

SAMARA NATIONAL RESEARCH UNIVERSITY

A.A. INYUSHKIN, N.A. RAZVEYKINA

**INTELLECTUAL PROPERTY
MANAGEMENT**

Master's program
"High-Technology Business Management"

Рекомендовано редакционно-издательским советом федерального государственного автономного образовательного учреждения высшего образования «Самарский национальный исследовательский университет имени академика С.П. Королева» в качестве методических указаний для студентов Самарского университета, обучающихся по основной образовательной программе высшего образования по направлению подготовки 38.04.02 Менеджмент

S A M A R A
Samara University Publisher
2019

УДК 347я7
ББК 67.404.3я7
IN57

Reviewers: PhD in Law S. S. B o r o d i n
Doctor of Economics, Professor S. V. D o m n i n a

Inyushkin, Andrey Alexeyevich

IN57 **Intellectual Property Management. Master's program. "High-Technology Business Management": study guide / A.A. Inyushkin, N.A. Razveykina.** – Samara: Samara University Publisher, 2019. – 60 p.

ISBN 978-5-7883-1457-0

"Intellectual property management" master's course meets the requirements of federal educational standard of master's program in the field of 38.04.02 Management. Study guide consists of the objectives, course content, reporting forms, instructions for lecturers as well as guidelines for students.

Study guide is intended for master's degree students of Institute of Economics and Management. Study guide is prepared at the Social Systems and Law Department.

УДК 347я7
ББК 67.404.3я7

© Samara University, 2019

TABLE OF CONTENTS

1. Summary and general provisions of the methodical instructions for lectures.....	4
2. Purposes and objectives of Master’s course Intellectual Property Management.....	4
3. The structure of lectures.....	6
4. Methodical instructions for lectures.....	6
5. The results of lectures.....	9
6. Lecture notes.....	10
7. Summary and general provisions of the methodical instructions for the independent work.....	26
8. The structure of independent work.....	27
9. Methodical instructions for independent work.....	28
10. The results of independent work.....	32
11. Summary and general provisions of the methodical instructions for workshop.....	33
12. The structure of workshop.....	34
13. Methodical instructions for workshop.....	34
14. The results of workshops.....	39
15. Summary and general provisions of the methodical instructions for laboratory work....	40
16. The structure of laboratory work.....	41
17. Methodical instructions for laboratory work.....	41
18. The results of the laboratory work.....	55
19. Glossary.....	55
20. Recommended literature and on-line resourses.....	57

1 SUMMARY AND GENERAL PROVISIONS OF THE METHODOICAL INSTRUCTIONS FOR LECTURES

Methodical instructions aim to describe the work on the course of intellectual property management. The guidelines set out the basic methodology of work over the course of management of intellectual property. In particular, it sets out methods of teaching with practical lessons, laboratory work and independent work of students. The methodological guidelines were developed in accordance with the requirements of The State educational standards for higher professional education. The guidelines explain the procedure of organizing and conducting course of intellectual property management for master's students and systemize the requirements for its structure, content and implementation.

2 PURPOSES AND OBJECTIVES OF MASTER'S COURSE INTELLECTUAL PROPERTY MANAGEMENT

The course of Intellectual Property Management provides a complex of knowledge, skills and abilities. The resulting knowledge can be used with any object intellectual property. At the same time the successful development of the course

will allow the purchase of intellectual property management skills, working with the normative legal acts in the field of intellectual property, as well as making the choice of optimal strategies to promote it. The main objectives of this course are expressed in the list of the skills and competencies presented below.

Receiving knowledge about:

- the concept of intellectual property and intellectual property rights;
- the objectives and strategies of commercialization of intellectual property;
- procedure of legal protection for IP in Russia and foreign countries;
- the legal and economic framework for the licensing of trade;
- approaches and mechanisms for resolving conflicts of interest in the field of IP.

Receiving skills:

- to use modern information systems and the databases for different types of patent research;
- to apply in practice the basic legislative and administrative provisions on the protection and exploitation of IP;
- to develop a patent strategy of an innovative project.

Receiving abilities:

- to consider at developing new products the legal protection of their own development and the risk of violation of rights of third parties.

3 THE STRUCTURE OF LECTURES

Part 1 Legal aspects of intellectual property:

Lectures – 4 academic hours.

Part 2 Contractual relations in the field of intellectual property:

Lectures – 2 academic hours.

Part 3 Strategy of promotion, commercialization and intellectual property protection:

Lectures – 2 academic hours.

4 METHODOICAL INSTRUCTIONS FOR LECTURES

Basic guidelines for lectures

During the lectures the student must have the latest version of normative legal acts in the field of intellectual property. In the analysis of the individual should be given to the special legal regulation. In particular, when the lecture devoted to contractual obligations in the field of intellectual property management should be analyzed part 2 of the Civil Code of the Russian Federation.

Part 1. Legal aspects of intellectual property: lectures

Topics: Intellectual Property. Intellectual property rights. Objects of copyright. Objects of patent rights. The subjects of

intellectual property rights. Normative regulation in the field of IP in the Russian Federation and international law. Legal protection of intellectual property rights.

The basic idea of the first part of the lectures is to develop are the students have a common understanding of the legal aspects of intellectual property. In particular when visiting lectures on the discipline of the unit should pay attention to the basic legal acts in the field of intellectual property. In this case the student is necessary to analyze the ratio of Russian and international legal acts in the field of intellectual property. When full-time visiting lectures students are encouraged to use Part fourth Civil Code of the Russian Federation. This federal law is the main source of intellectual property regulation of relations in Russia and needs during the development of this tutorial. Visiting lectures devoted to the subjects and objects of intellectual property students should pay special attention to the structure of the information provided. In particular, it is recommended to pay special attention to the article 1225 of the Civil Code of the Russian Federation. During the analysis of intellectual property in the lectures, students should pay attention to the difference between object of copyrights and the object of patent rights. In the analysis of intellectual property rights, students should bear in mind that in intellectual property law there are three main components: the copyrights, the neighboring rights and the patent rights.

Part 2. Contractual relations in the field of intellectual property: lectures

Topics: Classification of obligations regarding of intellectual property. Agreements towards creature intellectual property. Agreements aimed at disposal of exclusive ownership. Contracts for the right to use intellectual property. Commercial concession.

When visiting lectures on the unit contractual relations in the field of intellectual property is recommended pay special attention to the distinction between basic kinds of intellectual property obligations. This material allows you to acquire the skills of contractual work and to achieve maximum efficiency from the use of intellectual property. Besides obtained in the course of lectures data needed for practical work on the course unit. Besides obtained in the course of lectures data needed for practical work on the course unit. For example drafting franchise agreement must take into account the interests of the right holder and the third party. Thus, when analyzed in the course of the lecture it is advisable to pay attention to the rights and obligations included in the text of the contract.

