

Enhance Innovation Strategies, Policies and Regulation in Ukraine
EuropeAid/127694/C/SER/UA

Centre of Intellectual Property and Technology Transfer of the NAS of Ukraine

INTERNATIONAL CONFERENCE

“Protection of Intellectual Property Rights in Ukraine and in the European Union: Policy, Law, Practice”

Programme

Kyiv, June 15th-16th, 2011



European Union Funded
Project



Louis Berger

This project is implemented
by Louis Berger-led Consortium
in partnership with INTRASOFT
International SA, LOGOTECH
S.A., Advansis Oy and ANCE

| <u>June 15th, 2011, Wednesday</u> | |
|--|---|
| <i>(Great Conference Hall of NAS of Ukraine, 55 Volodymyrska Str.)</i> | |
| 9.00-10.00 | Registration of Participants |
| 10.00-10.20 | Opening of the Conference |
| 10.20-12.00 | Plenary Session Current issues of protection of intellectual property right objects in Ukraine and in the European Union |
| | <i>Shatova Inna Oleksiivna, Head of Department, State Department of Intellectual Property</i> Adaptation of Ukrainian property rights legislation to the European Union legislation |
| | <i>Michael Blakeney, Professor of Intellectual Property Law at Queen Mary, University of London</i> Geographical Indications and Agriculture |
| | <i>Kapitsa Yuriy Mykhailovych, Director of Centre of Intellectual Property and Technology Transfer of NAS of Ukraine, PhD in Law</i> Approximation of intellectual property legislation in the framework of the European Union and Common Economic Space: issues for Ukraine |
| | <i>Kokhanovs'ka Olena Veleoninivna, Professor of Department of Civil Law of Law Faculty of Kyiv National Taras Shevchenko University, Doctor of Law, Correspondent Member of National Law Academy of Ukraine</i> |
| | Questions |
| 12.00-12.20 | Coffee-break |
| 12.20-13.40 | Resumption of the Plenary Session |
| | <i>Hashyts'kyi Oleksiy Anatoliiovych, Chief Inspector of the State Customs Service of Ukraine</i> Intellectual property rights protection at the customs border of Ukraine: current situation and prospects |
| | <i>Ioannis Iglezakis, Attorney-at-Law, Assistant Professor, Faculty of Law, Aristotle University</i> Injunctions in Intellectual Property: the experience of EU Member States |
| | <i>Khaustov Volodymyr Kyrlyovych, Academic Secretary of State Agency "Institute of Economics and Forecasting of National Academy of Sciences of Ukraine", PhD in Technical Sciences</i> Experience of support of foreign patenting in Europe and issues of patenting of Ukrainian inventions abroad |
| | Questions |
| 13.40-14.10 | Lunch <i>(in the Great Conference Hall)</i> |

