

LEGAL PROTECTION AND COMMERCIALIZATION OF INTELLECTUAL PROPERTY RIGHTS OBJECTS  
IN THE REPUBLIC OF BELARUS:  
THE EXPERIENCE OF POLOTSK STATE UNIVERSITY

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*The research deals with the current issues related to the legal regulation of intellectual property in the Republic of Belarus. The State Program for Innovative Development of the Republic of Belarus for 2016–2020 is studied in the article. The author analyzes the policy of managing intellectual property at universities and the experience of protecting industrial property objects in Polotsk State University.*

**INTRODUCTORY PART.** A significant human as well as scientific and technical potential of the country is concentrated in educational institutions of the Republic of Belarus. It allows them to be instrumental in what concerns inventive activities.

In my research I will focus on three major issues.

Firstly the topic of legal regulation of intellectual property in the Republic of Belarus will be covered.

Then I will analyze the State Program for Innovative Development of the Republic of Belarus for 2016–2020.

In conclusion I will consider the policy of managing intellectual property at universities and the experience of protecting industrial property objects in Polotsk State University.

**LEGAL REGULATION OF INTELLECTUAL PROPERTY IN THE REPUBLIC OF BELARUS.** The Republic of Belarus is a member of the most international agreements in the field of intellectual property.

The basis of national legislation is the Civil Code of the Republic of Belarus (Section V “Intellectual Property”, chapters 60-67) and special laws that regulate relations in the field of protection and use of trademarks, inventions, design inventions, varieties of plants, computer programs, scientific, literary and artistic works and other objects of intellectual property.

State administration in the area of intellectual property is performed by The State Committee on Science and Technology and the National Center of Intellectual Property.

The National Center of Intellectual Property protects the rights of the objects of intellectual property, serves as a patent authority, provides international cooperation and ensures the implementation of international obligations of the Republic of Belarus.

To the special institutions that perform selected functions in the field of intellectual property belong: judicial board for intellectual property of the Supreme Court, Republican Scientific and Technical Library, Belarusian Society of Inventors and Innovators, patent agents and intellectual property appraisers.

Let us take a closer look at the policy of managing intellectual property at universities.

In 2010 the Ministry of Education of the Republic of Belarus developed a plan for protection and management of intellectual property at universities.

In accordance with the plan, each university had to organize the work of the Service for legal protection and management of intellectual property, train the staff, form the local regulatory framework, provide legal protection of intellectual property, develop and approve the organization’s strategy for the intellectual property management.

Thus, the state laid the foundations for formation of an effective system of intellectual property management at universities.

**STRATEGY OF THE REPUBLIC OF BELARUS IN THE FIELD OF INTELLECTUAL PROPERTY FOR 2012–2020.** The basic document, defining the state policy in the field of intellectual property is the Strategy of the Republic of Belarus in the field of intellectual property for 2012–2020, approved by Resolution of the Council of Ministers of the Republic of Belarus No.205, dated March 2, 2012.

In accordance with the Strategy, the main aim of the state policy is to improve the competitiveness of the economy of the Republic of Belarus through effective management of intellectual property.

The State Program for Innovative Development of the Republic of Belarus for 2016–2020 specifies the following conditions for effective management of intellectual property:

- a developed system of legislation in the field of intellectual property;
- a developed infrastructure in the field of intellectual property;

- effective mechanisms of intellectual property management at the national and regional level in academic institutions;
- effective protection mechanisms of intellectual activity results;
- a set of financial, moral and other incentive instruments that can be used to expand the practice of creating and using objects of intellectual property;
- an increase of the intellectual property importance level in the economy

State programs contain a number of activities aimed at the development and improvement of the conditions defined [1].

**THE EXPERIENCE OF POLOTSK STATE UNIVERSITY IN PROTECTING INDUSTRIAL PROPERTY OBJECTS.** A significant human as well as scientific and technical potential of the country is concentrated in educational institutions of the Republic of Belarus. It allows them to be instrumental in what concerns inventive activities.

Let us consider the experience of protecting industrial property objects in Polotsk State University in details.

In 2010 Republican Innovation Unitary Enterprise "Scientific and Technological Park of Polotsk State University" was created to commercialize the inventions of the University.

The course "Fundamentals of Intellectual Property Management" is taught at all faculties of Polotsk State University.

Two permanent commissions were established to recognize intellectual property as invisible assets.

The main methods of commercialization of industrial property objects in PSU are:

- Usage of IPOs in own production of Polotsk State University;
- Joint patenting with national and foreign enterprises with subsequent use of IPO in their production
- Technology transfer (licensing)

Polotsk State University in cooperation with a French company INSTRUMENTATION SCIENT DE LABO patented an invention in 13 countries (Austria, Belgium, Great Britain, Germany, Italy, China, Canada, the Netherlands, Russia, the USA, France, Japan) (the right for 3 patents was surrendered under the contract); the invention was applied in devices used for making express analysis of oil products properties (an automatic device for the dispersion of oil products).

The mentioned above devices are successfully sold in Eastern and Western Europe, the United States, Asia, Africa and South America.

Let us take a closer look at the problems of commercialization of scientific and technical activities results.

In Belarus, there is a problem regarding the effectiveness of patenting, less than 40% of patents are kept in force. According to statistics, only 2% of patents are commercialized in the Republic of Belarus. Every other patent is terminated a few years after it has been issued. We have a large gap between science and industry. Inventions are not claimed in the production. Creating inventions that are found to be unclaimed by industry, since these inventions do not reflect the needs of production.

The solution to these problems is to conduct scientific research according to the needs of production.

A good example of finding solutions to similar problems is the joining of Polotsk State University in 2017 to the Petrochemical cluster to intensify the creation and use of innovations of the University.

Members of the Petrochemical Cluster are OJSC Naftan and Novopolotsk City Executive Committee.

Within the cluster, joint scientific research, patenting, and engagement with scientists of the University are provided to carry out research works.

**CONCLUSION.** The analysis of inventive work, patent and license activity from 2009 to 2020 has showed that this activity is an integral part of scientific research carried out by employees, post-graduate and master students.

The performed analysis allows to conclude that universities and other educational institutions play a predominant role in the country in the field of creation and commercialization of inventions, utility models and secrets of production (know-how). In the coming years, an increase in the patent activity is expected within the framework of the Eurasian Patent Convention, as well as an increase in the efficiency of commercialization of the results of scientific and technical activities both on the territory of the Republic of Belarus and in the near and far-abroad countries.

#### REFERENCES

1. О Государственной программе инновационного развития Республики Беларусь на 2016–2020 годы: Указ Президента Республики Беларусь 31 января 2017 г. № 31: в ред. Указа Президента Респ. Беларусь от 7 августа 2019 г. №301// ЭТАЛОН. Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2020.