Part 3. Strategy of promotion, commercialization and intellectual property protection: lectures

Topics: Functions of Intellectual Property. Choice of commercialization strategies for intellectual property. Search for patent information in the databases of FIPS and EPO. Features valuation of Intellectual Property.

When listening to the lectures of this course unit the student is first necessary to draw attention to issues of choice of Intellectual Property commercialization strategy. Ability to determine the optimal strategy for the promotion of intellectual property in a market economy is the basis of a qualified intellectual property management. An important aspect of the study as part of the block is the issue of patent search. Purchase of skills in this area can achieve a positive effect in the development and promotion of high-tech products on the world market of goods and services. Also effective patent search to minimize the costs associated with the registration of intellectual property and optimally create patent portfolio. In the analysis of the lectures should be given attention as issues related to effective intellectual property assessment. In the analysis of the lectures should be given attention as issues related to effective intellectual property assessment.

5 THE RESULTS OF LECTURES

The result of course studying intellectual property management is the acquisition of knowledge and skills in working with high-tech products. Monitoring of educational activity provides an analysis on the state of knowledge of regulatory legal acts in the field of intellectual property, as well as the testing of students. In addition, it is intended for oral surveys of students for the course, as well as the analysis of written works. When listening

to lectures verification of acquired knowledge in the further work is carried out.

6 LECTURE NOTES

Introduction to the course

Legislation concerning intellectual property is one of the most rapidly developing areas of law in the Russian Federation and in the World. High technologies attract business, which leads to an increase in economic turnover in this sector of the economy. This inevitably affects the development of intellectual property law. Intuitively, this trend reflects the contemporary reform in Russian civil law. In process of the reform, intellectual property law has been massively changed, in particular after 1 of October 2014, when global changes of rules in intellectual rights took effect in the Russian Federation. There are many normative acts in intellectual property law. They are divided on 2 levels. First level is international legal acts and the second one is a national legislation. In intellectual property law, the international normative acts are much more numerous than national ones, but international acts are used only in some Countries. Most Countries prefer using national legislation because it is more appropriate for needs of the Countries.

Legal aspects of intellectual property

The main International legal regulatory acts in the area of intellectual property are:

1. Berne Convention for the Protection of Literary and Artistic Works of 09.09.1886.
2. Universal Copyright Convention, adopted in Geneva of 06.09.1952.
3. Patent Cooperation Treaty (Done at Washington on June 19, 1970).
4. Paris Convention for the Protection of Industrial Property.
5. Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS agreement) signed in Marrakech, Morocco on 15 April 1994.

As we can see, these normative acts are dated by 19–20 century. In modern technology world these acts sometimes work “inadequately”, but anyway, this is the basis for all intellectual property legislation in the world. If we analyze these legal acts, we will see, for example, that computer programs are defended by legal regime of literature. The same legal regime or legal regime for collections is used for databases. That is why many Countries prefer use national intellectual property law.

In this situation, the best model for inventors would be first of all use of the national legislation to defend the intellectual property (results of intellectual activity) and if you want to use intellectual property in foreign Countries, would be better to use international

legislation. In these talk, I am going to use intellectual property legislation of the Russian federation as an example.

Here the list of legal regulations in the Russian Federation:

1. The Civil Code of the Russian Federation (Part Four) on 18.12.2006 № 230-FL.

2. Russian Federation Government Resolution 14.09.2009 № 735 "On Approval of the patent and other fees".

3. Agreement of 09.12.2010 "On common principles of regulation in the field of protection and enforcement of intellectual property rights". (The Agreement was ratified by the Federal Law of 11.07.2011 № 179-FL).

In the Russian Federation, intellectual property law is not difficult for understanding, because after 2008, 90% of legislation in this area was included in part 4 of the Russian civil code.

Subject and object of intellectual property rights

Now let's look at the key conditions of the Intellectual Property law. First of all we must be aware that law defends not any result of intellectual activity. Sometimes a special document for that is needed, like patent, in other case we need to use a special procedure like disclosure. In the Russian Federation, law defends 16 types of intellectual activity objects.

The protected results of intellectual activity and means of individualization are:

- 1) works of science, literature and art (object of copyrights);
- 2) computer programs (object of copyrights);

- 3) databases (object of copyrights and related rights);
- 4) performance (object of related rights);
- 5) the phonogram (object of related rights);
- 6) message by the broadcast or cable radio or television (object of related rights);
- 7) invention (object of patent rights);
- 8) utility models (object of patent rights);
- 9) industrial designs (object of patent rights);
- 10) selection achievements (quasi object of copyrights and patent rights);
- 11) topology of integrated microchips (quasi object of copyrights);
- 12) production secrets (know-how) (special object of intellectual property);
- 13) brands (means of individualization);
- 14) trademarks and service marks (means of individualization);
- 15) appellations of origin (means of individualization);
- 16) commercial designations (means of individualization).

In intellectual property law there are three main components: the copyrights, the neighboring rights and the patent rights. The term neighboring rights is exactly equivalent of the related rights, and is a more literal translation of the original French "droits voisins".

The copyrights include:

1. Intellectual rights to scientific results, literature and art call copyrights.
2. The author of a work owns the following rights:

- the exclusive right to the work;
- the right of authorship;
- the author’s name;
- the right to inviolability of the work;
- the right to disclosure the work.

The neighboring rights include:

Intellectual property rights for the results of performing activities (performance), phonograms, broadcast or cable radio and television, the maintenance of the database as well as works of science, literature and art, first released after their transition into the public domain, are neighboring to the copyright (neighboring rights).

The patent rights include:

1. Intellectual property rights for inventions, utility models and industrial designs call patent rights.

2. The author of an invention, utility model or industrial design owns the following rights:

- the exclusive right;
- the right for authorship.

3. The author of an invention, utility model or industrial design owned also other rights, including the right to obtain a patent, the right for fee for a service invention, utility model or industrial design.

Now let’s try to analyze a main result of intellectual activity for inventors. It would be the objects of patent rights.

Results of intellectual activities in Science and Technology:

- 1) invention;

- 2) utility models;
- 3) industrial designs.

Many Countries prefer not to defend some results of intellectual activity by law. The following is NOT the subject for patent rights in Russian (and in many other countries) legal system:

1. Methods of human cloning and a clone.
2. Methods of modifying the genetic integrity of human germ line cells.
3. The use of human embryos for industrial or commercial purposes.
4. The results of intellectual activity, if they are in conflict with public interests, principles of humanity and morality.

Author and the Rightholder

Other key object for the Intellectual Property law is a status of author. Legal status of author suggests:

1. The author of results of the intellectual activity is a recognized citizen whose creative effort has created the result.
2. The author of the result of intellectual activity shall have the right for authorship, the right to name and other moral rights.
3. The right for authorship, the right to name and other moral rights of the author are inalienable and non-transferable. Waiver of these rights is negligible.

4. The exclusive rights to results of the intellectual activity, created by a creative work, originally a product by their author.