| | |
|--|--|
| <p>14.10 -18.30 16.00-16.20 coffee-break</p> | <p style="text-align: center;">SECTION 1. Current issues of copyright and related rights protection <i>(Small Conference Hall, first floor)</i></p> |
| <p>Speaker</p> | <p><i>Ioannis Iglezakis, Attorney-at-Law, Assistant Professor, Faculty of Law, Aristotle University</i> Copyright Collecting Societies in the EU: Organisation and Harmonization on EU level</p> <hr/> <p><i>Atamanova Yulia Yevhenivna, Deputy Director for Scientific Work of the Scientific and Research Institute of Innovative Policy Legal Support of National Law Academy of Ukraine, Doctor of Law, Associated Professor</i> Problem of intellectual property rights allocation at the creation of complex results of intellectual activity</p> <hr/> <p><i>Vashynets Ivan Ivanovych, lecturer of Kyiv University of Law, PhD in Law</i> Some issues of improvement of author's rights to property lease and rental under the laws of Ukraine</p> <hr/> <p><i>Makoda Volodymyr Yevhenovych, Associated Professor of Department of Civil Law of Law Faculty of Kyiv National Taras Shevchenko University, PhD in Law</i> "Software piracy" as one of the types of violations in the field of intellectual property. Civil legal aspect</p> <hr/> <p><i>Komzyuk Leonid Trokhymovych, PhD student of Department of Civil Law of Law Faculty of Kyiv National Taras Shevchenko University, PhD in Law</i> Some aspects of the codification of the European copyright law</p> <hr/> <p><i>Kyslyi Taras Fedorovych, Senior Attorney, Leader of Intellectual Property, Technology, Media and Telecommunications Group of "Magisters Law Firm" LLC</i> Conflicts of laws on protection of intellectual property rights and activities of business operators providing satellite TV services</p> <hr/> <p><i>Kharchenko Vadym Borysovych, Chairman of Department of Criminal and Legal Studies and Administrative Law of Kharkiv University of Economics and Law, PhD in Law</i> Application of the computer program: the role of characteristic in civil and criminal law</p> <hr/> <p><i>Stupak Serhiy Kostiantynovych, Senior Research Associate of Scientific and Research Centre for Court Expertise on Intellectual Rights of the Ministry of Justice of Ukraine</i> Issues of forming Property Rights Collecting Societies in Ukraine</p> <hr/> <p><i>Katerynchuk Kateryna Volodymyrivna, senior lecturer of Department of Criminal and Legal Studies of Training and Scientific Institute of Law and Psychology of the National Academy of Interior, PhD in Law</i> Plagiarism and its characteristics</p> <hr/> <p><i>Zhylinkova Olena Viacheslavivna, lecturer of Department of Civil and Legal Studies of Law Faculty, Kharkiv National V.N. Karazin University, PhD in Law</i> Licenses to use the intellectual property rights objects in the Internet</p> <hr/> <p><i>Gordiienko Serhiy Georgiiovych, Professor at the National Academy of Security Service of Ukraine, Doctor of Law</i> Conceptual definitions of "intellectual property" and classification of areas of work of the creative artist</p> |

| | |
|--|--|
| | <p><i>Zhuvaka Oleksandr Volodymyrovych, lawyer, “Oberig” All-Ukrainian Association of Holders of Copyright and Related Rights</i></p> <p>Moral rights in the sphere of copyright and related rights in the EU</p> |
| | <p><i>Netska Liubov Stepanivna, Professor of Department of Representation of Interests of Citizens and State in Court and Control over Enforcement and Application of Laws of the Institute of Advanced Training of the National Academy of Prosecutors of Ukraine</i></p> <p>State as a participant of contractual civil and legal relationships in the area of intellectual property</p> |
| | <p><i>Pikhurets Olena Viktorivna, Associate Professor of Department of Protection of Intellectual Property, Civil Law and Procedure of Kharkiv National University of Internal Affairs, PhD in Law</i></p> <p>Effects of termination of legal protection of a work</p> |
| | <p><i>Lee Arthur, Master of Laws on intellectual property, senior lecturer of State Ecological Academy of Post-Graduate Education and Management, Department of Geoinformation and Aerospace Technologies</i></p> <p>Actual aspects of agreements on transfer of intellectual property rights of the employees work between authors and employers</p> |
| | <p><i>Iyevinya Olha Volodymyrivna, Professor of Department of Civil and Legal Studies of the National Academy of Interior of Ukraine, PhD in Law</i></p> <p>The problem of providing access to the works protected by copyright of people with disabilities in perception of printed text</p> |
| | <p><i>Avramova Olha Yevhenivka, Associate Professor of Department of Law of the National Technical University “Kharkiv Polytechnical Institute”</i></p> <p><i>Zhidkova Olena Stepanivna, Associate Professor of Department of Civil and Labour Rights of Luhansk State E.O. Didorenko University of Internal Affairs, PhD in Law</i></p> <p>Status of the Agency for Copyright and Related Rights: A comparative analysis</p> |
| | <p><i>Matskevich Olha Oleksandrivna, Junior Scientific Associate of Scientific and Research Institute of Intellectual Property of the National Academy of Legal Sciences of Ukraine</i></p> <p>Freelance journalist as a subject of copyright law</p> |
| | Discussion |

