

FORMATION OF INTELLECTUAL OWNERSHIP : EXTERNAL EXPERIENCE

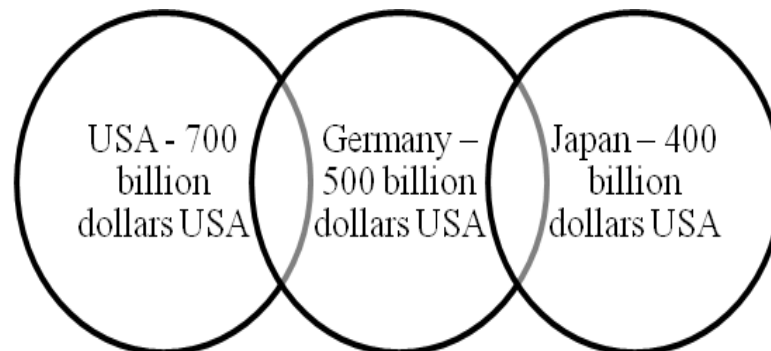
The World Intellectual Property Organization (WIPO) has become the regulator for intellectual property in the world since 1967. Ukraine has been taking part in it since 1970.

The government of independent Ukraine has confirmed the legality of the main international agreements in the field of intellectual property and outlined the prospects of cooperation with WIPO since 1992. Moreover, domestic specialists and scientists actively participate in the work of the profile committees and working groups of the WIPO and are party to most of the international intellectual property treaties under the auspices of WIPO [1].

An important area of WIPO's activities is to provide legal and technical assistance to countries to promote intellectual property development. WIPO has a permanent cooperation program that provides assistance to developing countries in the following areas:

- 1) training of civil servants and representatives of the private sector (lawyers and intellectuals);
- 2) provision of legal assistance and advice in the preparation of new projects and changes to existing industrial property laws;
- 3) creation and reform of industrial property organizations;
- 4) assistance in the development of innovative and inventive activities;
- 5) the use of technical information contained in patent documents;
- 6) drafting programs for lawmakers and employees of the judicial system [2].

Although the WIPO activities listed in developing countries are quite attractive, but in reality they are quite ineffective and do not solve the problems of increasing the gap in the levels of use of the world's intellectual property potential between a limited number of technologically advanced countries and other countries in the world. For example, in developed countries 80–95 % of GDP growth falls on the share of new knowledge embodied in technology and technology. The volume of world trade in licenses for intellectual property annually increases by 12 %, and the volume of exports of high-tech products bring high profits to the countries. (pic.1) [3].



Pic.1. The profits of highly developed countries from the export of high-tech products [3]

Recently, the efficiency of the use of trademarks, trade names, industrial designs and other specialty objects of intellectual property has considerably increased.

It should be noted that, despite the participation of Ukraine in international projects, most domestic enterprises practically do not actively participate in the processes of intellectual property formation. The problem lies in the practical absence of state support to the processes of intellectual property formation and stimulation of innovative activity of enterprises. Attention should be drawn to the experience of the United States, Germany, and the United Kingdom. In these countries, the following public sector support is provided:

- creation of innovative and insurance funds with a shareholding of the state;
- government research grants;

– direct state subsidizing of military and aerospace developments and stimulation of the implementation of the results obtained in civilian sectors.

From the world history, several successful examples of the implementation of intellectual property rights are mentioned:

– Canada The government initiated the IRAP (Industrial Research Assistance Program), which implemented a strategy to stimulate small innovative enterprises and ensure their access to information, resources, and funding so that they could monetize their development results.

– Sweden. Thanks to the Swedish Industrial Development Fund (IDF), technology companies (lending and direct investment in small firms whose products are among the priority areas of intellectual and technological development) are supported in this country.

In the world economy, there are major areas of state support for regulation of intellectual property in developed countries.

This research shows that developed countries use a variety of methods of state support to the innovation sector, which has a positive impact on the processes of intellectual property formation.

Thus, the issue of intellectual property, namely its formation and use, is an important direction of the effective activity of the modern enterprise and the economy of the state and the world in general. But today, unfortunately, at domestic enterprises there is practically no effective innovative activity aimed at, inter alia, the formation of intellectual property. For its revitalization, significant support is needed for the public sector, based on the use of foreign experience in promoting the development of intellectual property in highly developed countries.

Table 1

State regulation of intellectual property in highly developed countries 1

№	Activities	Instruments	Countries
1	Improvement of state financial support for scientific research	Public lending, state guarantees for obtaining bank loans, tax privileges, accelerated depreciation, export-import quotas in support of national science-intensive product	USA, Italy, Belgium, England, Sweden, Canada
2	Promoting Private Investments	Creating Patent and Venture Companies	Sweden, USA
3	Supporting National Innovation Producers	National Brand Development Program, Supporting Small and Medium-Sized Innovations	USA, EU
4	Selection of Highly Profitable Innovations for Commercialization	Selection and development of the mechanism of innovative mediation between the developers of innovations and business	USA, EU
5	Stimulating the activities of the Institutes	Development of the system of cluster scientific unions, technopark systems	EU
6	Integration of state innovation policy with state industrial policy	Creation and development of new holding companies. State support for personnel exchange, development of private-government cooperation	Germany, Australia

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3. Fedulova L.A. New Role of Intellectual Property / L. Fedulova // Intellectual Property. – 2008. – No. 4. – P. 10–19.

¹ Prokhorov A.N. Foreign experience in constructing the process of commercialization of intellectual property / A.N. Prokhorov // Bulletin of the Tyumen State University. – 2011. – No. 11. – P. 66–70.