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## **THE PROCESS OF INTELLECTUAL PROPERTY MANAGEMENT IN THE SPHERE OF DESIGN**

In the context of the transition to the information economy and increasing competition in global and national markets, intellectual property is becoming a resource for an enterprise, a necessary component of its innovative development. A significant indicator for modern enterprises is the growing share of intangible assets in their total resources. At this stage of economic development, it is important to make full use of the results of scientific and technical creativity in the area of economic activities of enterprises in order to achieve strategic competitive advantages. That is why it is necessary to improve the process of managing the intellectual property of an industrial enterprise.

In the context of globalisation, it is easy and quick to create a replica of any creative idea presented by a famous designer or brand in a few hours. It is enough to have a photograph of the work to create a large number of copies. Such copies can successfully compete in the design industry. This situation poses a problem for designers, who are forced to look for ways to protect their rights. In this connection, we will analyse the current means of protecting intellectual property in the industry, such as trademark, copyright, industrial design and trade secrets.

The issues of intellectual property rights, the expression of the right to creativity and the consequences of copying goods for society are addressed by such scholars as Haochen Sun, Kel Raustiala, Siva Vaidnananthan and others.

The aim of the study is to investigate the theoretical foundations and develop practical recommendations for managing intellectual property at an industrial enterprise. In accordance with the above goal, the task of the study is to analyse the

process of intellectual property management at an industrial enterprise and determine the criteria for assessing the effectiveness of strategic and operational management of designer's intellectual property.

In our study, we define intellectual property as a system of economic and legal property relations relating to the results of human creative activity. Management in the most general sense means the process of purposeful behaviour of a system, which is carried out by means of information influence created by a person, group of persons or device. Intellectual property (IP) management is an activity aimed at achieving the final result, such as profit or other benefit, through the creation and use of an object (or objects) of intellectual property rights (IPR) in all sectors of the economy.

There are various approaches to intellectual property management, including:

- Management of the results of scientific and technical creativity.
- Management of intellectual property rights objects (IPR).
- Management of creators of intellectual property rights.
- Management of organisations that create, develop, own and use intellectual property rights.
- Management of the state intellectual property system (Sun, 2015).

An enterprise's intellectual property management system is defined as a set of interrelated elements aimed at achieving the strategic goals of the enterprise. These goals may include maximising profits, expanding or retaining a particular market segment, and increasing the company's market value. This is achieved through the effective use of the results of scientific and technical creativity and the fullest use of the intellectual potential of the company's employees.

Unlike industrial designs, copyright protects a work on the basis of its creation and does not require mandatory registration. Nevertheless, in the event of copyright infringement, the author must provide evidence of his or her authorship. To help

with this, copyright registration can be used, which involves depositing the material with the relevant state authority.

As designers' creations are regarded as works of art, and new designs are largely judged from an aesthetic rather than functional perspective, copyright can be considered an effective protection mechanism in the fashion industry. The issue of copyright coverage of design objects, their proportions and appearance is relevant in this industry.

In order to prevent and stop any manifestations of infringement of intellectual property rights to their own designs, a designer should take the following protection measures.

The trademark registration process is an effective mechanism for protecting a furniture manufacturer's brand. When starting a furniture manufacturing business, it is an important time to consider the issues related to the registration of the name and logo as a trademark. Even for existing businesses in this sector, trademark registration is of key importance. The following benefits can be gained by undertaking this process:

- 1) prohibition of competitors from using a similar trade mark or a similar trade mark to the extent that confusion may arise;
- 2) the ability to use the logo or name in advertising, including in foreign languages;
- 3) increasing the competitiveness of the brand and attracting more customers;
- 4) obtaining the right to a domain in the ua zone, which is very important for furniture manufacturers;
- 5) increase in the value of the goods;
- 6) positive impact on the company's reputation, image and prestige;
- 7) the possibility of granting licences for the use of a trademark to third parties, which opens up additional ways to earn money (Raustiala, 2012, 145).

In order to improve the mechanisms of management and valuation of intellectual property, it is proposed:

1) to strengthen the role of the state in the formation and development of the Ukrainian intellectual property market by timely adoption of legislative acts aimed at stimulating investment in intellectual property and increasing its share in the economic activity of enterprises.

2) to use domestic standards and valuation methods based on the principles, criteria, methods and norms for determining the value of intellectual property rights enshrined in European standards.

3) to develop the methodological basis of valuation activities in the field of intellectual property rights valuation. One of the main areas of improvement is the development of algorithms aimed at the most reliable determination of the market value of the object of valuation.

For the effective design protection, it is recommended to register an industrial design. An industrial design is the result of the author's creative intellectual activity in the field of artistic design. Covering only the appearance of an object, its aesthetics, an industrial design protects the reproduction of the product's appearance. It is important to note that the functional component of a product is not protected by an industrial design. In other words, an industrial design may define the appearance of a product or its individual details, such as lines, contours, colours, shape, texture and/or material, or decor.

Thus, by registering a product of industrial design, the protection of the external design and its aesthetic characteristics is ensured.

Summarising the abovementioned, it should be noted that the same product or a set of its components may be protected by different intellectual property protection instruments. This property not only does not lead to a decrease in the effectiveness of the protection of intellectual property works in the field of fashion, but, on the

contrary, contributes to their effective impact. This method of protection, using several legal instruments at the same time, is known as multi-layered protection.

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#### **THE PROSPECTS OF RURAL TOURISM IN UKRAINE**

Resting in the countryside has never been something new for Ukraine. Our country has all the necessary resources for the development of this type of tourism. It is possible to notice the trend of growing interest of tourists in ecological recreation. People want a real vacation which means to leave the city and enjoy the beauty of nature, away from all this hustle and bustle.

Agritourism, or rural tourism is a type of tourism that involves visiting rural areas in villages, on farms, in comfortable peasant houses, in agro-homes. This type of tourism is aimed at getting to know how to use the natural, cultural, historical and other resources of the countryside to create a tourist product.