

COPYRIGHT IN COMPUTER SCIENCES ON AN EXAMPLE OF A COMPUTER PROGRAM

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Due to the rapid development of computer science and the creation of a large number of computer programs in Ukraine and around the world as a whole, the problem of copyright protection of the possession and use of this information is quite urgent.

Contemporary copyright in computer science is one of the largest civil law institutions that is developing and constituting a complex hierarchy of multifaceted normative acts, largely due to the influence of international law, and this is its specificity.

Copyright in Computer Science is a complex set of rules that provides for numerous exceptions.

Copyright in computer science includes: electronic (digital) information - audiovisual works, musical works (with or without text), computer programs, phonograms, videograms, programs (broadcasts) of broadcasting organizations located in electronic (digital form, readable and playable by a computer, may exist and / or be stored as one or more files (pieces of files), database records on computer storage devices, servers on the Internet, and applications (transfer) broadcasting organizations that broadcast over the Internet.

Contemporary copyright is protected by a number of national and international regulations, the main of which are:

- Berne Convention for the Protection of Literary and Artistic Works (1886, last revised in 1971, as amended in 1979, Ukraine since 1995);
- World Copyright Convention (1952, Ukraine since 1993);
- Convention on the Protection of the Interests of Producers of Phonograms Against the Illegal Reproduction of Their Phonograms (1971, Ukraine since 1999);
- World Intellectual Property Organization Copyright Treaty (1996, Ukraine since 2001) and others.

In Ukraine - the Law of Ukraine «On Copyright and Related Rights» (1993) and Chapter 36 of the Civil Code of Ukraine (2003).

Computer science, for example, includes: a computer program or database that is protected by copyright as a literary work.

The copyright for such a work, namely a computer program, arises from the moment of its creation and is not required to be registered.

The Computer Program Act defines how a set of instructions, presented in the form of words, numbers, diagrams, codes, symbols, or otherwise, can be read by a computer and by which this computer is actuated by to achieve the desired goal or result. This definition is suitable for virtually all software, from HTML code for a website and an application software to an operating system.

The vast majority of copyright holders consider registration in the public register as adequate protection of their rights, since registration of copyright offers a number of undeniable advantages over unregistered rights.

Copyright in computer science software is the permission to use a specific program for your own business purposes for business purposes for profit or resale to third parties and companies. In case of resale, the possibility of further distribution of the program is also stipulated. The copyright holder of the software has the right to prohibit further distribution of the software, limiting its use solely to the operation of the buyer company. If such company uses the code personally and / or attempts to sell it or lease it to third parties and companies, it will be considered a copyright infringement of the software.

Currently, in Ukraine, registering copyright for a computer program or database is one of the cheapest, most secure ways to protect intellectual property rights.

Obtaining state protection for a software product and reliable verification of authorship is very fast, according to the standard procedure for copyright registration.

In today's world, this trend is being followed. It is only in the market that a new product appears and becomes widely known and requested, and the risk and the temptation to copy it, in whole or in part, emerge immediately. Misled consumers get hooked on fraudsters, and the copyright owner receives negative feedback and loses customers who are dissatisfied with low quality pseudo-products.

This can be avoided by registering as the trademark the name of the program or site, its domain name. This method of protection allows you to securely protect the name of the program, database or site as a sign for goods and services. It also enables you to profit from a third party's legitimate use of the mark.

Owners of registered trademarks may claim damages for the illicit use of their brand, and may prohibit the use of the trademark.

To register a copyright in computer science, such as a computer program, you must:

- prepare the computer program for registration (program source codes, computer program user manual, etc.);
- Name the computer program
- write an abstract for a computer program;
- to pay the state duty;
- provide full details of the author or authors of the computer program;
- to give a power of attorney to a representative in the field of intellectual property (patent attorney) or to another representative, if the author does not independently submit a package of documents;
- if the copyright is registered in the name of a legal entity (this may be a work program, a computer software program), the details of the legal entity of the legal entity must be provided;
- if you need to register a contract for the transfer (alienation) of copyright to a computer program, you must provide the details of the parties to such agreement.

All information about the registration of the copyright or the contract concerning the author's right to the work is published in the catalog of state registration of copyright of the State Intellectual Property Service of Ukraine - «State Registration Register», as well as in the official bulletin of the State Intellectual Property Service of Ukraine «Copyright and Related Rights».