**SYLLABUS**

**Fall semester 2022-2023 academic years**

**on the educational program “Intellectual Property Law”**

**Methodical pointing for seminar**

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| Week | Name of theme and tasks on every topic | Table of contents of methodical recommendations for seminar |
| 1-2 | Seminar 1. International legal guard of intellectual property: substantive provisions  1. A concept of right of intellectual ownership is in objective and subjective sense.  2. Object and method of the legal regulation in the field of right of intellectual ownership.  3. Sources of regulation of relations in the field of right of intellectual ownership.  4. Institutes of right of intellectual ownership.  5. International conventions in the field of right of intellectual ownership. | According to the topic :  To study recommended literature:  1. Гражданское право.Том III. Учебник для вузов (академический курс) /отв. ред. М.К. Сулейменов, Ю.Г. Басин.-Алматы, 2004.- С. 86-273.  2. Каудыров Т.Е. Право интеллектуальной собственности в Республике Казахстан (вопросы и ответы): Учеб. пособие.– Алматы: Жетi жарғы, 1999.  3. Каудыров Т.Е. Гражданско-правовая охрана объектов промышленной собственности: Моногр.– Алматы: Жетi жарғы, 2001.  4. Сергеев А.П. Право интеллектуальной собственности в Российской Федерации.– М.: Теис, 1996.  5. Основы патентного права и патентоведения в Республике Казахстан: Учебное пособие/Ответ редактор Т.Е.Каудыров.-Алматы: Жетi Жарғы, 2003. |
| 3-5 | **Seminar 2.** International guard of the authorial and allied rights  1. Law of RК "On a copyright and the allied rights" as a source of regulation of relations in the field of copyright and related rights.  2. Author’s legal and related rights subjects.  3. Copyrights by a subject: property absolute and personal unproperty titles.  4. subjects of related rights .  5.Berne convention for the protection of literary and artistic works .  6. World convention about a copyright.  7. Agreement on international registration of audiovisual works.  8. Agreement WIPO after authorial to the right.  9. International convention for the protection of performers, producers of phonograms and broadcasting organizations (Roman convention).  10. Convention for the protection of producers of phonograms against unauthorized duplication of their phonograms (Genevan convention).  11.Brussels convention relating to the distribution of programme carrying signals transmitted by satellite .  12. Agreement WIPO on executions and phonograms. | According to the topic :  To study recommended literature:  1. Гражданское право. Том III.Учебник для вузов (академический курс)/отв. Ред. М.К.Сулейменов, Ю.Г.Басин.-Алматы, 2004.-С. 86-273  2. Каудыров Т.Е. Право интеллектуальной собственности в Республике Казахстан (вопросы и ответы): Учеб. пособие.– Алматы: Жетi жарғы, 1999.  3. Сергеев А.П. Право интеллектуальной собственности в Российской Федерации.– М.: Теис, 1996. |
