on the economic situation. The picture that emerges from this information will help to identify a solid basis on which to build a strategy. It is also necessary to develop a detailed action plan indicating **what, to whom and how** to do. The plan should include mechanisms to verify that the needs of the parties to the project have changed, to ensure that they remain committed to the project, and to assess the achievement of the objectives. The strategy should include short-, medium- and long-term objectives linked together. The clustering of objectives implies that resources are generally insufficient to implement all changes simultaneously. It is important that stakeholders understand this and look at change realistically.

The effective start of the project and the steps towards its successful completion should be encouraged. All States have an interest in improving their economic performance, developing entrepreneurship and industry, controlling illegal activities that impede domestic investment, improving international relations and improving the well-being of their citizens. However many if not most of people are not sufficiently aware of the positive role that IP plays in achieving such objectives.

The first steps are most often taken by the IP department. This is the moment when WIPO can support. The organization of meetings between the expert and the relevant officials and ministers on the strategy and its objectives helps the IP department to obtain approval and continue its work in this area. Such activities provide a platform for gathering and discussing information otherwise it may be difficult to identify problem areas. They can also help to

determine how the strategy should be promoted at the political level such as the body that can authorize the strategy and how it is agreed (through Parliament, President, Prime Minister) as well as the procedure to be followed. The Government should be involved in the above-mentioned ministries but it is usually the national IP agency that plays the determining role and it should direct and facilitate the program. At the same stage the issue of performance reporting and monitoring mechanisms should be addressed. It is very important to identify a strategic partner or partners to provide expertise when needed. WIPO has a number of programs to maximize opportunities and access to professional resources. International organizations such as the World Bank and the US Agency for International Development, regional organizations and national IP offices can also provide such cooperation.

The strategy should be country-specific. This means taking into account the history and political institutions of the country, the level of population, GDP, the size of foreign investments. Moreover, the country's relations with international organizations such as the European Union, the European Patent Organization (hereinafter EPO) will also influence the content and key positions of the strategy. An analysis of the activities of the national IP authority on all types of IP is needed. In doing so it is necessary to study the trends, national and foreign applicants, management of the IP agency including its financial condition that is profits, expenses and ways of financing.

In order to collect the necessary information it is necessary to carry out research, collect statistics, conduct a survey, ideally by means of a questionnaire to keep the discussion within the given topic. The questionnaire should contain the following questions: First, what is the current understanding of IP? Secondly, how is IP used in an organization? Thirdly, what are the difficulties in using the IP system? Fourthly, what are the needs for improvement? Fifthly, what are the priorities of the organization?

At the same time the real state of the economy should be understood, taking into account GDP, its growth, trends in industry, services, the creative sector, agriculture and tourism, as these factors will influence the setting of priorities for development or change. It is also necessary to determine the

extent of distribution and IT infrastructure of telecommunication and IT infrastructure as these factors will influence the methods and possibilities of implementation of the strategy. The volume and nature of RDW as well as the use of technology licensing in industry are significant factors in decision-making. The activity of the creative sector which produces books, music, computer programs and films in marketing and advertising indicates the extent of the use of copyright.

The intellectual property strategy should be integrated into the overall development strategy and be aligned with existing economic, scientific and cultural development policies. This includes ensuring that partners are aware of the strategy and involved in its objectives where it's possible. This work gives great impetus to the strategy and helps to avoid the necessary work on assessment and planning of capacities, management and role of the national agency with IP in granting rights, policy development with IP and so on, how much help and advice they have for business.

The issue of technology transfer is extremely relevant. If a national policy on technology transfer exists the IP strategy should take it into account. If not it should be established. Such policies should ensure the availability of professionals and authorities competent in technology transfer as difficulties arise given the very different expectations of research institutions and entrepreneurs. In a broad sense the best result is to create an environment in which intellectual property enables innovators and authors to benefit economically from their work and strengthen the economic achievements of the country for the benefit of business, scientists, authors and society at large, and improve economic competitiveness.

The strategies and accompanying action plan can become a "manifesto" of the strategy and be used to explain the general public. Achieving many of the goals is an important objective and prioritization and progressive implementation are likely to increase success and yield results in the short to medium term. For an IP strategy to be meaningful and contribute to a country's well-being, the participation of a wide range of stakeholders is necessary. Given this the strategy can only be developed in a structured and focused manner and should ensure intensive cooperation between the parties. Yes,

government structures cannot by themselves create and implement strategies that meet the needs of society, business and the commercial sector as well as scientists, technologists and creative industries. The working group should perhaps be composed of officials to maintain the momentum of the initiative but there is a strong case for establishing a program board to oversee the work of the creative group and to decide on priorities and resource allocation.