5. These rights may be transferred by the author to another person under the agreement, and can also be transferred to the other parties on other grounds, established by law.

6. The rights for intellectual property created by joint creative work of two or more persons (co-authorship) jointly owned by collaborators.

As you could see on the previous slide, the author has some intellectual property rights. First of all, it can be exclusive right being a property right and moral rights. For means of individualization, there are the same intellectual property rights.

Author of the result of intellectual activity and the right holder.

1. The Author – developer of a new intellectual activity result (he always have moral rights on intellectual property and exclusive right if he not manage it).

2. The Rightholder – the owner of an exclusive right for the result of the intellectual activity (subject of intellectual property law who legitimately received the exclusive right. For example, bought it from the author).

The Author and the Rightholder have some intellectual property rights. In the article 1226 (Intellectual property rights) of The Russian Civil Code presented meaning of the intellectual property rights. "On the results of intellectual activity and means of individualization are recognized as

intellectual property rights, which include the exclusive right is a property right, and in the cases provided by this Civil Code also moral rights and other rights (droit de suite, the right of access, etc.)".

The most interesting for intellectual property management is exclusive right because it is a property right. In the article 1229 of the Russian Civil Code give main idea of this right: "A citizen or legal entity that has the exclusive right to the result of intellectual activity or means of individualization (the rightholder) to use such result or such means at its discretion in any manner not inconsistent with law. The rightholder may manage of the exclusive right to the result of intellectual activity or means of individualization (Article 1233), unless this Code provides otherwise".

Contractual relations in the field of intellectual property

To commercialize intellectual property we need to conclude an agreement.

Basically it would be:

1. Agreement on alienation of the exclusive right.

Under a contract on alienation of the exclusive right of one party (the rightholder) transfers or undertakes to transfer the exclusive right belonging to it on the result of intellectual activity or means of individualization in full to the other party (the purchaser).

2. Types of the license agreement.

- A simple (non-exclusive) license.

Giving the licensee the right to use the result of intellectual activity or means of individualization the licensor retains the right to issue licenses to other persons (a simple (non-exclusive) license).

- Exclusive license.

Giving the licensee the right to use the result of intellectual activity or means of individualization without saving the licensor of the right to issue licenses to other persons (exclusive license).

Other methods of the Intellectual property commercialization:

I. The legal regime of production secrets (know-how).

Trade secrets (know-how) shall be deemed information of any kind (industrial, technical, economic, organizational, etc.) of the results of intellectual activity in science and technology and how to perform professional activities with actual or potential commercial value due to the uncertainty of third parties, If such information from third parties do not have free access to the legal basis and the owner of such information shall take reasonable measures to respect for their privacy, including by introducing a regime of trade secrets.

II. The agreement of commercial concession (Franchise).

According to the agreement of commercial concession one party (the rightholder) undertakes to provide the other party (user) for compensation for a period or without specifying the period of the right to use business user a complex belonging

to the rightholder of the exclusive rights, including the right to a trademark, service mark, as well as rights to other the contractual objects of exclusive rights, in particular on the commercial designation, production secrets (know-how).

Article 1031 of the Russian Civil Code. Duties of the rightholder.

1. The rightholder is obliged to transfer the user technical and commercial documentation and provide other information necessary for the user to exercise the rights granted to him under the contract of franchise, as well as instruct the user and his employees on issues related to the implementation of these rights.

2. If the contract of commercial concession provides otherwise, the rightholder shall:

– Provide the state registration of the right to use business complex owned by the legal owner of the exclusive rights under the contract of commercial concession (paragraph 2 of Article 1028 of the Russian Civil Code).

– To provide the user a permanent technical and advisory assistance, including assistance in the education and training of employees.

– Control the quality of goods (works, services) produced (performed or rendered) by the user on the basis of the agreement of commercial concession.

Article 1032 of the Russian Civil Code. Duties of the user.

Given the nature and characteristics of the activities carried out by the user under the contract of commercial concession, the user is obliged:

1. Used in carrying out the activities specified in the contract commercial name, trademark, service mark or other means of individualization rightholder way specified in the contract.

2. To ensure that the quality produced by them on the basis of the contract goods, works, services rendered quality of similar goods, works or services, produced, performed or rendered directly by the rightholder.

3. To comply with instructions and instructions of the rightholder, to ensure compliance with the nature, methods and conditions of use of the complex of exclusive rights to the way he used exclusive rights, including guidance on the external and internal design of commercial premises used by the user in the exercise given to him under the contract rights.

4. Provide buyers (customers) all additional services which they could expect by acquiring (ordering) goods (works, services) directly from the rightholder.

5. Not to disclose trade secrets (know-how) rightholder and other information received from a confidential commercial information.

6. To provide the agreed number subconcessions, if this obligation is provided by the contract.

7. Inform buyers (customers) for their most obvious way that it uses the commercial name, trademark, service mark or other means of individualization by virtue of the agreement of commercial concession.

III. Agreement on the transfer of rights to the means of individualization.

Special agreement of license – open license. Primarily used in the Internet.

The license contract under which the author or other copyright holder (licensee) and licensee simple (non-exclusive) license to use the works of science, literature or art, can be made under the simplified procedure (open license).

The open license is a contract of adhesion. All of its conditions should be open to the public and posted so that the licensee is acquainted with them before the start of the related work. The open license may contain an indication of the action, the commission of which will be considered as acceptance of its terms (Article 438 of the Russian Civil Code). In this case, the written form of the contract shall be considered observed.

The subject of the open license is the right to use the works of science, literature or art in the contractual limits.

Strategy of promotion, commercialization and intellectual property protection

Why do we need the intellectual property?

1. In order to improve their status in the scientific world.
2. For public funding (grants, subsidies).
3. To attract private investment in the project.
4. For the protection scientific developments.
5. To prevent other people from using your technology.
6. For sale (commercialization) of your technology, without your further, direct participation in its implementation.

Function of Intellectual Property:

1. Protective function.
2. Commercialization function.

Possible strategies:

1. Protection strategy of Intellectual Property commercialization.

This promotion strategy is optimal for those who have created a conceptually new, commercially applicable technology and want to monopolize the market.

2. Neutral strategy of Intellectual Property commercialization.

This promotion strategy is optimal for the majority of scientists and innovators, as it is the least costly and meet their basic demands, requirements for intellectual property.

3. The attacking strategy commercialization of intellectual property.

This strategy is the promotion of intellectual property is most often used in practice. It focuses on a tough game on the market and the use of legal means of influence on technological solutions of competitors.

Actions when used intellectual property

To defend your intellectual property you have to do a patent search. Of course you can hire lawyer or patent agent for this work but it is clear that only you know a result of your intellectual activity best of all. That's why only you can assess

the achievements in your scientific area. For patent search you can use free Google patent search, databases of United States patent and trademarks office, and databases of European patent office.