| | |
|--|--|
| <p>14.10-18.30</p> <p>16.00-16.20 coffee-break</p> | <p style="text-align: center;">SECTION 4. Legal and economic aspects of intellectual property rights commercialization. Tools of formation of intellectual property market in Ukraine (Great Conference Hall)</p> |
| <p>Coordinators of the Section:</p> | <p><i>Butnik–Seversky Oleksandr Borysovych, Chairman of Department of Economics and Law of Research Institute of Intellectual Property of the National Academy of Legal Sciences of Ukraine, Associate Professor of Economics, PhD in Technical Sciences</i></p> <p><i>Denysiuk Volodymyr Antonovych, Senior Scientific Associate of H.M.Dobrov Centre for Research of Scientific and Technical Potential and History of Sciences, PhD in Technical Sciences</i></p> |
| <p>Speakers:</p> | <p><i>Avigdor Gabriel, EU project expert, Belgium</i> The EU and EU Member-States experience on regulation of IPR and R&D results commercialisation</p> <hr/> <p><i>Butnik–Seversky Oleksandr Borysovych, Chairman of Department of Economics and Law of Research Institute of Intellectual Property of the National Academy of Legal Sciences of Ukraine, Associate Professor of Economics, Professor</i> Smart State administration towards innovation business</p> <hr/> <p><i>Spasibo-Fateyeva Inna Valentynivna, Professor of Department of Civil Law of National University “Yaroslav the Wise Legal Academy of Ukraine”, Associate Professor of Law</i> Some thoughts on Innovation Code</p> <hr/> <p><i>Denysiuk Volodymyr Antonovych, Senior Scientific Associate of H.M.Dobrov Centre for Research of Scientific and Technical Potential and History of Sciences, PhD in Technical Sciences</i> Analysis of intellectual property objects allocated in the created advanced production technologies</p> <hr/> <p><i>Khrebrov Arkadiy Olegovych, Deputy Director of “Reaktyvelektron” Science and Technology Centre of NAS of Ukraine, PhD in Mathematics and Philosophy</i> Institute of protection of intellectual property rights as a means of regulation of state-legal partnership and drivers of innovation development</p> <hr/> <p><i>Simson Olha Eduardivna, PhD student, Yaroslav the Wise Legal Academy of Ukraine, PhD in Law</i> Topical issues of correlation of innovation and intellectual property in the context of building a knowledge economy</p> <hr/> <p><i>Androschuk Gennadiy Oleksandrovysh, Chief Consultant of Verkhovna Rada Committee on Science and Education</i> Intellectual Property in offshore outsourcing: management issues</p> <hr/> <p><i>Halysia Ihor Oleksandrovysh, Chairman of Department of Tourism Management of Kyiv University of Tourism, Economics and Law, Associate Professor of Economics</i> Official (employee’s) intellectual property as a factor of investing activities</p> <hr/> <p><i>Vorotnikov Vitaliy Anatoliiovych, Head of Sector of Department of Patenting and Innovation Research of M.K.Yangel “Pivdenne” State Design Bureau</i> Comprehensive approach towards the development and commercialization of intellectual property companies-innovators</p> <hr/> <p><i>Adamyuk Denys Ivanovych, Senior Scientific Associate of the Scientific and</i></p> |