| 6-8 | **Seminar 3.** International legal guard of inventions, useful models, industrial prototypes  1. Patent law of RК as source of adjusting of relations in the field of patent right.  2. Patent legal subjects.  3. Patent rights for a subject: property absolute and personal unproperty titles.  3.1 Procedure of registration of rights on the objects of patent right.  4.Paris convention for the protection of industrial property.  .  5. Agreement on patent co-operation.  6. Strasbourg agreement about International patent classification.  7.the Budapest treaty on the international recognition of the deposit of microorganisms for the purposes of patent procedures .  8. Agreement on a patent right.  9. Hague agreement concerning the international registration of industrial designs  10. Genevan act of the Hague agreement concerning the international registration of industrial designs  11. Locarno agreement establishing an International classification for industrial designs  12. Eurasian patent convention. | According to the topic :  To study recommended literature:  1. Гражданское право.Том III.Учебник для вузов (академический курс)/отв. Ред. М.К.Сулейменов, Ю.Г.Басин.-Алматы, 2004.-С. 86-273  2. Каудыров Т.Е. Право интеллектуальной собственности в Республике Казахстан (вопросы и ответы): Учеб. пособие.– Алматы: Жетi жарғы, 1999.  3. Каудыров Т.Е. Гражданско-правовая охрана объектов промышленной собственности: Моногр.– Алматы: Жетi жарғы, 2001.  4. Сергеев А.П. Право интеллектуальной собственности в Российской Федерации.– М.: Теис, 1996.  5. Основы патентного права и патентоведения в Республике Казахстан: Учебное пособие/Ответ редактор Т.Е.Каудыров.-Алматы: Жетi Жарғы, 2003. |
| 9-10 | **Seminar 4.** International legal guard of facilities of individualization of participants of civil circulation, commodities, works and services  1. Law of RК "On trademarks, signs of service and names of places of origin of commodities" as a source of adjusting of relations in the field of facilities individualization.  2. Concept and classification of facilities of individualization.  3. Concept of the brandname name. Requirements produced by the legislation of RК to the brandname names.  4. Concept and types of trademarks, signs of service.  5. Subjects of rights on facilities of individualization.  6. Procedure of registration of rights on facilities of individualization.  7. Madrid agreement about suppression of the false or entering in an error pointing of origin on commodities.  8. . Madrid agreement concerning the international registration of marks .  9. Nice agreement concerning the international classification of goods and services for the purposes of the registration of marks .  10. Lisbon agreement for the protection of the names of places of origin and their international registration.  11. Nairobi agreement on the guard of olympic symbol.  12. Agreement on laws on trademarks. | According to the topic :  To study recommended literature:  1. Гражданское право.Том III.Учебник для вузов (академический курс)/отв. Ред. М.К.Сулейменов, Ю.Г.Басин.-Алматы, 2004.-С. 86-273  2. Каудыров Т.Е. Право интеллектуальной собственности в Республике Казахстан (вопросы и ответы): Учеб. пособие.– Алматы: Жетi жарғы, 1999.  3. Каудыров Т.Е. Гражданско-правовая охрана объектов промышленной собственности: Моногр.– Алматы: Жетi жарғы, 2001.  4. Сергеев А.П. Право интеллектуальной собственности в Российской Федерации.– М.: Теис, 1996.  5. Основы патентного права и патентоведения в Республике Казахстан: Учебное пособие/Ответ редактор Т.Е.Каудыров.-Алматы: Жетi Жарғы, 2003. |