To carry out the effective patent search, we have to assess:

1. Your own developments in science;
2. Scientific advances of competitors;
3. The criteria for patentability of intellectual property;
4. Admissibility of the disclosure of information on scientific developments, conducted by teams of scientists.

After the patent search we need to check conditions for patentability.

An invention is granted by legal protection if it is new, it has an inventive level and it is industrially applicable.

1. The invention is new if it is not known from the prior technology.

2. The invention characterized by an inventive level if it does not obviously follow from the prior technology for experts.

3. Prior technology to the invention includes any information that has become worldwide available before the priority date of the invention.

4. The invention is industrially applicable if it can be used in industry, agriculture, health and other sectors of the economy and the social area.

Also it can be said that any Country has its own patents. However some Countries use international legal acts for mutual

recognition of national patent. For example Eurasian Patent is valid in all countries within European Union and it is ratified by 8 countries outside EU including the Russian Federation.

In part 4 of the Russian Civil code has a rule.

The exclusive rights for inventions, utility models and industrial designs, patents, certified by Federal Committee on intellectual property, or patents legal on the territory of the Russian Federation in accordance with International treaties of the Russian Federation are recognized in the Russian Federation.

Let's look what the rights we will get when obtain a patent. It would be exclusive right and some moral right (for example right on the authorship).

The right on the authorship – the moral right to be recognized as author of the invention, utility model or industrial design, inalienable and non-transferable, including the transfer of the exclusive right to an invention, utility model or industrial design to another person, and granting to another person the right to use it. Waiver of this right is void.

Some basic information about patent

1. A patent to invention, utility model or industrial design shall certify the priority of invention, utility model or industrial design, the authorship and the exclusive right to an invention, utility model or industrial design.

2. Protection of intellectual property rights to invention or utility model is granted by patent, based on the extent

determined by formula, present in the patent on the invention or utility model, respectively. For the interpretation of the formula for the invention or the utility model, the charts may be used.

3. Protection of intellectual property rights in the industrial design patent is granted on the basis of the essential features of the industrial design, which are reflected in the images of the image of the product in the industrial design patent.

Validity period of exclusive rights to the invention, utility model or industrial design. The exclusive right to an invention, utility model, industrial design or patent, certifying this right, begins from the date of the patent application to Federal Executive Committee on intellectual property:

- 20 years – for inventions;
- 10 years – for utility models;
- 5 years – for industrial designs.

In Russia, the protection of exclusive rights, certified by the patent, can be carried out only after the State registration of an invention, utility model or industrial design and getting the patent.

Deals with intellectual property also can help you in your business, because in many Countries exists a State stimulation for the creation and use of inventions, utility models and industrial designs.

Most Countries in the world stimulate innovation development at the legislative level. In the Russian Federation there are tax benefits for intellectual property.

Subparagraph 26 of paragraph 2 of article 149 of the Russian Tax Code "Operations which are not subject for taxation (exempt from taxation)": Exclusive rights to inventions, utility models, industrial designs, programs for computers, databases, topology of integrated microchips, production secrets (know-how) as well as rights to use these results of intellectual activity under a license agreement.

Paragraph 3 of article 221 of the Russian Tax Code "Professional tax deductions": Taxpayers receiving royalties or fees for the creation, performance or other use of works of science, literature and art, the fees to authors of discoveries, inventions and industrial designs, in the amount of actually incurred and documented expenses.

7 SUMMARY AND GENERAL PROVISIONS OF THE METHODOICAL INSTRUCTIONS FOR INDEPENDENT WORK

Methodical instructions aim to describe the work on the course of intellectual property management. The guidelines set out the basic methodology of work over the course of management of intellectual property. In particular, it sets out methods of teaching with practical lessons, laboratory work and independent work of students. The methodological guidelines were developed in accordance with the requirements of The State educational standards for higher professional education. The

guidelines explain the procedure of organizing and conducting course of intellectual property management for master's students and systemize the requirements for its structure, content and implementation. Independent work while studying management of intellectual property occupies a special place. In particular, in the process of self-study, students acquire knowledge and skills necessary for dealing with intellectual property in their own country. Thus, the self-study for this course allows you to acquire the skills to work with normative acts in the sphere of intellectual property of any legal system.

8 THE STRUCTURE OF INDEPENDENT WORK

Structures of independent work of students on the course Intellectual Property Management is divided into three equal blocks. Thus, it covers next questions:

Part 1 Legal aspects of intellectual property:

Independent work – 24 academic hours.

Part 2 Contractual relations in the field of intellectual property:

Independent work – 24 academic hours.

Part 3 Strategy of promotion, commercialization and intellectual property protection:

Independent work – 24 academic hours.

It should be noted that the efficient allocation of time for independent work of students will allow optimizing the acquisition of knowledge and skills in the performance of other types of work. In particular, during the patent search is advisable to use a search engine home country of the student.

9 METHODOICAL INSTRUCTIONS FOR INDEPENDENT WORK

Basic skills obtained during independent work should be expressed in a tangible form. So the most effective form of the final activities of independent work will be the implementation of abstracts, reports and essays. Some methodological guidance in the study of discipline units are shown below.

Part 1. Legal aspects of intellectual property: independent work

For independent work of students on the block legal aspects of intellectual property of course intellectual property management recommended special study of the scientific literature devoted to the problems of the relationship between international and national law. Also recommended to do an analysis of existing legal acts in the field of intellectual property, as well as civil law. When you run this kind of training

recommended preparation of an essay on the theme devoted to legal regulation of certain intellectual property.

Part 2. Contractual relations in the field of intellectual property: independent work

For independent work on the block contractual relations in the field of intellectual property students should focus on the analysis of the scientific and practical literature devoted to the compilation of the various types of contracts. During independent work it is advisable to prepare a summary on the order of the conclusion of any contract from the scope of intelligent software ownership. During independent work it is advisable to prepare a summary on the order of the conclusion of any contract from the scope of intelligent software ownership. This information can be obtained by working with the existing regulations of the national and international law.

Part 3. Strategy of promotion, commercialization and intellectual property protection: independent work

During the students' independent work it is advisable to pay particular attention to ways to promote intellectual property in large high-tech companies. In particular, it is recommended to prepare the essay devoted to the strategy of promotion and commercialization of the companies in the field of IT. In particular, it is recommended to prepare the essay devoted

to the strategy of promotion and commercialization of the companies in the field of IT. Also, when independent work of the student is recommended to pay attention to scientific data initiates intellectual property evaluation. In preparation for the practical work devoted to the patent search it is recommended to analyze the already previously issued patents in various fields of science and technology.

The list of roughly the reports allowed for the preparation of independent work

1. The concept of intellectual property.
2. The principles of copyright.
3. The copyright system.
4. The principles of patent law.
5. The system of patent law.
6. Legislative system of the means of individualization of participants of civil turnover.
7. The system of non-traditional objects of intellectual property law.
8. The concept and features of the works of science, literature and art.
9. The classification of works of authorship.
10. The concept and features of the invention.
11. The concept and features of the utility model.
12. The concept and industrial design features.
13. Signs and structure of corporate names.