| |
|--|
| <p><i>Research Institute of Innovative Policy Legal Support of National Law Academy of Ukraine</i></p> <p>Topical issues of tax stimulation of innovation processes in Ukraine</p> |
| <p><i>Grekov Yevhen Anatoliiovych, assistant of Department of Specific Legal Sciences of Poltava Institute of Law of National University “Yaroslav the Wise Legal Academy”, PhD in Law</i></p> <p>Science parks as element of commercialization of intellectual property rights: problematic aspects of legislative regulation in Ukraine</p> |
| <p><i>Bocharova Natalia Vasylivna, Associate Professor of Department of Law of Dnipropetrovsk University of Economics and Law, PhD in History</i></p> <p>Public-Private Partnerships in the protection of intellectual property system: the EU experience</p> |
| <p><i>Gladiuk Olena Oleksandrivna, attorney, “Sergiy Koziakov and Partners” Law Firm</i></p> <p>Intellectual property as non-material assets of the economical company</p> |
| <p><i>Makhnovskiy Dmytro Stanislavovych, Chairman of Department of Centre of Intellectual Property and Technology Transfer of NAS of Ukraine</i></p> <p>The distribution of property rights on intellectual property created in accordance with the R&D contracts, financed by the state budget</p> |
| <p><i>Kossko Tetiana Gavrylivna, Senior Scientific Associate of Centre of Intellectual Property and Technology Transfer of NAS of Ukraine</i></p> <p>Experience and problems of protection of intellectual property rights in the National Academy of Sciences of Ukraine</p> |
| <p><i>Levin Arkadiy Yakovlevych, chief specialist in intellectual property of National Scientific Centre “O.N. Sokolovskyi Institute of Soil Science and Agricultural Chemistry”</i></p> <p>Commercialization of intellectual property in non-profit scientific institution budget. Practice, problems and prospects</p> |
| <p><i>Aralova Natalia Ihorivna, Senior Scientific Associate of Centre of Intellectual Property and Technology Transfer of NAS of Ukraine, assessor</i></p> <p>Use of information technologies in the evaluation of intellectual property and non-material objects</p> |
| <p><i>Kvasha Tetiana Kostiantynivna, Head of Department of Forecasting Analytical Support of Innovation Activities of Ukrainian Institute for Scientific-Technical and Economic Information</i></p> <p>Technology transfer as a means of transfer of property rights and permission to use intellectual property objects</p> |
| <p><i>Khomenko Iryna Ivanivna, Head of Department of Industrial Property Research of Centre of Intellectual Property and Technology Transfer of NAS of Ukraine</i></p> <p>Organizational support of intellectual property in scientific academic institutions</p> |
| <p><i>Lesyk Yaroslav Vasyliovych, Deputy Director on Innovation and Scientific Activities of the Institute of Animal Biology of the National Academy of Agricultural Sciences of Ukraine, PhD in Veterinary Medicine</i></p> <p>Key aspects of commercialization of intellectual property rights</p> |
| <p><i>Shapoval Leonid Ivanovych, Senior Scientific Associate of Department of Intellectual Property and Innovation Marketing of National Scientific Centre “Institute of Mechanization and Electrification of Agriculture”, PhD in Technical</i></p> |

| | |
|-------------|--|
| | <p><i>Sciences</i></p> <p>Preconditions of innovative levels and successful commercialization of research results in agriculture mechanization</p> |
| | <p><i>Chekamova Olena Ivanivna, student taking a degree, “Institute of Innovative Providing” CJSC of the National Academy of Agricultural Sciences of Ukraine</i></p> <p>Innovative potential increasing of scientific developments in agricultural sphere</p> |
| | <p><i>Dobrovolskiy Leonard Oleksandrovykh, leading scientific associate of State Institute of Labour Medicine of the Academy of Medical Sciences of Ukraine, Associate Professor of Medical Sciences</i></p> <p><i>Witte Petro Mykolaiovych, leading Scientific Associate of State Institute of Labour Medicine of the Academy of Medical Sciences of Ukraine</i></p> <p>Some aspects of radiation hygiene and problems of protection of intellectual property in Ukraine</p> |
| | Discussion |
| 19.00–21.00 | Reception |

| | |
|--|--|
| <u>June 16th, 2011, Thursday</u> | |
| 10.00-13.30 <i>11-40-12-00</i> <i>(coffee-break)</i> | <p>INTERNATIONAL SEMINAR</p> <p>Current issues of protection of intellectual property rights in the European Union and Ukraine and issues of approximation of Ukrainian legislation to the EU legislation</p> <p><i>(Small Conference Hall, first floor)</i></p> |
| 10.00-11.20 | <p><i>Arnold Vahrenwald, Professor, International Legal Consultant, Vahrenwald Ltd.</i></p> <p>Legislation of Germany and jurisprudence concerning breaches of copyright on the Internet</p> |
| | <p><i>Michael Blakeney, Professor of Intellectual Property Law at Queen Mary, University of London</i></p> <p>Confiscation of the Proceeds of Intellectual Property Crime</p> |
| | <p><i>Stupak Serhiy Kostiantynovych, Senior Scientific Associate of Scientific and Research Centre for Court Expertise on Intellectual Rights of the Ministry of Justice of Ukraine</i></p> <p>Development of protection of copyright and related rights in the area of telecommunications in the European Union and issues of approximation of Ukrainian legislation to the EU legislation</p> |
| 11.20-13.30 | <p><i>Sopilko Iryna Mykolaivna, Director of Institute of Law of National Aviation University, PhD in Law</i></p> <p><i>Molodid Vladyslav Yuriiiovych, student of Institute of Law of National Aviation University, PhD in Law</i></p> <p>Problems of legal regulation of circumvention of copyright protection by technical means of protection</p> |
| | <p><i>Potockiy Mikolo, Deputy Director of «DD&I IP Agency», attorney, patent attorney, PhD in Law</i></p> <p>Intellectual property rights protection: preventive measures for claim</p> |

