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***INFLUENCE OF CHANGING THE CURRENT LEGISLATION
UPON THE DEVELOPMENT OF INTELLECTUAL ACTIVITY
IN THE RUSSIAN FEDERATION***

I. Yu. Mirskikh

Perm State University

15, Bukireva st., Perm, 614990, Russia

ORCID: 0000-0001-7278-8843

ResearcherID: E-8002-16

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e-mail: gloriaday@mail.ru

Zh. A. Mingaleva

Perm State University

15, Bukireva st., Perm, 614990, Russia

ORCID: 000-0001-7674-7846

ResearcherID: E-8001-2016

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e-mail: mingall@psu.ru

Introduction: *the paper analyzes the influence of changing legislation in the sphere of protection and use of intellectual property upon legal regulation and practice of its application in the field of intellectual activity. Legislation changes in the intellectual property sphere have contradictory influence upon the regulation of the relevant legal relationship. That is why analysis of the dynamics of intellectual activity development and its dependence on changing legal norms and constructions is of great importance. Purpose:* to analyze the existing civil legislation in order to work out practical recommendations on how to improve the efficiency of protection of intellectual activity results. **Methods:** *methods of analysis and synthesis, methods of micro- and macroeconomic analysis of legal facts and events, interdisciplinary approach are used in the paper. Results:* it has been revealed that current Russian legislation in the sphere of

*intellectual property protection is rather contradictory. It incorporates collusions and does not provide economic activity with secure non-contradictory legal regulation. There are collusions between the existing national legislation norms in the sphere of intellectual property protection and general international norms and principles. An attempt to bring norms of Russian legislation into line with norms and principles of international law has not been successful. **Conclusions:** it is important to bring national Russian legislation in the sphere of intellectual property protection into line with conventional international norms and principles. The specific features of Russian practice of conducting scientific activity ought to be taken into account. It is strongly recommended to change civil legislation with regard to the patenting system in force and methods of intellectual property registration existing in Russian patent practice.*

Keywords: intellectual property; intellectual activity results; innovation; exclusive rights

Information in Russian

ВЛИЯНИЕ ИЗМЕНЕНИЙ ДЕЙСТВУЮЩЕГО ЗАКОНОДАТЕЛЬСТВА НА РАЗВИТИЕ ИНТЕЛЛЕКТУАЛЬНОЙ ДЕЯТЕЛЬНОСТИ В РОССИЙСКОЙ ФЕДЕРАЦИИ

Работа выполнена на основе задания № 2014/153 на выполнение государственных работ в сфере научной деятельности в рамках базовой части государственного задания Минобрнауки России ПГНИУ (тема «Развитие инфраструктуры инновационной деятельности: вопросы правового регулирования и охраны результатов интеллектуальной деятельности»)

И. Ю. Мирских

Кандидат юридических наук, доцент кафедры гражданского права
Пермский государственный национальный исследовательский университет
614990, Россия, г. Пермь, ул. Букирева, 15

ORCID: 0000-0001-7278-8843

ResearcherID: E-8002-16

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e-mail: gloriaday@mail.ru

Ж. А. Мингалева

Доктор экономических наук, профессор кафедры
предпринимательского права, гражданского и арбитражного процесса
Пермский государственный национальный исследовательский университет
614990, Россия, г. Пермь, ул. Букирева, 15
Профессор кафедры экономики и управления промышленным производством
Пермский национальный исследовательский политехнический университет
614990, Россия, г. Пермь, Комсомольский просп., 29