14. The concept and features of the trademark.
15. Types of trademarks.
16. The concept and features of the appellation of origin of goods.
17. The concept and features of scientific discovery.
18. The concept and features of integrated circuit topology.
19. The service trade secrets as an object of legal protection.
20. The concept and features a selection achievement.
21. The concept and features of the rationalization proposal.
22. The authors (creators) of intellectual property.
23. Co-authorship.
24. Inheritance rights of creators of intellectual property.
25. Organizations that manage the economic rights of authors on a collective basis.
26. The Patent Office of the Russian system.
27. The right holders in respect of developments created in the performance of official duties.
28. Moral rights of creators of intellectual property.
29. The right to use copyright works.
30. The essence of the patent rights.
31. The right to use the means of individualization.
32. The right to use non-traditional intellectual property.
33. Free use of intellectual property.
34. Duties of owners of exclusive rights.
35. Termination of intellectual property rights.
36. The concept of an author's contract.
37. Types of copyright agreements.

38. Responsibility for the author's agreement.
39. The agreement on assignment of patent rights.
40. The license contract.
41. The agreement on assignment of a trademark.
42. The license for the trademark.
43. The agreement of commercial concession.
44. Agreements on the use of non-traditional intellectual property.
45. Types of license agreements.
46. Registration of intellectual property rights.
47. Protecting the rights of creators of intellectual property.
48. Protection of rights to use intellectual property.
49. International legislation in the field of intellectual property.
50. The basic means of protecting intellectual property rights.
51. Types of intellectual property commercialization.
52. Promotional strategies of intellectual property.
53. Intellectual property assessment.
54. State support for intellectual property development.
55. Methods of enforcement of intellectual property obligations.

10 THE RESULTS OF INDEPENDENT WORK

The result of course studying intellectual property management is the acquisition of knowledge and skills in working with

high-tech products. Monitoring of educational activity provides an analysis on the state of knowledge of regulatory legal acts in the field of intellectual property, as well as the testing of students. In addition, it is intended for oral surveys of students for the course, as well as the analysis of written works. Results of independent work activity is the acquisition of skills and knowledge to effectively mastering other kinds of work, and the preparation of basic knowledge for the analysis of legislative acts in the field of intellectual property. Reports on any other proposed topics in the field of intellectual property will enable students to acquire the skills required for the management of high-tech products.

11 SUMMARY AND GENERAL PROVISIONS OF THE METHODOICAL INSTRUCTIONS FOR WORKSHOP

Methodical instructions aim to describe the work on the course of Intellectual Property Management. The guidelines set out the basic methodology of work over the course of Intellectual Property Management. In particular, it sets out methods of teaching for workshop, laboratory work and independent work of students. The methodological guidelines were developed in accordance with the requirements of The State educational standards for higher professional education in the field of 38.04.02 "Management". The guidelines explain the

procedure of organizing and conducting course of Intellectual Property Management for master's students and systemize the requirements for its structure, content and implementation. Workshops on Intellectual Property Management focus on issues of intellectual property law, as well as its subsequent promotion and commercialization. The course structure workshops take initial and final unit. In particular, the issues of legal regulation in the sphere of intellectual property should be given special attention.

12 THE STRUCTURE OF WORKSHOP

Part 1 Legal aspects of intellectual property:

Workshop – 8 academic hours.

Part 3 Strategy of promotion, commercialization and intellectual property protection:

Workshop – 10 academic hours.

13 METHODOICAL INSTRUCTIONS FOR WORKSHOP

Basic skills obtained during independent work should be expressed in a tangible form. So the most effective form of the final activities of independent work will be the implementation

of abstracts, reports and essays. Some methodological guidance in the study of discipline units are shown below.

Part 1. Legal aspects of intellectual property: workshops

Workshops of the course held in the form of seminar or discussion. To prepare for it students should pay special attention to the state regulations in the field of intellectual property.

Questions for workshops

Workshop 1. The main terms: Intellectual Property and Intellectual Property Rights. Practical examples of the using intellectual property.

1. Concept and types of intellectual property.
2. Intellectual property rights on the results of creative activity and related objects.
3. The exclusive rights to results of creative activity and related objects.
4. Order of intellectual property rights.
5. Intellectual property practical sense.

Workshop 2. Comparison of the normative regulation in the field of IP in the Russian Federation and international law.

1. International sources of intellectual property rights.

2. The international organizations in the field of protection of the rights of the intellectual property.

3. National Intellectual legislation.

4. International agreements on industrial property.

5. A single procedure of issue of the European patent and the preservation of the multiplicity of national patents by the International Conventions

Workshop 3. Analysis the subjects of intellectual property rights. Practical using objects of copyright and objects of patent rights.

1. Subjects of intellectual property rights.

2. Subjects of copyright.

3. Signs (features) of Copyright.

4. Types of copyright.

5. Exclusive rights to industrial property and disposal.

Workshop 4. Analysis of structure and legal mechanisms of intellectual property rights protection.

1. Protection of intellectual property rights.

2. Basic legal mechanisms for intellectual property rights protection.

3. Protection of the rights of authors and other patent holders.

4. Features of legal protection and use of selection achievements.

5. Civil liability for infringement of exclusive rights.

6. Administrative liability of infringement of exclusive rights.
7. Criminal liability for infringement of exclusive rights.

Part 3. Strategy of promotion, commercialization and intellectual property protection: workshops

Workshop 1. Specification of two functions of Intellectual Property.

1. Why do we need Intellectual Property?
2. Functions of Intellectual Property general characteristics.
3. Protection functions of intellectual property.
4. Commercialization function of intellectual property.

Workshop 2. Methods of optimal choice of commercialization strategies for intellectual property.

1. Choice of commercialization strategies for intellectual property.
2. Protection strategy of commercialization intellectual property.
3. Neutral strategy of commercialization intellectual property.
4. The attacking strategy of commercialization intellectual property.

Workshop 3. Practice work in searching patent information in the databases of FIPS and EPO.

For this workshop is necessary to conduct a patent search algorithm according to the present below.

1. For one of the objects of intellectual property in the field of patent law, to conduct a search of patent documents in three databases:

- Rospatent;
- US Patent Office (U.S. Patent and Trade Office);
- European Patent Office (European Patent Office).

The goal – to select the patent documents which are closest to the technical point of view to the selected object of research.

2. Search carried out using keywords.

3. As a result of the search in each database must be done as follows:

- A list of the relevant patent documents 5–10 indicating data sufficient to identify them (indicating the document number the country, the name of the invention); patent documents selected abstracts and full description of the invention;

- Choose and given 1–2 closest patent document;
- A complete description of one of them.

4. The report shall include:

- Description and analysis of the object for each database.
- Brief description of the procedures carried out by search with key words.

- This list of relevant patent documents indicating closest.