***With regard to the creation of new technologies and innovation through innovation the situation is as follows.*** The improvement of the socio-economic development of countries depends to a large extent on the effective use of various intellectual property objects. These objects are created by a person's intelligence, knowledge and experience and are usually highly valued and expensive. Ukraine has "pioneer" inventions and the latest developments in electric welding, materials science, laser, cryogenic, aerospace engineering, shipbuilding, communications and telecommunications, software products. Many new areas of intellectual activity have emerged that require legal protection and regulation. Thus there was a need to protect biological achievements, including breeding as well as intellectual results, resulting from the emergence of new technologies. With the invention of electronic-computing machines, the latest groups of technical achievements were created. They were materialized, and the need for software and databases appeared. The appearance of audio and video recording equipment raised the issue of the protection of recording rights of performing artists, the rights of organizations performing such recordings and the dissemination of radio and television raised questions about the rights they broadcast to studios. The list of such new spheres is rapidly spreading. In particular the provision of protection of achievements of genetics, new varieties of computer programs, for example, Internet sites, scientific discoveries, etc. Growing importance of such object of intellectual property law as undisclosed information including production secrets. It is not only knowledge and experience of an industrial and technical nature but also a variety of non-technical information namely data on the organization and economics of production, marketing, business knowledge, sources of finance,

business plans and other information.

Today the development of intellectual property in Ukraine can be influenced through the state support of invention, the appropriate level of its financing, popularization of this direction, strengthening international cooperation in all areas of intellectual activity. The creation and implementation of an appropriate educational program, the improvement of the regulatory framework, the decentralization of the powers of the central authority in intellectual property, the transfer of technology will also have an important impact.

But in addition you can offer several innovative methods, common among the countries of the world. These include business incubators. Business incubators are organizations that provide, under certain conditions and for a time specially equipped premises and other property to small and medium-sized business entities that start their activities to help them become financially self-sufficient. The most important functions of business incubators are to provide premises for offices or workshops on a rental basis, at below market prices and with flexible conditions for obtaining additional space on demand. This includes administrative and technical services, consulting/business planning for beginners and potential entrepreneurs. A wide range of other consulting services, technology transfer, seminar and training offers are also possible. Innovative business incubators could act as intermediaries between small and medium-sized businesses based on inventions and useful models and future investors and the state. As a result this would accelerate the development of small enterprises, create new jobs, increase government revenues, etc.

Another equally effective form of stimulation of invention could be the so-called professor's privilege according to which the right to patent inventions made by teachers or researchers in the execution of research at the expense of the budget, belonged to these teachers or scientists. Consulting engineering can be an important incentive to increase inventive activity. Despite the fact that this is a fairly new phenomenon for the domestic entrepreneur in the world practice. This type of engineering is widely used, given the development of new technologies and

innovative solutions. Engineering is a discreet in an independent sphere of activity complex of commercial nature services for preparation and provision of production process, maintenance of construction and operation of industrial facilities. Engineering can be defined as a set of services provided on a commercial basis by feasibility study of creation of new enterprises, design and operation of production and non-production facilities, production of new types of products, improve enterprise management.

The provision of a full range of services and supplies based on an engineering contract includes four distinct types of engineering services, each of which may be the subject of a separate contract. Thus, consulting engineering is mainly concerned with intelligent services for the purpose of project design, development of construction plans and supervision of works. Technological engineering allows to provide the customer with technologies necessary for construction of industrial facility and its operation.

Consulting engineering includes conducting preliminary feasibility studies and studies related to general design; planning and preparation of drawings and cost estimates; preparation of preliminary sketches, design documents, detailed drawings and specifications; planning and preparation of the financing program; preparation of technical conditions for participation in tenders and issuance of recommendations; evaluation of proposals for the construction of facilities; supervision of construction, manufacture of equipment, installation, adjustment and start-up of the equipment, its operation; issuance of certificates on the quality of work, etc.

At every stage of engineering there is always intelligent engineering because it is impossible to develop and implement modern technologies and innovations without drawings and plans. Consulting engineering can be considered separately from the whole complex of engineering services when the organization assigns different stages of technology implementation to different suppliers.

The Law of Ukraine «On scientific and scientific-technical activity» (2016) adopted by the Verkhovna Rada of Ukraine should contribute to innovative prospects of our country in the sphere of intellectual property.



**Conclusions**

Taking into account all the above and summing up the main points on improving the legal protection of intellectual property in Ukraine it is necessary to pay attention to the following. First, increasing the culture of public relations in intellectual property will contribute to optimizing the necessary conditions for creative intellectual activity of engineers, inventors, scientists, for the development of a civilized market of the results of their activities, commercialization of a wide range of various intellectual property objects, conducting effective and fair business. Secondly, the existing legal framework that influences the regulation of intellectual property law should be codified. Thirdly, it is necessary to overcome the contradictions that exist today in the process of training legal specialists, to seek on a systematic basis the creation and introduction into the practice of higher school the integration of legal education and science, cultural model of preparation of students of law higher education institution for future professional activity. This model should be aimed at training legal professionals capable of discerning the right as a force for protecting the rights and freedoms of citizens, meeting the requirements of human morality, equality and justice in society: law as a social phenomenon which forms the ideals and limits of this freedom together with other social factors. Fourthly, a structured program should be developed and implemented to implement an intellectual property management strategy in the country. Bearing in mind that there are various techniques of project management, all of which include widely common features, relevant government bodies and institutions in intellectual property should choose and implement that methodology which is the most appropriate to the real situation and is the most effective.

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