| 11-12 | Seminar 5. Legal safeguard of unconventional objects of intellectual property  1. Concept and types of unconventional objects of intellectual property.  2. Concept and types of plant-breeding achievements.  3. Subjects of rights on plant-breeding achievements.  4. Property absolute and personal unproperty titles on plant-breeding achievements.  5. Procedure of registration of rights on plant-breeding achievements.  6. Concept of topology of integral microcircuit.  7. Subjects of rights on topology of integral microcircuit. Basing of origin of rights on topology of integral microcircuit.  8. Concept of now-how (to the unexposed information).  9. International convention on the guard of new varieties of plants.  10. Washingtonian end user license | According to the topic :  To study recommended literature:  1. Гражданское право.Том III.Учебник для вузов (академический курс)/отв. Ред. М.К.Сулейменов, Ю.Г.Басин.-Алматы, 2004.-С. 86-273  2. Каудыров Т.Е. Право интеллектуальной собственности в Республике Казахстан (вопросы и ответы): Учеб. пособие.– Алматы: Жетi жарғы, 1999.  3. Каудыров Т.Е. Гражданско-правовая охрана объектов промышленной собственности: Моногр.– Алматы: Жетi жарғы, 2001.  4. Сергеев А.П. Право интеллектуальной собственности в Российской Федерации.– М.: Теис, 1996. |
| 13-14 | Seminar 6. Transition, grant, assignment of exceptional rights and methods of defence  1. Concept and types of agreements in the field of right of intellectual ownership.  2. Agreements on creation of objects of right of intellectual ownership.  3. Agreements sent to the grant of absolute title on the objects of intellectual property.  4. Agreements sent to alienation of absolute titles on the objects of intellectual property.  5. Mixed agreements in the field of right of intellectual ownership.  6. Protection of the personal unproperty and property (exceptional) rights on the objects of right of intellectual ownership: civil legal, administrative legal and criminal legal methods. | According to the topic :  To study recommended literature:  1. Гражданское право.Том III.Учебник для вузов (академический курс)/отв. Ред. М.К.Сулейменов, Ю.Г.Басин.-Алматы, 2004.-С. 86-273  2. Каудыров Т.Е. Право интеллектуальной собственности в Республике Казахстан (вопросы и ответы): Учеб. пособие.– Алматы: Жетi жарғы, 1999.  3. Каудыров Т.Е. Гражданско-правовая охрана объектов промышленной собственности: Моногр.– Алматы: Жетi жарғы, 2001.  4. Сергеев А.П. Право интеллектуальной собственности в Российской Федерации.– М.: Теис, 1996.  5. Основы патентного права и патентоведения в Республике Казахстан: Учебное пособие/Ответ редактор Т.Е.Каудыров.-Алматы: Жеты Жаргы, 2003.-392 с. |
| 15 | Seminar 7. Right of defence from an unfair competition in the field of intellectual property.  1. Con 1. Concept of unfair competition.  2. T 2. Types of unfair competition.  2.1 the illegal use 2.1 the illegal use of facilities of facilities of individualization, objects of copyright.  2.2 Printing-down 2.2 Printing-down of original of original appearance of good (industrial prototype).  2.3 th 2.3 t 2.3 The False, unconscientious and unreliable advertisement.  2.4 the illegal use o 2.4 the illegal use of information, making a commercial secret, now-how | According to the topic :  To study recommended literature:  1. Гражданское право.Том III.Учебник для вузов (академический курс)/отв. Ред. М.К.Сулейменов, Ю.Г.Басин.-Алматы, 2004.-С. 86-273  2. Каудыров Т.Е. Право интеллектуальной собственности в Республике Казахстан (вопросы и ответы): Учеб. пособие.– Алматы: Жетi жарғы, 1999.  3. Каудыров Т.Е. Гражданско-правовая охрана объектов промышленной собственности: Моногр.– Алматы: Жетi жарғы, 2001.  4. Сергеев А.П. Право интеллектуальной собственности в Российской Федерации.– М.: Теис, 1996. |