- This list of relevant patent documents indicating closest.

Workshop 4. Analysis of features valuation of Intellectual Property.

1. Features of intellectual property valuation.
2. Characterization of the Federal Law of 29.07.1998 number 135-FL "On Valuation Activities in the Russian Federation"
3. The market value of intellectual property object.
4. The patent clearance a properties of intellectual property object.

Workshop 5. Practice work in promotion Intellectual Property.

1. Intellectual property advertisement.
2. Internet as a means of intellectual property promotion.
3. Exhibitions and conferences as a means of intellectual property promotion.
4. Protection of intellectual property with the promotion.
5. Technical protection of intellectual property.

14 THE RESULTS OF WORKSHOPS

The result of course studying Intellectual Property Management is the acquisition of knowledge and skills in working with high-tech products. Monitoring of educational activity provides an analysis on the state of knowledge of regulatory legal acts in the field of intellectual property, as well as the testing of students. In addition, it is intended for oral surveys of students for the

course, as well as the analysis of written works. Checking the practical work of the students is done through an analysis of oral responses in class. In particular, it is necessary to take into account the students' knowledge of the scientific literature on the subject of intellectual property, as well as legal acts in this area. A separate issue is devoted to practical lessons patent search. To estimate it is necessary to analyze the overall performance of students with reference systems in the field of patent information. In particular should check the efficiency of the Russian, European and US patent system.

15 SUMMARY AND GENERAL PROVISIONS OF THE METHODOICAL INSTRUCTIONS FOR LABORATORY WORKS

Methodical instructions aim to describe the work on the course of intellectual property management. The guidelines set out the basic methodology of work over the course of management of intellectual property. In particular, it sets out methods of teaching with practical lessons, laboratory work and independent work of students. The methodological guidelines were developed in accordance with the requirements of The State educational standards for higher professional education. The guidelines explain the procedure of organizing and conducting course of intellectual property management for master's students

and systemize the requirements for its structure, content and implementation. The basis of guidelines laid analysis work on labs, and provides examples of them.

16 THE STRUCTURE OF LABORATORY WORKS

Structure of laboratory works at the rate of Intellectual Property Management is included in the second part of the course “Contractual relations in the field of intellectual property” with 10 academic hours. Thus, in the course structure laboratory works act as acquiring skills to work with in the field of intellectual property treaties. In laboratory consolidation occurs prior knowledge on the course and created the basis for the study of the third part of the course, aimed at the choice of the strategy of commercialization of intellectual property.

17 METHODOICAL INSTRUCTIONS FOR LABORATORY WORKS

Laboratory work 1. The basic rules of contract formation in the field of intellectual property

Laboratory work on the course involves the preparation and drafting of standard forms of contracts of various kinds

taking into account the needs of today's commercial turnover. In preparation for the laboratory work students need to prepare model forms of intellectual property treaties. In particular, should pay attention to the interests of students at each of the parties of the contract, as in the preparation of contracts can be trained each of the parties to the obligation. In carrying out laboratory work can be guided by the following exemplary standard form contract. In the course of the laboratory work is necessary to develop a general framework agreement.

- Subject of the agreement. General provisions.
- The procedure and term use of the complex of exclusive rights.
- Rights and obligations.
- The size, timing and procedure for the payment of remuneration.
- Responsibility of the parties.
- Force Majeure.
- Change and termination of contract.
- Dispute resolution.
- Final provisions.

Laboratory work 2. Preparation of agreements towards creation intellectual property

To perform the lab work necessary to prepare an agreement on the creation of intellectual property. During the preparation

of a model contract on the establishment of intellectual property should follow a similar form of contract.

Copyright agreement order № ____ the creation
of a website

_____ of "____" _____ year
_____, named ____ as the "Author", one (Name or full name)
hand, _____, calling ____ further (Name or full name)
"Customer", represented by _____, acting on the basis
of _____, on the other hand, collectively referred to as the
"Parties" We have entered into this Agreement as follows:

1. THE SUBJECT OF THE AGREEMENT

1.1. The author undertakes to create the Client's request for compensation website for posting on the Internet at: _____ (hereinafter – the "site") and transfer to the Customer the exclusive right to it.

The site should be created in accordance with the customer's specifications (attachment № ____ hereto) (hereinafter – "TK") and the estimate (attachment № ____ hereto), in which the determined value of the work, and the work schedule (attachment № ____).

1.2. The site is a collection of programs for computers and other information contained in the information system, access to which is provided by the information and telecommunication network "Internet" domain name and (or) on the network addresses, allowing the identification of

sites in the network "Internet". Name of the site – _____.
Website as an object of copyright consists of the following components:

– Programs hosted on leased author (or: the Customer) disk space: _____;

(Name of the real and virtual IP address)

– Graphics and text files to the assembly and delivery of html-code and data files in the Internet connection (basic software core);

– Password protected system of data management involved in information interaction with the user's browser;

– Plugins that extend the interactive capabilities of the underlying software system kernel;

– Audiovisual component website available to visitors in an interactive mode;

– Blog;

– Advertising space;

1.3. The exclusive right to set up the site goes to Customer at the time.

1.4. The customer has the right to be notified of belonging to him the exclusive right to use the site a copyright notice which should be placed at the bottom of the home page and consists of the following elements:

– The Latin letter "C" in a circle.

– Name (optional: name) of the rightholder "_____".

– The year of the creation of the site: _____.

1.5. Parties to ensure that the author is not in employment or other relationship with the customer service.

2. DUTIES OF THE AUTHOR

2.1. The author is obliged to proceed with the execution of works to create a website no later than _____ from the date of receipt of his checking account advance amount and payment procedure is provided for in this Agreement, to carry out works in accordance with terms of reference, work estimate and work schedule.

2.1.1. The date of completion of the creation of the site should be considered as the time of the availability of the developed site on the Internet for the visitors, with the work must be finished no later than _____ days from the date of commencement of work.

2.1.2. In case when the term of execution of the Agreement came, author, if necessary, and with good reason, to complete the creation of the site granted an additional period of grace lasting _____.

3. OBLIGATIONS OF THE CUSTOMER

3.1. Customer shall within _____ after the signing of this Agreement by the Parties to submit data on the author information content (text information) site. Data on the site content should be presented in the following media: _____.

3.2. Customer agrees to pay the author remuneration for development of the site.

4. REMUNERATION PROCEDURE AND TERMS OF PAYMENTS

4.1. The amount of remuneration is defined in the estimate of works.

4.2. Customer undertakes for _____ since the author to pay a down payment of _____ (_____) rubles.

5. LIABILITY OF THE PARTIES

5.1. The party has not performed or improperly performed its obligations under this Agreement, shall be liable in accordance with applicable law.

6. TERMINATION OF THE AGREEMENT

6.1. Parties are entitled to terminate the Agreement by mutual written agreement.

6.2. The author has the right to terminate the Agreement unilaterally in case of repeated violations of the Customer obligation to pay remuneration to the author in accordance with this Agreement the term.