| | |
|--|---|
| | <p>providing under legislation of the EU and Ukraine</p> <p><i>Starodubov Ihor Vadymovych, Deputy Director of Scientific and Research Centre for Court Expertise on Intellectual Rights of the Ministry of Justice of Ukraine</i></p> <p>Labels for goods and services and industrial designs: the problem of correlation</p> <p><i>Tropin Vitaliy Valeriovych, Associate Professor of Department of Management and Law of Dnipropetrovsk State Agricultural Institute, PhD in Law</i></p> <p>Peculiarities of application of civil liability for the infringements of copyrights and related rights</p> <p><i>Yahlo Dmytro Volodymyrovych, Chairman of Laboratory of Economic Research of Scientific and Research Centre for Court Expertise on Intellectual Rights of the Ministry of Justice of Ukraine</i></p> <p>Methodology approach to conducting of economic researches in the field of intellectual property</p> <p><i>Tsirat Ganna Vitaliivna, "Yurzovnishservis" Law Firm, PhD in Law</i></p> <p>Interpretation of commercial concessions agreements by the courts</p> <p><i>Filyk Natalia Volodymyrivna, Chairman of Department of Civil Law and Process of Institute of Law of National Aviation University, PhD in Law</i></p> <p><i>Zhuk Ostap Bogdanovych, student of Law Faculty of Kyiv National Taras Shevchenko University</i></p> <p>Theoretical problems of forensic examination in cases related to the infringement of intellectual property rights</p> <p><i>Tropina Olena Mykolaivna, Associate Professor of Civil and Legal Studies of Dnipropetrovsk State University of Internal Affairs, PhD in Law</i></p> <p>Special features of Ukrainian customs border transition of laser system discs</p> <p><i>Nersessian Armen Sabirovych, Associate Professor of Kyiv University of Law of NAS of Ukraine, PhD in Law</i></p> <p>Commercial and banking secret as objects of criminal law: problematic issues</p> |
|--|---|

| | |
|--|--|
| <p>10.00-13.30</p> <p>11.40-12.00 coffee-break</p> | <p style="text-align: center;">SECTION 2.</p> <p style="text-align: center;">«Experience and problems of protection of industrial property rights and other intellectual property rights»</p> <p style="text-align: center;">(Section Hall, second floor)</p> |
| <p>Coordinators of the Section:</p> | <p><i>Rassomakhina Olha Andriivna, Senior Scientific Associate of Centre of Intellectual Property and Technology Transfer of NAS of Ukraine, PhD in Law</i></p> <p><i>Arnold Vahrenwald, Professor, International Legal Consultant, Vahrenwald Ltd., FRG</i></p> |
| <p>Speakers</p> | <p><i>Ingwer Koch, expert of InnoPolicy Project, ex Head of Department of Law of the European Patent Office, Germany</i></p> <p>Patentable inventions under the European Patent Convention - exceptions to patentability: methods of medical diagnosis and treatment</p> <p><i>Shishka Roman Bohdanovych, Professor, academic of Academy of Sciences of High School of Ukraine, Chairman of Department of Agricultural Right and Process of Interregional Academy of Finance and Law, Doctor of Law</i></p> <p>Trends of development of the industrial property protection in the EU</p> <p><i>Kodynets Anatoliy Oleksandrovych, Associate Professor of Department of Civil Law of Kyiv National Taras Shevchenko University, PhD in Law</i></p> <p>Civil legal problems of reforming of the legislation of Ukraine in the field of</p> |