ORCID: 000-0001-7674-7846

ResearcherID: E-8001-2016

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e-mail: mingall@psu.ru

Введение: в статье анализируется влияние изменений, вносимых в действующее законодательство в области охраны и использования результатов интеллектуальной деятельности, на правовое регулирование и практику его применения в сфере интеллектуальной деятельности. Изменения, вносимые в действующее законодательство в сфере интеллектуальной собственности, оказывают противоречивое воздействие на регулирование соответствующих правоотношений. В связи с этим вопросы исследования динамики развития интеллектуальной деятельности и ее зависимости от изменения правовых норм и конструкций приобретают особое значение. **Цель:** авторы анализируют действующее гражданское законодательство с целью разработать практические рекомендации по повышению эффективности охраны результатов интеллектуальной деятельности. **Методы:** в статье использованы методы анализа и синтеза, методы микро- и макроэкономического анализа в трактовке юридических фактов и явлений, а также методы междисциплинарного подхода. **Результаты:** определено, что современное российское законодательство в области охраны результатов интеллектуальной деятельности противоречиво, имеет коллизии, не обеспечивает хозяйственную деятельность надежным непротиворечивым механизмом правового регулирования. В современном национальном законодательстве существуют нестыковки с международными нормами. Попытка привести их в соответствие с нормами и принципами международного права не удалась. **Выводы:** представляется целесообразным приведение в соответствие национального российского законодательства по охране результатов интеллектуальной деятельности с общепринятыми международными нормами и принципами. Необходимо учитывать специфику российской практики ведения научной деятельности, а также, при изменении законодательства, сложившуюся систему патентования, применяемые в отечественной патентной практике методики регистрации результатов интеллектуальной деятельности.

Ключевые слова: интеллектуальная собственность;
результаты интеллектуальной деятельности; инновации; исключительные права

Introduction

The aims of reliable protection of intellectual activity results for many states and persons are closely connected with a complex of legal, social and economic questions and development perspective.

The importance of comprehensive protection of personal and national achievements in the sphere of intellectual and creative activity is determined by the fact that practical use of inventions and know-how, new ideas in business for national defense, economic activities in intellectual and confrontation between states and regions has become an important factor of providing national security and competitiveness of states at the national and corporate level [11, p.332]. The results of intellectual activity form the basis for manufacturing new products, implementation of new technologies and new technique, new organization activities and cause urgent technical-economic effects [113, p.245].

Inventions and discoveries are resources of new technical ideas and scientific directions in related spheres. They allow certain corporations and even states to maintain political authority and competitive positions in international scene [8, p.337].

The present situation connected with the development of Russian legislation in the sphere of intellectual property protection in very complex and contradictory (in the sphere of copyright and patent law).

Existing gaps and contradiction of Russian legislation cause the situation when commercially profitable inventions become legally unprotected at all the levels of activity of the society, including corporate [1, p.185]. That is why it is very important to take into account the requirements and norms of international law in the sphere of intellectual property protection.

Society can face serious economical, social and political problems and loss on the level of economic agents and state on the whole, if domestic scientific and technical inventions will be patented abroad, not in Russia.

In this regard searching the opportunities to reduce collisions in national system of legal intellectual property protection, working out the ways to improve the reliability of intellectual property protection and copyright protection becomes significant. Changing and improvement of legislation ought to be based on accurate methodological principles [3, p.260].

Main content

The adoption of the Civil Code (Part IV) of the Russian Federation has allowed to unify intellectual property law into one system, meanwhile it has given rise to many collisions and disputes. The main problem of the Civil Code, Part IV is that many of its legal norms contradict the international law (for example, legal provisions on the protection of ideas, inventions, know-how, creative works, trade secrets, innovations, etc.) [11, p.330].

In particular, this can be seen in the use of terminology which does not coincide with international law terminology in the field of intellectual property protection and in the critical reduction in inventive and patent activities after introduction of amendments into the Part IV of the Civil Code of Russia which came into force on January 1, 2014. Let us discuss these problems in details.

Terminological gaps of the Russian legislation in the sphere of intellectual property protection are displayed in different (more narrow or more broad) interpretation of the relevant terms and categories of Russian legal acts in comparison with the similar terms of international law.

Secondly, the order of allocation of different objects to intellectual property differs significantly from that in the international law [12, p.65]. In particular, article 1225, paragraph 1 of the Civil Code of the Russian Federation refer only 16 objects to intellectual property, and this list is exhaustive. This contradicts the provisions of Convention establishing the World Intellectual Property Organization (WIPO) of July 14, 1967. According to paragraph 2 of the Convention the list of intellectual property objects is opened (i.e. it is not exhaustive). And since the norms of international treaties ratified by the Russian Federation predominate over the norms of Russian legislation (according to the article 15 of the Constitution of Russia and article 7 of the Civil Code), the question arises "what rules are to be applied in each case". This complicates greatly law-enforcement and creates barriers to the expansion of areas of commercial application and implementation of intellectual property and intellectual activity results in general. All these makes it

possible to conclude that the adopted recently Civil Code, Part IV regulating the order of intellectual property use and protection requires further improvement. The necessity of legal improvement can be explained by scientific and technical progress acceleration in the intellectual sphere. Arising of new relationships and new trends require making amendments to the legislation. The imperfection of the law content is displayed clearly in legal practice.