Laboratory work 3. Preparation of agreements aimed at disposal of exclusive ownership

During this lab, students are required to prepare an agreement on the disposal of exclusive rights. Need to note that after the preparation of agreements on alienation of exclusive rights to objects of patent rights contract involves carrying out state registration. When the job should adhere to the following template.

Contract № _____ on alienation of the exclusive right a selection achievement

1. THE SUBJECT OF THE AGREEMENT

1.1. The patent owner transfers in full, and the Purchaser accepts the exclusive right to selective achievement

_____ patentee as
_____.

1.2. The exclusive right to selective achievement belongs to the patent holder on the basis of a patent № _____, registered in the State Register of Protected Selection Achievements "_____"
_____.

The scope of legal protection: _____.

The validity of the exclusive right: _____.

The author of the selection achievement – _____ that confirmed by the copyright certificate from "_____" _____ year № _____, _____ issued.

1.3. The exclusive right to selective achievement, transmitted by the patentee to the Buyer, is an exclusive right to use the selection achievement and dispose of it at their discretion, including the right to prohibit its use by other persons.

2. RIGHTS AND OBLIGATIONS OF THE PARTIES

2.1. The patent holder is obliged to transfer to the Buyer the exclusive right to selective achievement, in accordance with Art. 1421, 1426 of the Civil Code of the Russian Federation.

2.2. On receipt of the notice of the state registration of transfer of the exclusive rights of the patent holder hereunder shall cease all use of the selection achievement.

2.3. The purchaser is obliged to pay the patentee funds for the alienation of the exclusive right in a selection achievement in the amount and within the time specified in Section 3 of this Agreement.

3. CALCULATION OF THE TREATY

3.1. For the alienation of the exclusive right in a selection achievement The patent acquirer pays the amount of _____ (_____) rubles.

3.2. The amount referred to in clause 3.1 of this Agreement, shall be paid by the Purchaser in the following order:

_____.

4. RESPONSIBILITY OF THE PARTIES

4.1. The party has not performed or improperly performed obligations under this Treaty, is obliged to compensate the other party damages caused by such default.

4.2. In case of violation of terms of payment by the Purchaser, provided p. 3.2 of this Agreement, he is obliged to pay interest at the rate of ____ of the unpaid amount for each day of delay. Default interest accrued from the date of the Purchaser's address in a written complaint.

5. MODIFICATION AND TERMINATION OF THE AGREEMENT

5.1. A unilateral change of the terms of this Agreement shall not be permitted.

5.2. Any changes or additions to this Contract shall be made in writing.

5.3. Parties are entitled to terminate the Agreement by written agreement.

6. FINAL PROVISIONS

6.1. This Agreement shall enter into force upon its signing and is valid until the Parties fulfill their obligations under it.

6.2. This Agreement is made in 2 copies of equal legal force, one copy for each party.

Laboratory work 4. Preparation of contracts for the right to use intellectual property

In the course of this lab, you should pay special attention to the variety of license agreements. In addition, for the successful implementation of laboratory work allowed drawing up of any of these contracts. The standard form of this type of commitment required to produce, is as follows:

License agreement № _____ granting the right to use the invention.

1. THE SUBJECT OF THE AGREEMENT

1.1. The Licensor grants the Licensee the right to use the certified patent the invention – in the limits established by this Agreement, and Licensee shall pay Licensor a fee for using the invention in accordance with the terms of this Agreement.

1.2. The licensor is the owner of an exclusive right to the invention.

1.3. Licensee is granted the right to use the invention without the licensor retains the right to issue licenses to other persons (exclusive license).

2. RIGHTS AND OBLIGATIONS OF THE PARTIES. REMUNERATION

2.1. Licensor:

2.1.1. In the period _____ undertakes to grant Licensee the right to use the invention, and the following documentation necessary for use of the invention.

2.1.2. It ensures that the rightful owner of all rights granted to Licensee hereunder.

2.2. Licensee:

2.2.1. Entitled to use the invention in the following ways.

2.2.2. Entitled to use the invention in the following areas.

2.2.3. Licensor shall not be entitled to enter into sub-license agreements without prior written consent.

3. TERM OF THE CONTRACT

3.1. This Agreement is concluded for a period.

3.2. This Agreement shall enter into force upon signature by the Parties.

4. RESPONSIBILITY OF THE PARTIES

4.1. After the expiration of this Agreement or in the event of early termination, Licensee must immediately cease use of the invention. In the case of non-terminated using the invention Licensee I shall indemnify the Licensor direct damages and

lost profits, arising from the Licensor to unauthorized use of the invention by the Licensee, after the termination of this Agreement prior to the actual termination of Licensee's use of Inventions.

5. CONFIDENTIALITY

5.1. The Parties commit themselves to ensure the confidentiality of technical documentation and information relating to the production of products under license and special products.

5.2. The Parties shall take all necessary measures to prevent the full or partial disclosure of the above information, or make them known third parties without mutual agreement.

6. DISPUTE RESOLUTION

6.1. In case of disputes between the licensor and the licensee on matters provided for in this Agreement or in connection with, the Parties shall take all measures to settle them through negotiations between themselves.

6.2. In case of failure to reach agreement on the contentious issues on the results of the negotiations on the resolution of disputes shall be referred to the court in accordance with applicable Russian legislation.

Laboratory work 5. Preparation of commercial concession

For this lab, you need to prepare the contract of commercial concession:

FRANCHISE AGREEMENT

1. THE SUBJECT OF THE AGREEMENT. GENERAL PROVISIONS

The right holder is obliged to provide the user the right to use in business complex owned by the Copyright Holder of exclusive rights, and the User is obliged to pay the remuneration due to the Copyright Holder Agreement.

2. THE PROCEDURE AND TERMS OF USE COMPLEX OF EXCLUSIVE RIGHTS

2.1. The user has the right to use the instrumentation in the implementation of the following business activities: _____ (specify the scope of business activities for the implementation of which is the Treaty: sales and / or production of goods, works, services).

2.2. Copyright Holder no later than "____" _____ _____, the User agrees to provide the following necessary to use instrumentation, business reputation and commercial experience documentation: _____ and information: _____

3. RIGHTS AND OBLIGATIONS OF THE PARTIES

3.1. The right holder is obliged to:

3.1.1. Do not allow others similar instrumentation to be used on the territory assigned to the user, and (or) to refrain from his own similar activity on this territory.

3.1.2. Provide User constant technical and advisory assistance, including assistance in the education and training of its employees.

3.2. User agrees to:

3.2.1. Do not conclude similar agreements with competitors (potential competitors) Copyright Holder.

3.2.2. Use the implementation of the Treaty the activities of the trademark (service mark) or other means of individualization Copyright Holder indicated in the Agreement properly.