| |
|--|
| industrial property |
| <i>Arnold Vahrenwald, professor, International Legal Consultant, Vahrenwald Ltd., FRG</i> |
| Community Designs in the European Union: Protection and Exploitation |
| <i>Moroz Viktor Pavlovych, Director General, Managing Partner of "ViktoriAl Law Guild" LLC</i> |
| Special Features of the legal protection of trademarks and geographical indications after Ukraine's accession to the WTO |
| <i>Klochko Taisia Yuriivna, leading specialist of Department of Adaptation of Legislation of the Ministry of Justice of Ukraine</i> |
| Legal protection of exclusive data on medical drugs |
| <i>Bulat Yevhenia Anatoliivna, lawyer of the Association of the Authors of Scientific Discoveries of Ukraine, PhD in Law</i> |
| Some aspects of legal protection of the scientific discoveries |
| <i>Velikanova Maryna Mykolaivna, Associate Professor of Department of Civil Law and Process of Institute of Law of National Aviation University</i> |
| On the distribution of intellectual property rights to the intellectual property objects, created in the result of performance of research, development and technological works |
| <i>Rassomakhina Olha Andriivna, Senior Scientific Associate of Centre of Intellectual Property and Technology Transfer of NAS of Ukraine, PhD in Law</i> |
| Correlation of legal protection of trademark and certain other intellectual property objects under the laws of the EU and Ukraine |
| <i>Mamunia Oleksandr Serhiiovych, consultant of "Vasyl Kysyl and Partners" Law Firm</i> |
| Effective protection of intellectual property rights in the area of agricultural chemistry: problems and ways of overcoming thereof |
| <i>Krat Vasyl Ivanovych, Associate Professor of National University "Yaroslav the Wise Legal Academy of Ukraine", PhD in Law</i> |
| The invalidity of trademark rights |
| <i>Seryogin Oleksandr Yuriiovych, Associate Professor of Department of International Private Law of the Institute of International Relations of Kyiv National Taras Shevchenko University, PhD in Law</i> |
| Legal regulation of relations of selective breeding achievements and selective inventions in the EU and Ukraine |
| <i>Nosik Yuriy Volodymyrovych, Associate Professor of Department of Civil Law of Kyiv National Taras Shevchenko University</i> |
| Problems of definition of proposal efficiency under the laws of Ukraine |
| <i>Kashintseva Oksana Yuriivna, Head of Scientific and Research Laboratory of Bioethics and Medical Law, Kyiv University of Law of NAS of Ukraine, Associate Professor, PhD in Law</i> |
| Protection of intellectual property rights in medicine and pharmacy |
| <i>Krivolapov Bohdan Mykhailovych, Associate Professor of Department of International Private Law of the Institute of International Relations of Kyiv National Taras Shevchenko University, PhD in Law</i> |
| Protection of "commercial dressing" in the U.S. law |
| <i>Shakhbasian Karina Surenivna, Academic Secretary of Centre of Intellectual Property and Technology Transfer of NAS of Ukraine, PhD in Law</i> |

| | |
|-------------|---|
| | <p>Patenting of business methods: EU and U.S. approaches</p> <p><i>Ulyanova Galyna Oleksiivna, Associate Professor of Department of Intellectual Property and Corporate Law of Odesa National Academy of Law, PhD in Law</i></p> <p>Protection of industrial designs under the laws of Ukraine, Russian Federation and the European Union</p> <p><i>Iolkin Yaroslav Olehovych, Scientific Associate of Scientific and Research Institute of Intellectual Property of the National Academy of Legal Studies of Ukraine, PhD in Law</i></p> <p>Definition of trademark and its influence on the formation of principles of legal protection</p> <p><i>Diduk Alla Hryhorivna, Associate Professor of Department of Civil and Legal Studies of Law Faculty of National University of State Tax Service of Ukraine, PhD in Law</i></p> <p>Civil legal protection of confidential information (trade secrets and know-how) in Ukraine: the specificity</p> <p><i>Moskaliuk Nadia Bohdanivna, senior lecturer of Ternopil National Economic University</i></p> <p>Important aspects of Ukraine's adaptation to the EU requirements concerning the deposit of biological material</p> <p style="text-align: center;">Discussion</p> |
| 13.30-14.00 | Lunch |
| 14.00-15.00 | <p>Closed-door plenary session. Current issues of protection of copyright and industrial property rights (Small Conference Hall, first floor)</p> |
| 15.00-15.20 | Coffee-break |
| 15.20-17.00 | Resumption of the closed-door plenary session. Closing address |