The contradictory nature and ambiguity of such changing the Russian legislation can be proved by the analysis of activity degree in inventing and patenting spheres. It is possible to check it on the example of the inventive activity coefficient and compare the results for the periods up to 2013 and after 2014 when Laws N 35-FL and N 364-FL were adopted.

For this purpose the analysis of patent applications number for inventions was made in all the regions of Russia. The calculation was made per 10 thousands of residents of Russia for the period 2010-2014. The regions were united into 8 Federal districts (the Crimean Federal Districts was not taken into account, because it was organized only in 2014. The analysis made it possible to reveal the following. In 2013 the annual 5% increase in the number of domestic patent applications for inventions took place in 3 Federal Districts (Far Eastern Federal District, Ural Federal District and Volga Federal District). In 2 Federal Districts (Central Federal District and Siberian Federal District) the coefficient was about 1 per 10 thousands of population. The statistics results analysis revealed, that in 445 subjects of Russian Federation out of 81 regions the number of patent applications for inventions increased (that is more than 55%) and in 7 regions the reducing of patent activity was less than 10% at the utmost points (per 10 thousands of population).

Thus in some years of the analyzed period one could see a significant increase of patent activity. For example the Tatarstan Republic in the period of 2013/2010 was among the regions with a decrease of the coefficient of inventive activity with a value of 0,93. But in 2012 the number of invention applications significantly increased: 2,51 compared with

2,21 in 2010; 2,08 in 2011 and 2,06 in 2013 (per 10 thousands of population). The decrease of coefficient in 2013 in Tatarstan and in similar cases can be explained by the more active periods in previous years with a peak of inventive and patent activity.

But after the adoption of Federal Law in March, 12, 2014 N 35-FL "On making amendments to the parts 1, 2 and 4 of the Civil Code of the Russian Federation and certain legal acts of the Russian Federation"¹ the situation changed greatly.

According to statistics data in 2014 a critical reduction of inventive activity coefficient took place in most of the Russian regions. Only in North-West Federal District it remained at the same level (that is 1 of the 8 Federal Districts). And the same situation existed in 35 of 81 regions of Russia. On the whole in the Russian Federation the decrease amounted to 18% by 2013 and 20% by 2010 which is quite significant.

In such a way the statistics data proved the contradictive role of adopted amendments. The complicate patenting system, introduction of new expert examination for utility models influenced negatively the patent activity.

Another serious problem which ought to be taken into account during the process of analyzing the effectiveness of Russian legislation in the sphere of intellectual property protection, copyright and patent law is the problem of responsibility for copyright and related rights infringement. It is closely connected with emergence of new ways and methods of copying and replication of intellectual property and its easy downloading in the Internet even without the copyright holder's consent. Thus, research results indicated that 80% of Russian Internet content is downloaded unfairly. The complexity of proving the facts of violation and circumstances related to the case form one more problem [5, p.250].

A significant part of legal collisions is connected with interpretation and legal protection of know-how. A number of questions arising in this sphere requires to be resolved because some legal

norms of the Civil Code of Russia contradict the norms of international law. For example article 1465 of the Civil Code of Russian Federation² contains the definitions of several kinds of information referring to know-how such as ways of implementation of professional activity in scientific and technical spheres obtained in the course of research activities. However unlike the exhaustive list of intellectual property objects the list of information, referring to know-how is left open and is not exhaustive. That is why practically all information that satisfy the requirements of the Civil Code can be referred to know-how (not only technical secrets) and this causes negative affect to transfer and commercial application of many kinds of information.

Such approach to understanding the nature of know-how do not correspond to the interpretation of know-how in world practice. This causes a lot of disputes, misunderstanding and difficulties for legal practice and economic activities. At present the term know-how is mentioned more than in 180 international agreements. Interpretation of know-how that differs from its world practice can cause serious problems for its use.

Taking into account the current negative situation in the sphere of innovation development and forming innovation economy in Russia the legislator worked out a set of documents changing the existing legislation in the sphere of intellectual property protection. Primarily the changing refer to the norms of the Civil Code of Russia (Part IV) regulating intellectual property rights.

