



Syllabus of the educational component

Course Program



COPYRIGHT AND RELATED RIGHTS

Specialty

072 - Finance, banking, insurance and stock market"

Institute

Institute of Social and Humanitarian Technologies

Educational program

Finance and banking

Department

Law (306)

Level of education

Master

Course type

Educational and professional

Semester

2

Language of instruction

English

Lecturers and course developers



Maksym Tkachov

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Candidate of legal sciences, associate professor, associate professor of the law department NTU "KhPI".

The author of more than 100 scientific and educational and methodical publications. Leading lecturer on the courses: "Legal Science", "Labor and Business Law", " Business Law"

[Learn more about the teacher on the department's website](#)



Iryna Lysenko

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Candidate of legal sciences, associate professor, head of the department of law at NTU "KhPI".

Author of more than 150 scientific and educational publications. Leading lecturer in the courses: "Jurisprudence", "Jurisprudence",

"Legal Regulation of Creation and Operation of Startups, Copyright and Related Rights, Legal Regulation of Intellectual Property, Legal Regulation of Labour Relations, Legal Regulation of Entrepreneurial Activity in Ukraine and others. He has 8 certificates of copyright registration. Member of the Ukrainian Union of Lawyers. He has over 20 years of experience.

More information about the lecturer is available on the department's website:

<http://web.kpi.kharkov.ua/pravo/uk/shtat-kafedru/>

General information

Summary

The discipline is aimed at addressing a wide range of issues related to familiarising students with the general principles of copyright and related rights, the institute of individualisation of participants in civil circulation. Particular attention is paid to the procedures for obtaining legal protection of intellectual property objects and protection of these objects. professional activities of an information technology

specialist. The course focuses on practical knowledge of the applied aspects of obtaining copyright certificates.

Course objectives and goals

Developing knowledge and skills on the peculiarities of ownership, use and disposal of rights to copyright and related rights, as well as mechanisms for their protection against infringement.

Format of classes

Lectures, individual assignments, essays, independent work, consultations. The final control is a differentiated test.

Competencies

- GC1. Ability to think abstractly, analyse and synthesise.
- GC3. Ability to conduct research at the appropriate level.
- GC4. Ability to identify, formulate and solve problems.
- GC5. Ability to make informed decisions.
- GC6. Interpersonal interaction skills.
- GC7. Ability to motivate people and move towards a common goal.
- GC8. Ability to work in an international context.

Specialist (professional) competences:

- SC5. Ability to assess the limits of their own professional competence and improve their professional qualifications.
- SC6. Ability to apply interdisciplinary approaches to solving complex problems and issues in the field of finance, banking and insurance.
- SC7. Ability to search, use and interpret information necessary for solving professional and scientific problems in the field of finance, banking and insurance.

Learning outcomes

- PL 03. To adapt and modify existing scientific approaches and methods to specific situations of professional activity.
- PL 04. To search, process, systematise and analyse information necessary for solving professional and scientific problems in the field of finance, banking and insurance.
- PL 06. To present research results in an accessible and reasoned manner orally and in writing, to participate in professional discussions.
- PLO07. Solve ethical dilemmas based on the law, ethical principles and universal values
- PL 08. To be able to apply and manage innovative approaches in the field of finance, banking and insurance.
- PL 09. Apply management skills in the field of finance, banking and insurance.
- PL 12. Justify the choice of management decisions in the field of finance, banking and insurance and evaluate their effectiveness, taking into account the goals, existing constraints, legal and ethical aspects.
- PL 13. Assess the degree of complexity of tasks in planning activities and processing their results

Scope of the discipline

The total volume of the discipline is 120 hours (4 ECTS credits): lectures - 32 hours, practical - 16 hours, independent work - 72 hours. Form of control: differentiated credit.

Prerequisites for studying the discipline (prerequisites)

Jurisprudence. Ability to work with legislative acts, apply legal norms in solving practical situations.

Features of the course, teaching and learning methods, and technologies

Gamification is used in the course of studying the discipline. The following teaching methods are used: interview, explanation, storytelling, innovative methods using multimedia presentations, lectures.

Program of the course

Topics of the lectures

Topic 1. Copyright: concept, tasks, functions and principles of. copyright

The concept of copyright. Objective and subjective meaning. Objectives of copyright.
Basic principles of copyright.

Topic 2. Evolution of copyright and related rights.

The emergence and development of copyright. Development of related rights.
Formation of the system of legal protection of copyright and related rights in Ukraine.
Formation and development of public administration in copyright and related rights.
Formation and development of copyright and related rights legislation in Ukraine.
Development of legislation in the EU.

Topic 3. Objects of copyright.

The concept of a work and its features. Works for hire. Works that are not protected by copyright.
Types of works and their characteristics. Literary works. Personal letters, diaries as a special type of work. Scientific works.

Topic 4. Subjects of copyright.

