

INTELLECTUAL PROPERTY'S RIGHT TO THE TRADEMARK

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In modern conditions the activity on provision of services sales of products are unthinkable without the use of the trademarks that allow you to separate the products of some regions from others.

One of the main components of national wealth of Ukraine is intellectual property, which promotes the development of economy and science. The increased importance of information, intellectual property began to establish itself as one of the most important intellectual resources to economic activity. Thanks to the rapid development of scientific, technical and artistic creativity, internationalization of economic relations, intellectual property was the same property rights as the means of production.

Brand is one of the most common intellectual property rights used in the sphere of economic activity.

The main purpose of trademark is to individualize goods and services of business entities. However, in today's day you can see quite a few brands that are very similar in appearance and are used to indicate identical categories of goods, although owned by different entities.

Such coincidences may be accidental or intentional, when an unscrupulous rights holders trying to using this already well-

known brands, to increase demand for their own products or services. In this regard, the importance of timely and proper certification of a bona fide owner of the trademark rights to it. It should be noted that the use of a trademark affects the terms of the acquisition of the rights to it. Thus, it is important, on the one hand, effective protection of the rights and interests of the right holder against unlawful infringement of the trademark of third parties and the inability to abuse the copyright of his rights of intellectual property, which could lead to undue limitations of the rights of other entities.

In this regard, the law provides various grounds for the acquisition of trademark rights, which allows to take into account the interests of all participants of the relations arising in the sphere of use of trade marks.

Summing up we can say that in our time, the brand became in daily life. Now there is a tendency, according to which each business entity seeks to have a legal means of individualization of goods and services as a trade mark. The reason is that economic activity is connected with the necessity of using various symbols that give the opportunity to distinguish between as subjects and the results of their activities. To say, now brand is a business card in the business world.