The Federal Law N 35-FL "On introduction of amendments into the Civil Code" conserving the intellectual activity results was adopted on March, 12, 2014. It changed the articles 1227, 1229, 1232-1234, 1236, 1266, 1270, 1366, 1460, 1427 of the Civil Code of Russian Federation and articles 421 and 438 of the Civil Code that made it possible to alleviate the situation and get rid of some legal collisions.

It seems that the problem of copyright and related right protection was partly solved by

¹ "On making amendments to the parts 1, 2 and 4 of the Civil Code of the Russian Federation and certain legal acts of the Russian Federation": Federal Law. March 12, 2014 N 35-FL // Rossiyskaya Gazeta. 2014. March 14.

² Civil Code of Russian Federation. Part IV. № 230-FL. December 18, 2006 // Rossiyskaya Gazeta. 2006. December 22.

creating and introduction a special Intellectual Property Rights Court within the system of arbitration courts of Russia.

That will contribute to the development of more effective professional and fair judgment in the sphere of intellectual property rights protection.

But some problems and disputable questions still remain. In our opinion special attention ought to be paid to the questions of responsibility for violation of copyright and related rights. This can be explained by the intensive growth on new ways of quick and easy reproduction and copying of intellectual property objects and the possibility to download them easily in the Internet even without the copyright holder's consent [9, p.335].

According to opinion of a wide range of researchers and practitioners the level of rights violation in the field of intellectual property rights is rather high in Russia. Offences related to illegal production and distribution of counterfeit audio and video products and computer programs have become wide spread [2, p.22]. The Internet plays a significant role in the illegal use of intellectual property.

Huge information potential of the Internet and extremely poor control over the movement of information in it, the ability of free and numerous use of the information without permission or consent of rights holders create favorable conditions for using the Internet as an instrument for committing offences and copyright violation [4, p.35]. As a result the speed and easiness of information dissemination through the Internet has led to widespread copyright infringement, and to the damage which amounts more than millions of Euros [11, p.35]. In the era of informatization of the society transactions and trade of various software products, audiovisual production and other information products have become widespread.

Today the legal regulation of the Internets sphere of action is far from being perfect in Russia . There are practically no legal acts regulating concrete actions in the Internet. And it is necessary to regulate the whole Internet sphere.

It should be noted that copyright in the Internet sphere is regulated by a number of international acts (primarily by the Berne Convention for the Protection of Literary and Artistic works on 9 September 1886, the Universal Copyright Convention

on 6 September 1952 and other legal acts and by national legal acts such as the Constitution of Russian Federation and the Civil Code of Russia (Part IV). At the same time the international practice of copyright regulation in the Internet sphere is based on the international agreements in the sphere of intellectual property protection in the Internet. Unfortunately such agreements still do not introduce a complete unified regulation for all states participating in them, because they are not norms of direct action [6, p.37]. These international agreements introduce only the basic principles of regulation and interaction which can form the basis of national legislation of the states-participants.

The Federal Law N 364-FL "On amendments to the Federal Law N 35-FL "On information, information technologies and protection of information" and the Civil Procedural Code of Russian Federation»¹ came into force on the 01 of May 2015. The law granted the possibility of a pretrial dispute settlement between rights holders and website owners on blocking in injurious website permanently. This law primarily affects the interests of the owners of the Internet websites with violate the exclusive rights by placing content without rights holders consent. If violators do not respond the complaints of copyright holders in time they bear responsibility that affects their business reputation (*bona fide*).

The list of intellectual property objects which can be protected by limitation of access to them is expanded. The Law N 364-FL protects video content as well as literary and musical works and software.

However provisions of the Law N 364-FL can be used against the number of large network resources and can lead to blocking Wikipedia and many search services, file sharing aggregators, social networks and other big websites.

One of the serious shortcomings of the new legal act is the possibility to block even those Internet resources that were not used for copyright and related rights violation. For example such a situation can arise when one IP address is used by several websites.

¹ "On amendments to the Federal Law N 35-FL "On information, information technologies and protection of information" and the Civil Procedural Code of Russian Federation»: Federal Law N 364-FL. November 24, 2014 // Rossiyskaya Gazeta. 2014. November 27.