4. SIZE, DATE AND PROCEDURE FOR THE PAYMENT OF REMUNERATION

4.1. The remuneration is set by the Treaty in the form (select the desired / possible combination of the above forms of payment or the establishment of some form of compensation payments).

4.2. Terms of payment (select one)

Single (lump sum) payment shall be paid not later than _____ (_____) working days from the date of conclusion of the agreement.

4.3. Interest on the amount of payment under the Agreement are not charged and are not paid.

4.4. In the event of termination of any of the exclusive rights included in the instrumentation, and the continuation of the Agreement on a new similar exclusive right user has the right to demand a commensurate reduction of the remuneration.

5. RESPONSIBILITY OF THE PARTIES

5.1. For violation of the terms of payment (para. 4.2 of the Agreement) The right holder shall have the right to demand payment of a penalty to the User (penalties) in the amount

of _____ (_____) percent of the unpaid amount for each day of delay.

5.2. In all other cases, the Parties shall bear responsibility in accordance with the Russian legislation, including, but not limited to liability under Art. 1034 of the Civil Code.

6. FORCE MAJEURE

6.1. The parties are relieved from liability for failure or improper fulfillment of obligations under the Agreement, if the proper performance was impossible due to force majeure, ie extraordinary and unavoidable under the given conditions, which are defined as: _____ (prohibitive actions of the authorities, civil unrest, epidemics, blockades, embargo, earthquakes, floods, fires or other natural disasters).

6.2. In the event of these circumstances, the Party shall, within _____ working days notice to the other Party.

7. MODIFICATION AND EARLY TERMINATION

7.1. All the Treaty amendments are valid if made in writing and signed by both Parties.

Additional relevant parties to the agreement are an integral part of the Agreement.

Treaty changes are subject to state registration in Rospatent.

7.2. The contract may be prematurely terminated by agreement of the Parties, or on the grounds and in the manner prescribed by the legislation of the Russian Federation.

9. FINAL PROVISIONS

The Agreement is made in two copies, one for each of the Parties

18 THE RESULTS OF LABORATORY WORKS

The result of course studying Intellectual Property Management is the acquisition of knowledge and skills in working with high-tech products. Monitoring of educational activity provides an analysis on the state of knowledge of regulatory legal acts in the field of intellectual property, as well as the testing of students. In addition, it is intended for oral surveys of students for the course, as well as the analysis of written works. The basis for the control of laboratory work will be developed by the students of correspondence agreements with regulatory acts of the Russian Federation. First of all, accordance of Part 4 of the Civil Code of the Russian Federation.

19 GLOSSARY

The list of terms students must know to stand on the master's course Intellectual Property Management, to understand their meaning, to be able to explain them in their own words and know how they relate to each other.

Appellation of origin	Invention
Author	Inventor
Author's contract	Joint Inventors

Authorship	Joint Ownership / Joint Owner(s)
Brand name	Joint Work of Copyright (or Joint Work of Authorship)
Broadcast messages	License
Consideration	License Issue Fee
Consulting or Contractor Agreement(s)	Licensee
Commercial concession	Material Recipient
Commercial concession Agreement (MTA)	Material Transfer
Computer programs	Moral rights
Copyright	Option
Creator(s)	Patents and Patent Rights
Data bases	Performance
Development Expenses	Phonograms
Equity (Know How)	Production secret
Exclusive right	Promulgation
Exclusive right of the manufacturer	Property rights
Fair Use	Research Data
Improvement(s)	Right to name
Independent Academic Work(s)	Selection achievements

Industrial designs intellectual property	Service objects of
Instructional Work(s)	Sui generis
Intellectual Property Infringements	Trade and Service Marks
Intellectual Property License	Utility models
Intellectual Rights	Work Made for Hire
Interinstitutional Agreement	

20 RECOMMENDED LITERATURE AND ON-LINE RESOURCES

Literature

1. Carlsson, B., Dumitriu, M., Glass, J.T. et al. J Technol Transfer (2008) 33: 549. <https://doi.org/10.1007/s10961-008-9082-2>
2. Gendreau Y., Nordemann A., Oesch R. (Ed.) Copyright and Photographs: anInternational Survey. Kluwer Law International. London, Hague, Boston 1999. 334 p.
3. Parr R.L., Smith G.V. Intellectual property: valuation, exploitation andinfringement damages. New Jersey, 2005. 888 p.

4. Hsieh Chihmao. (2011) Explicitly searching for useful inventions: dynamic relatedness and the costs of connecting versus synthesizing. *Scientometrics* 86:2, 381–404. Online publication date: 18-Sep-2010.
5. Horn, L. J *CommerBiotechnol* (2003) 9: 119. <https://doi.org/10.1057/palgrave.jcb.3040017>
6. Sallis M. Moral rights in copyright works (2004); Online publication date: <http://www.crawfordlegal.com.au/files/IP006.pdf>; 17-Jan-2017).
7. Tania S. "Copyright World" and Access to Information: Conjoined via theInternet // *Journal of Intellectual Property Rights* (2012) 17:3. 235–242.
8. Singh P. Library databases: development and management // *Annals of Library and Information Studies* (2004) 51:2. 72–81.
9. Thakur N. Database Protection in the European Union and the United States: the Database Directive as an Optimum Global Mode // *Intellectual Property Quarterly* (2001)1. 100–133.
10. Westkamp G. *Der Schutz von Datenbanken und Informationssammlungen im britischen und deutschen Recht*. Muenchen: C.H. Beck, 2003. 538 p.

On-line resources

1. <https://rupto.ru/ru> – Rospatent (Federal Service on Intellectual Property)

2. <http://rosvois.ru/> – Russian Organization for Intellectual Property
3. <https://www.wipo.int/portal/en/> – World Intellectual Property Organization
4. <https://www.wipo.int/patentscope/en/> – The PATENTSCOPE database
5. <http://lib.sstu.ru/index.php/mninetresurs/menuinforospatent>
Information resources of Rospatent
6. http://ptn.su/Patent/Otkritie_reestry_Fips_Rospatenta.html
Open registries of Rospatent
7. <https://contracts.onecle.com/type/32.shtml> – Free Customizable Licensing Forms (in U.S.)
8. <http://www.fips.ru/> – Federal Institute of Industrial Property
9. <https://www.eapo.org/ru/> – Eurasian Patent Organization (EAPO)

Educational edition

Inyushkin Andrey Alexeyevich
Razveykina Nadezhda Andreyevna

**INTELLECTUAL PROPERTY
MANAGEMENT**

Master's program
"High-Technology Business Management"

Study guide

Editor *A.S. Nikitina*
Computer layout by *A.S. Nikitina*

Signed to print 29.12.2019. Format 60x84 1/16.

Offset paper. Printer's sheets 3,75.

Circulation 25 copies. Order . Art. – 5(P3Y)/2019.

SAMARA NATIONAL RESEARCH UNIVERSITY

Publishing house of Samara National Research University
443086 Samara, Moskovskoye Shosse, 34.