A possible form of implementation is a lecture, performance, scientific project, answer, control work.

**Basic normative legal acts**

1. 1. Constitution of the Republic of Kazakhstan
2. 2. Civil Code of the Republic of Kazakhstan
3. 3. Criminal Code of the Republic of Kazakhstan
4. 4. Code of the Republic of Kazakhstan on Administrative Offences
5. 5. About trademarks, service marks and appellations of origin of goods. The Law of the Republic of Kazakhstan dated July 26, 1999
6. 6. On Copyright and Related Rights: The Law
7. of the Republic of Kazakhstan dated 10.06.1996 7. On the protection of breeding achievements: The Law of the Republic of Kazakhstan dated 13.07.1999
8. 8. Patent Law of the Republic of Kazakhstan dated 16.07.1999
9. 9. Law of the Republic of Kazakhstan dated June 24, 2002 No. 330-II On Complex Business License (Franchising)
10. 10. Law of the Republic of Kazakhstan dated June 29, 2001 No. 217-II On Legal Protection of Integrated Circuit Topologies
11. 11. Law of the Republic of Kazakhstan dated July 9, 1998 No. 278-I "On livestock breeding"
12. 12. Law of the Republic of Kazakhstan dated March 12, 2002 No. 303-II "On beekeeping"
13. 13. Berne Convention for the Protection of Literary and Artistic Works.
14. 14. Patent Cooperation Agreement (PCT).
15. 15. Eurasian Patent Convention.
16. 16. The Convention establishing the World Intellectual Property Organization.
17. 17. Madrid Agreement on the International Registration of Marks.
18. 18. Paris Convention for the Protection of Industrial Property.
19. 19. Agreement on Uniform Principles of Regulation in the Field of Protection and Protection of Intellectual Property Rights (Moscow, December 9, 2010)
20. 20. Agreement on Cooperation in the Field of Legal Protection and Protection of Intellectual Property and the establishment of the Interstate Council on Legal Protection and Protection of Intellectual Property (St. Petersburg, November 19, 2010)
21. 21. Agreement on Cooperation in the Suppression of Intellectual Property Offenses (Moscow, March 6, 1998)
22. 22. The Nairobi Treaty on the Protection of the Olympic Symbol of September 26, 1981
23. 23. Copyright Agreement of the World Intellectual Property Organization
24. 24. Agreement of the World Intellectual Property Organization on Performances and Phonograms
25. 25. Agreement on Trademark Laws
26. 26. Locarno Agreement on the Establishment of an International Classification of Industrial Designs
27. 27. Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure
28. 28. Nice Agreement on the International Classification of Goods and Services for the Registration of Marks
29. 29. Strasbourg Agreement on International Patent Classification
30. 30. Agreement on Cooperation in the Suppression of Intellectual Property Offenses
31. 31. Agreement on mutual security of interstate Secrets in the Field of Legal Protection of Inventions
32. 32. Agreement on Measures to Prevent and Suppress the Use of False Trademarks and Geographical Indications
33. 33. Convention on the Protection of the Interests of Producers of Phonograms from Illegal Reproduction of their Phonograms
34. 34. Agreement on Cooperation on the Organization of Interstate Exchange of information and the Formation of National databases of Copyright and Related Rights (Yalta, November 20, 2009)
35. 35. WIPO Treaty on Performances and Phonograms (Geneva, December 20, 1996)
36. 36. Convention on the Protection of the Interests of Producers of Phonograms from Illegal Reproduction of Their Phonograms (adopted by the International Conference of States for the Protection of Phonograms, held in Geneva on October 18 - 29, 1971)

Literature

Basic:

1. Civil law.Volume III.Textbook for universities (academic course)/Ed. by M.K.Suleimenov, Yu.G.Basin.-Almaty, 2004.-pp. 86-273

Additional:

1. Gemini I.A. Legal support of intellectual property. Moscow, 2000.

2. Belov V.V., Vitaliev G.V., Denisov G.M. Intellectual property. Legislation and practice. M., 1997.

3. Bromberg G.V., Rozov B.S. Intellectual property: the reality of the transition period and market prospects. Moscow, 2000.

4. Vishnevetsky L.M., Ivanov B.I., Levin L.G. Priority formula. The emergence and development of copyright and patent law. L., 1990.

5. World Intellectual Property Organization. Introduction to Intellectual Property. 1998.

6. Civil, commercial and family law of capitalist countries: collection of normative acts: copyright. Edited by V.K. Puchinsky, M.N.Kuznetsova, M., 1988.

7. David R., Joffre-Spinosi K. Basic legal systems of modernity. M., 1996.

8. Dozortsev V.A. Exclusive rights and their development. Introductory article. / Rights to the results of intellectual activity. Copyright. Patent law. Other exclusive rights. Collection of normative acts. M., 1994.