Moreover existing legislation do not forbid the owners of blocked websites and the Internet resources to create new websites which can be used for copyright infringement.

While changing the Russian legislation it is important to focus on strengthening control measures for counterfeiting and improving the rules of the free use of creations and different kinds of information. Introduction of responsibility for dissemination, use and copying the information, including responsibility of users who practice unfair use of creations placed in free access will contribute to prevention of copyright infringement.

According to the article 1 of Paris Convention protection against unfair competition is one of the objects of industrial property protection. In foreign countries protection of economic agent against unfair competitiveness in the sphere of industrial property is traditionally conducted within the framework of antitrust laws [7, p.829].

It is important to apply complex measures forbidding the "acquisition of a dominant position on the market of goods and services" and aimed at protecting of wide range of subjects (economic agents and consumers) against unfair activities of competitors willing to achieve unfair advantages by using methods and instruments of unfair competition, which have become the main methods of protection of economic agents interests in intellectual property sphere. But Russian legislation in the field of protection against use of unfair competition methods is incomplete and imperfect [10. p. 1060]. It addresses such protection to legislation of other countries.

Conclusions

It was revealed that legal norms in the sphere of intellectual property protection are very contradictory in Russia. They do not provide adequate legal regulation of innovation activity.

The problem of protection of copyright in Internet has become the major problem of the Russian legislation that seriously affects scientific, technical and business spheres.

It is important to improve legal regulation of copyright by adopting new laws and legal acts regulating relations through the Internet. In order to achieve that it is possible to empower acting civil and criminal norms in this sphere; to admit the pos-

sibility to qualify certain copyright infringement through the Internet as fraudulent activity and make appropriate changes of articles 146 and 159 of the Criminal Code of the Russian Federation.

It is necessary to bring national Russian legislation in the sphere of intellectual property protection in compliance with accepted international norms and principles.

Specific Russian practice and approaches to scientific activity ought to be taken into account.

It is defined that an important direction of existing legal regulation and law practice improvement in the sphere of intellectual property protection in Russia is the development of direct use of international law and practice of protection against unfair competition for industrial property objects.

Special attention ought to be paid to patenting system and applied methods of intellectual property registration existing in patent practice in Russia. Even now many Russian enterprises producing high-tech products patent their inventions and engineering results rather rarely. Move over intellectual property objects created by different enterprises and organizations usually are not adequately defined in appropriate documents. Thus enterprises do not put know-how and inventions on record and define them as asset in balance sheet of organizations.

It is revealed that protection of intellectual property abroad is more effective. This can be explained by the high level of legal culture, effective legal guaranteed of rights protection and by strict measures applied to infringers and law violators.

References

1. *Golubcov V. G. Sovershenstvovanie pravovogo regulirovaniya otnosheniy v sfere gosudarstvenno-chastnogo partnerstva na sovremennom etape* [Improving the Legal Regulation of the State and Private Relations at its Modern Phase]. *Vestnik Permskogo universiteta. Juridicheskie nauki – Perm University Herald. Juridical Sciences*. 2014. Issue 1(23). Pp. 179–188. (In Russ.).
2. *Danilina I. V. Informacionnye otnosheniya v seti Internet po povodu ob'ektov avtorskikh prav* [Informational Relations on the Internet concerning Copyright Objects]. *Zakony Rossii: opyt, analiz, praktika – Laws of Russia: Experience, Analysis, Practice*. 2010. Issue 4. Pp. 20–25. (In Russ.).