Minor and incapacitated authors. Foreign authors as subjects of copyright. Successors as subjects of copyright. Translator as a subject of copyright.

Topic 5. Content and terms of copyright.

Copyright and individual copyright powers. Types of copyright. General characteristics of authors' personal non-property rights. General characteristics of authors' property rights.

Topic 6. Origin and registration of copyright.

The presumption of copyright. State registration of copyright in Ukraine. The procedure for registering copyright in the EU.

Topic 7. Disposal of property copyright.

Agreement on the transfer of the right to use a work. Agreement on the transfer (alienation) of economic copyrights. Other types of copyright contracts. Disposal of intellectual property rights to a work in accordance with the Civil Code of Ukraine.

Licence to use an object of intellectual property rights. Licence agreement.

Agreement on the creation and use of an object of intellectual property rights.

Agreement on the transfer of exclusive intellectual property rights.

Topic 8. Subjects and objects of neighbouring rights.

Related rights: concept and general characteristics. Content and limits of subjective related rights.

Free use of objects of neighbouring rights.

Topic 9. Collective management of copyright and related rights.

Prerequisites for the emergence and concept of collective management of copyright and related rights. Social role of collective management organisations. Evolution of collective management and types of rights to which collective management applies. Specificity of forms and nature of activities of collective management organisations of copyright and related rights.

Functions of collective management organisations of copyright and related rights. Establishment of the system of collective management of copyright and related rights in Ukraine. Development of the system of collective management of copyright and related rights in the EU countries

Topic 10. Legal basis for the protection of copyright and related rights.

Subjects of the right to protection. Types of copyright infringement. Forms of protection. Methods of civil protection of copyright and related rights. Administrative liability for infringement of copyright and related rights. Criminal liability for infringement of copyright and related rights. Peculiarities of legal protection of the rights of Ukrainian authors outside Ukraine.

Topic 11. International aspects of copyright and related rights protection.

Participation of Ukraine in the international system of copyright and related rights protection. Problems of correlation between the norms of national legislation and the norms of international law. Convention for the Protection of Literary and Artistic Works. Universal Copyright Convention. International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations. Convention for the Protection of Producers of Phonograms against Unauthorised Reproduction of their Phonograms. World Intellectual Property Organisation Copyright Treaty. World Intellectual Property Organisation Treaty on Performances and Phonograms. World Intellectual Property

Organisation. Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement). Protection of copyright and related rights of Ukrainian authors and foreign authors.

Topics of the workshops

Practical classes are not provided within the discipline

Self-study

Study of lecture material. Preparation of abstracts. Preparation of individual tasks. Independent study of topics and issues that are not taught.

Course materials and recommended reading

1. Правознавство: хрестоматія / Л. В. Перевалова, В. Г. Вергун, Г. М. Гаряєва, О. В. Гаєвая, І. В. Лисенко, О. В. Кузьменко. Харків: НТУ «ХПІ», 2019. 220 с.– Режим доступу:<http://web.kpi.kharkov.ua/pravo/wp-content/uploads/sites/90/2019/06/Pravoznavstvo-NRESTOMATIYA.doc>
2. Правове регулювання внутрішнього ринку Європейського Союзу : навч.-метод. посіб. / Л.В. Перевалова, О.В. Гаєвая, Г.М. Гаряєва. Харків : ФОП Панов А.М., 2020. 68 с. – Режим доступу:<http://web.kpi.kharkov.ua/pravo/wp-content/uploads/sites/90/2021/05/NMP-PR-VR-YES-2020.docx>
3. Тезаурус з правознавства: Перевалова Л.В., Гаєвая О.В., Гаряєва Г.М., Кузьменко О.В., Лисенко І.В., Ткачов М.М. Харків: НТУ «ХПІ», 2021. 194с. – Режим доступу: http://web.kpi.kharkov.ua/pravo/wp-content/uploads/sites/90/2021/09/tezaurus_vychitka-eng-16.06.2021docx-1.docx
4. Правові засади управлінської діяльності: навч.-метод. посіб. / Л.В. Перевалова, О.В. Гаєвая, Г.М. Гаряєва, І.В. Лисенко. Харків : ФОП Панов А.М., 2020. 50 с. – Режим доступу:<http://web.kpi.kharkov.ua/pravo/wp-content/uploads/sites/90/2020/10/Metodposibnik-PZUD-2-1.docx>
5. Методичні вказівки до виконання контрольних робіт з правових дисциплін для студентів заочної форми навчання усіх спеціальностей: О. В. Гаєвая, Г. М. Гаряєва, І. В. Лисенко, Л. В. Перевалова. Харків: НТУ «ХПІ», 2021. 128 с. – Режим доступу:http://web.kpi.kharkov.ua/pravo/wp-content/uploads/sites/90/2021/06/Metodichni-vkazivki_dlya-napisannya-kr-dlya-zo-1-1.docx
6. Правознавство : навч.-метод. посіб./ Л.В.Перевалова, В.Г.Вергун, Г.М. Гаряєва та ін. Харків : ФОП Панов А.М., 2019. 98 с.