9. Dumas R. Literary and artistic property. Copyright of France. M., 1989.

10. Eremenko V.I. Antimonopoly legislation of foreign countries. M., 1997.

11. Eremenko V.I. Legislation on the suppression of unfair competition in foreign countries. M., 1997.

12. Zenin I.A. Intellectual property and know-how. Educational and practical manual. M., 2001.

13. Intellectual property: legal regulation, problems and prospects // Legislation. 2001, No. 3,4.

14. Intellectual property: legal, economic and social problems. Ed. by V.P.Cherdantsev. Part 1. M.

15. Jonas V.Ya. Criterion of creativity in copyright and judicial practice M., 1967.

16. How to protect intellectual property in Russia. Edited by Korchagin A.D. M., 1995.

17. Kalyatin V.O. Intellectual property (exclusive rights). Textbook for universities. M., 2000.

18. Kantorovich Ya.A. Copyright. A systematic commentary on the resolution of the Central Executive Committee and the Council of People's Commissars of the USSR of January 30, 1925 "On the basics of copyright". M., 1926.

19. Kaudyrov T.E. Intellectual Property law in the Republic of Kazakhstan (questions and answers): Textbook.– Almaty: Zheti zhargy, 1999.

20. Kaudyrov T.E. Civil protection of industrial property objects: Monogr.– Almaty: Zheti zhargy, 2001.

21. Code of Intellectual Property of France. M., 1997.

22. Kolesnikov A.P. History of invention and patent business. M., 1998.

23. Matveeva T.I. International transfer of intellectual property. St. Petersburg, 1993.

24. Meyer D.I. Russian civil law in two parts. M., 1997.

25. The main institutions of civil law of foreign countries. Comparative legal research. Edited by V.V.Zalessky. M., 1999.

26. Fundamentals of patent law and patenting in the Republic of Kazakhstan: Textbook/The answer is the editor T.E.Kaudyrov.-Almaty: Zhety Jargy, 2003.-392 p.

27. Pilenko A.A. The right of the inventor. M., 2001.

28. Legal protection of intellectual property. Edited by Dementiev V.N. M., 1995.

29. Pokrovsky I.A. The main problems of civil law. M., 1998.

30. Industrial and intellectual property law. Novosibirsk, 1992.

31. Application of laws on the protection of intellectual property rights in the United States of America. M., 1998.

32. Problems of legal enforcement of the rights of the Russian Federation to the results of intellectual activity. Edition of the State Duma. Moscow, 2000.

33. Ruzakova O.A. Protection of authorship - part of state policy // Intellectual property. Copyright and related rights. 2000. No. 5-6.

34. Ruzakova O.A. Protection of intellectual property in Russia // Legal consultant. 2001. № 9.

35. Ruzakova O.A. The legal regime of intellectual property objects // Legal consultant. 2001. № 4.

36. Sergeev A.P. Intellectual property law in the Russian Federation.– M.: Teis, 1996.

37. Spasovich V. Copyright and counterfeiting rights. St. Petersburg., 1865. 35. Spasovich V. Draft regulations on copyright. St. Petersburg, 1894.

38. Tabashnikov I.G. Literary, musical and artistic property from the point of view of civil law and according to the regulations of legislation: North Germany, Austria, France, England and Russia. St. Petersburg., 1878.

39. Khalfina R.O. Modern market: rules of the game. M., 1993.

40. Shershenevich G.F. Textbook of Commercial law. M. , 1994.

41. Shershenevich G.F. Textbook of Russian Civil law. M., 1995.

42. Shishkov G.B. Spiritual production and intellectual property: theory, methodology, practice. Moscow, 1991.

Internet-sources

Reference and information system "Paragraph"

[www.minjust.kz](http://clck.yandex.ru/redir/dv/*data=url%3Dhttp%253A%252F%252Fwww.minjust.kz%26ts%3D1447580610%26uid%3D1960794321446895196&sign=f103309c6b82fbd601bc924afcec92fa&keyno=1).

[www.zakon.kz](http://clck.yandex.ru/redir/dv/*data=url%3Dhttp%253A%252F%252Fwww.zakon.kz%26ts%3D1447580610%26uid%3D1960794321446895196&sign=ef0497d3aeffd295daf426b574ed7ec6&keyno=1)