3. *Kuznetsova O. A. Metody nauchnogo issledovaniya v tsivilisticheskikh dissertatsiyakh* [Methods of Scientific Research in Civil Dissertations]. *Vestnik Permskogo universiteta. Juridicheskie nauki* – Perm University Herald. Juridical Sciences. 2014. Issue 4(26). Pp. 254–270. (In Russ.).
4. *Razuvaev V., Averina O. Nuzhen li zakon ob Internetе?* [Do We Need a Law on the Internet?]. *EZh-Yurist – Economics and Life-Jurist*. 2010. Issue 39. Pp. 34–36. (In Russ.).
5. *Ai Lijie* Research on Legal Issue of Copyright Protection in the Internet. Proceedings of the 2015 International Conference on Economy, Management and Education Technology. Vol. 29. 2015. Pp. 248–251. (In Eng.).
6. *Becker J.* Territoriality, Copyright Protection on the Internet and Liability Questions. Int Assoc Sci Techn & Med Publishers. 1998. Pp. 32–39. (In Eng.).
7. *Cho Kyungchul, Kim Changseok, Shin Juneseuk.* Differential Effects of Intellectual Property Rights on Innovation and Economic Performance: A Cross-industry Investigation. *Science and Public Policy*. Vol. 42. Issue 6. 2015. Pp. 827–840. (In Eng.).
8. *Hwang Hong Wu, Jollene Z. Yu, Eden S. H.* Innovation, Imitation and Intellectual Property Rights in Developing Countries. *Review of development economics*. Vol. 20. Issue 1. 2016. Pp. 138–151. (In Eng.).
9. *Jeon Il-Ju* The Scope and Limit of Protection of Copyright on the Internet. *Journal of Industrial Property*. Vol. 13. 2003. Pp. 327–346. (In Eng.).
10. *Mingaleva Zh., Mirskikh I.* The Protection of Intellectual Property in Educational Process. In *Procedia – Social and Behavioral Sciences*. Issue 83(2013). Pp. 1059–1062. (In Eng.).
11. *Mingaleva Zh., Mirskikh I.* The Problems of Legal Regulation and Protection of Intellectual Property. *Procedia – Social and Behavioral Sciences*. Issue 81(2013). Pp. 329–333. (In Eng.).
- Yang Lei, Tsai Yingyi, Mukherjee Arijit.* Intellectual Property Rights and the Quality of Transferred Technology in Developing Countries. *Review of Development Economics*. 2016. Vol. 20. Issue 1. Pp. 239–249. (In Eng.).
- ном этапе // *Вестник Пермского университета. Юридические науки*. 2014. Вып. 1(23). С. 179–188.
3. *Данилина И. В.* Информационные отношения в сети Интернет по поводу объектов авторских прав // *Законы России: опыт, анализ, практика*. 2010. № 4. С. 20–25.
4. *Кузнецова О. А.* Методы научного исследования в цивилистических диссертациях // *Вестник Пермского университета. Юридические науки*. 2014. Вып. 4(26). С. 254–270.
5. *Разуваев В., Аверина О.* Нужен ли закон об Интернете? // *ЭЖ-Юрист*. 2010. № 39. С. 34–36.
6. *Ai Lijie* Research on Legal Issue of Copyright Protection in the Internet. Proceedings of the 2015 International Conference on Economy, Management and Education Technology. 2015. Vol. 29. Pp. 248–251.
7. *Becker J.* Territoriality, Copyright Protection on the Internet and Liability Questions. Int Assoc Sci Techn & Med Publishers. 1998. Pp. 32–39.
8. *Cho Kyungchul, Kim Changseok, Shin Juneseuk.* Differential Effects of Intellectual Property Rights on Innovation and Economic Performance: A Cross-industry Investigation. *Science and Public Policy*. 2015. Vol. 42, issue 6. Pp. 827–840.
9. *Hwang Hong, Wu Jollene Z., Yu Eden S. H.* Innovation, Imitation and Intellectual Property Rights in Developing Countries. *Review of development economics*. 2016. Vol. 20, issue 1. Pp. 138–151.
10. *Jeon Il-Ju* The Scope and Limit of Protection of Copyright on the Internet // *Journal of Industrial Property*. 2003. Vol. 13. Pp. 327–346.
11. *Mingaleva Zh., Mirskikh I.* The Protection of Intellectual Property in Educational Process // *Procedia – Social and Behavioral Sciences*. Issue 83(2013). Pp. 1059–1062.
12. *Mingaleva Zh., Mirskikh I.* The Problems of Legal Regulation and Protection of Intellectual Property // *Procedia – Social and Behavioral Sciences*. 2013. Issue 81. Pp. 329–333.
13. *Yang Lei, Tsai Yingyi, Mukherjee Arijit.* Intellectual Property Rights and the Quality of Transferred Technology in Developing Countries // *Review of Development Economics*. 2016. Vol. 20. Issue 1. Pp. 239–249.

References in Russian

2. *Голубцов В. Г.* Совершенствование правового регулирования отношений в сфере государственно-частного партнерства на современ-