Legislative acts

1. Конституція України // Відомості Верховної Ради України. – 1996. – № 30. – Ст. 141. [Електронний ресурс]. - Режим доступу: <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80#>
2. Цивільний кодекс України // Відомості Верховної Ради України. – 2003. – №№ 40-44. – Ст. 356. [Електронний ресурс]. - Режим доступу: <https://zakon.rada.gov.ua/laws/show/435-15#>
3. Кримінальний кодекс України // Відомості Верховної Ради України. – 2001. – № 25-26. – Ст. 131. [Електронний ресурс]. - Режим доступу: <https://zakon.rada.gov.ua/laws/show/2341-14#>
4. Сімейний кодекс України // Відомості Верховної Ради України. – 2002. – № 21-22. – Ст.135. [Електронний ресурс]. - Режим доступу: <https://zakon.rada.gov.ua/laws/show/2947-14#>
5. Цивільний процесуальний кодекс України // Відомості Верховної Ради України. – 2004. – № 40-41, 42. – Ст. 492. [Електронний ресурс]. - Режим доступу: <https://zakon.rada.gov.ua/laws/show/1618-15#>
6. Господарський кодекс: від 16.01.2003 р. № 436-IV // Відомості Верховної Ради України. – 2003. – № 18–22. – С. 144.
7. Закон України «Про авторське право і суміжні права» // Відомості Верховної Ради України. – 2023. – № 13. – ст.64. [Електронний ресурс]. - Режим доступу: <https://zakon.rada.gov.ua/laws/show/2811-20#Text>

Basic Literature

Назва дисципліни



Національний технічний університет
«Харківський політехнічний інститут»

1. Вахонєва Т.М. Авторське право і суміжні права в Україні: навч. посібник. 2-ге видання, перероблене і доповнене. – К.: Дакор, 2019. – 576 с.
2. Інтелектуальна власність: навч. посіб. [для студ. вищ. навч. закл.] / Аксютіна А.В., Нестерцова-Собакарь О.В., Тропін В.В. та ін. Аксютіна А.В., Нестерцова-Собакарь О.В., Тропін В.В. та ін. – Дніпро: Дніпроп. держ. ун-т внутр. справ, 2017. – 140 с
3. Журавльов Д.В., Чижмарь К.І. Авторське право та суміжні права в Україні. Їх захист та відповідальність. Вид-во ЦУЛ, 2020. 224 с.
4. Цивільно-правова охорона та захист авторського права в сучасних умовах технологічного розвитку [Текст] : монографія / Колектив авторів : О. О. Штефан, А. С. Штефан, І. І. Петренко, О. О. Мацкевич, В. М. Троцька, С. А. Петренко; за наук. ред. Н. М. Мироненко. – К. : НДІ інтелектуальної Інтелектуальна власність власності НАПрНУ, ТОВ «НВП Інтерсервіс», 2014. – 341 с.
5. Інтелектуальна власність: магістерський курс : підручник / П. Г. Перерва [та ін.] ; ред.: П. Г. Перерва, В. І. Борзенко, Т. О. Кобєлева ; Нац. техн. ун-т "Харків. політехн. ін-т". – Харків : Планета-Прінт, 2019. – 1002 с.

Assessment and grading

Criteria for assessment of student performance, and the final score structure

Criteria for evaluating student performance and distribution of points 100% of the final grade consists of the results of the assessment in the form of differentiated credit (40%) and current assessment (60%). Differentiated assessment: oral task (2 theory questions) and oral report. Current assessment: 2 online tests and solving practical problems (20% each).

Grading scale

Total points	National	ECTS
90–100	Excellent	A
82–89	Good	B
75–81	Good	C
64–74	Satisfactory	D
60–63	Satisfactory	E
35–59	Unsatisfactory (requires additional learning)	FX
1–34	Unsatisfactory (requires repetition of the course)	F

Norms of academic integrity and course policy

The student must adhere to the Code of Ethics of Academic Relations and Integrity of NTU "KhPI": to demonstrate discipline, good manners, kindness, honesty, and responsibility. Conflict situations should be openly discussed in academic groups with a lecturer, and if it is impossible to resolve the conflict, they should be brought to the attention of the Institute's management.

Regulatory and legal documents related to the implementation of the principles of academic integrity at NTU "KhPI" are available on the website: <http://blogs.kpi.kharkov.ua/v2/nv/akademichna-dobrochesnist/>

Approval

Approved by

25.08.23



Head of the department
Iryna LYSENKO

Date, signature

Guarantor of the educational
program
Tatiana NAZAROVA

Назва дисципліни



Національний технічний університет
«Харківський політехнічний інститут»