



## Syllabus Course Program



# Copyright and related rights

### Specialty

073 – Management

### Institute

Institute of Social and Humanitarian Technologies

### Educational program

Business-administration (in English)

### Department

Law (306)

### Level of education

Master's level

### Course type

Professional, electivel

### Semester

3

### Language of instruction

English

## Lecturers and course developers



### Maksym Tkachov

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Candidate of economic 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 grading.

### Competencies

GC1. The ability to conduct research at the required level;  
GC3. Skills in using information and communication technologies

### Learning outcomes

LO06. To possess the skills in making, justifying, and ensuring the implementation of managerial decisions under unpredictable conditions, taking into account the requirements of the current legislation, ethical considerations and social responsibility;  
LO13. To be able to plan and provide informational, methodological, material, financial and staffing support for an organization (unit).

### Student workload

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 is differentiated grading.

### Course prerequisites

For successful studying the course, it is necessary to have knowledge and practical skills, which are confirmed by the entrance exam in Master's programme

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

The following teaching methods are used in the course of studying the discipline: 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.

License to use an object of intellectual property rights. License 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 neighboring rights.**

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

Free use of objects of neighboring 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 organizations 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).

## **Topics of the workshops**

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

**Topic 2. Evolution of copyright and related rights.**

**Topic 3: Objects of copyright.**

**Topic 4. Subjects of copyright.**

**Topic 5. Content and terms of copyright.**

**Topic 6: Origin and registration of copyright.**

**Topic 7. Disposal of property copyright.**

**Topic 8 Subjects and objects of neighbouring rights. Copyright and related rights.**

**Topic 9: Collective management of copyright and related rights.**

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

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

## Topics of the laboratory classes

Not provided by the curriculum

### Self-study

Study of lecture material. Independent study of topics and issues that are not taught. Students are also recommended additional materials (videos, articles, regulations) for independent study and analysis. The course involves completing an individual assignment in the form of an essay and presenting it as a presentation on the course topic, which the student freely chooses from among the topics offered or agrees with the teacher on an initiative topic. The student carries out a bibliographic search, draws up a presentation plan or poses questions to which he/she needs to get a reasoned answer, having mastered the sources on the topic, the student reveals the content of the questions and presents the work done at the seminar. The volume of the presentation is 16-25 slides, the text of the report is 4-6 standard pages. The main content of the presentation is presented in free form at the seminar, and the student receives a grade (20 points), which is added to the overall rating

### Course materials and recommended reading

#### Basic literature

1. Understanding Copyright Law Eighth Edition by [Marshall A. Leaffer](#) 2024
2. Ienca, M., Pollicino, O., Liguori, L., Stefanini, E., & Andorno, R. (2022). The Cambridge Handbook of Information Technology, Life Sciences and Human Rights ([edition unavailable]). Cambridge University Press. Retrieved from <https://www.perlego.com/book/4229436> (Original work published 2022)
3. Grabowski, M., & Robinson, E. (2021). Cyber Law and Ethics (1st ed.). Taylor and Francis. Retrieved from <https://www.perlego.com/book/2554909/cyber-law-and-ethics-regulation-of-the-connected-world-pdf> (Original work published 2021)
4. Digital Copyright: Law and Practice 4th Edition by Simon Stokes (Author) Hart Publishing; 4th edition (January 30, 2014) 310 pages
5. Coppel, P. (2023). Information Rights (6th ed.). Hart Publishing. Retrieved from <https://www.perlego.com/book/4242321> (Original work published 2023)
6. Правознавство :навч.-метод. посіб./ Л.В.Перевалова, В.Г.Вергун, Г.М. Гаряєва та ін. Харків : ФОРМ 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>

#### Additional literature:

1. Kohl, U. and Charlesworth, A. (2016) Information Technology Law. 5th edn. Taylor and Francis. Available at: <https://www.perlego.com/book/1616735/information-technology-law-pdf> (Accessed: 14 October 2022).
2. The Routledge Companion to Copyright and Creativity in the 21st Century 1st Edition

## Assessment and grading

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

The total assessment (100%) consists of current assessment (60%) and final semester control (40%)  
The final control represents test on course topics.  
The current assessment consists of two online tests ( 20% each) and an individual task 20% Type of activities

### 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



30.08.2024

Head of the department  
Iryna LYSENKO

Guarantor of the educational  
program



30.08.2024

Pavlo BRIN