

THE PROBLEM OF DEFINING THE LEGAL REGIME OF THE MULTIMEDIA WORK

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The article studies the concept, features, legal regime of the multimedia work. We consider the possibility of using legal regime of a database, audiovisual work, computer program for a multimedia work.

Multimedia work is getting more and more common nowadays. The legal regime of these objects is not defined by the Belarusian legislator. Multimedia work as a copyright piece of work is not mentioned in the Law of the Republic of Belarus of May 17, 2011 "On Copyright and Related Rights". However, as O.V. Kondakova aptly notes, multimedia work, combining different types of art by means of computer programs, whendigitalized, can be separated into a class of its own, copyrighted [1, c.132].

The issues of the legal regime of the multimedia work were considered in the studies of I. Stamatudi [1], F. Godr [2], E.S. Grin [3], G. Moskalevich [4], L.A. Savintseva, V.V. Lebed [5], E.N. Kalugina [6].

The analysis of complex objects of intellectual property was carried out by such scholars as S.A. Sudarikov [7], V.A. Dozortsev [8], I.A. Bliznets, K.B. Leontiev [9], O.A. Ruzakova [10].

Before we continue with a more detailed consideration of the identified problem, it is necessary to consider the concept and features of the multimedia work. Due to the novelty of the phenomenon under investigation, the concept and the legal nature of the multimedia work are a matter of argument in the doctrine.

Scientists offer various options for the interpretation of the phenomenon under investigation. G.N. Moskalevich defines the multimedia work as "a set of audio and video components with software support" [2, p.19]. Aplin T. considers the multimedia work as a computerized combination of digital objects, which are a text or graphics, as well as a consequent data flow (audio and video), which a user can interact with to various extents in many ways [3, p.15]. E.S. Kotenko articulates the concept of the multimedia work as a "digitalized (digital) copyright object, which includes several protected results of intellectual activity" [4, c.9].

We are not aiming to list a great number of definitions of the multimedia work because of the complexity of the term "multimedia", we will consider the key features of the phenomenon under investigation. According to S.A. Sudarikova, an important feature of the multimedia work is its existence in the digital environment and in a digital form [5, p.188]. V.V. Lebed points at the mandatory set of features: the presence of multiple heterogeneous creative results in the structure, including a computer program; interactivity; virtuality [6, c.76].

Thus, the main qualifying features of the multimedia work include: the presence of multiple heterogeneous copyright results of intellectual activity in the structure, which are independent copyright objects; existence in an electronic (digital) form; functioning in the course of user interaction (interactivity); imitation of objective reality or visualization of a fictional world created by the author with the help of computer technologies (virtuality); presence of a computer program in the structure.

In the Russian Federation, the legislator mentions the category of "multimedia product" in article 1240 of the Civil Code, but there is no positive regulation of the relations involved with the creation of this object.

In the Russian Federation, in Article 1240 of the Civil Code, the legislator mentions the category of "multimedia product" as a complex object, including several copyright results of intellectual activity, without disclosing the content of the object.

Judicial practice of the Russian Federation considers the multimedia work as a computer program [7, 8] or a database [9]. In the judicial practice of the USA, the multimedia work is attributed to audiovisual work [10]. In the French doctrine, the multimedia work is characterized as objects of a "special kind", which can be compared with the audio-visual product, which they differ from by their interactivity [11, p. 172].

External perception of a multimedia piece of work is similar to an audiovisual piece of work. However, the interactivity of the multimedia work, which requires the user involvement in the control of a piece of work, does not allow to refer it to the audiovisual piece of work, which is characterized by a fixed sequence of changing images and audio sequence, presented in a certain unity.

It is impossible to identify the legal regime of a multimedia piece of work with a computer program, since a multimedia piece of work is a complex result of creative activity, which consists of two parts: a computer program and other objects. The computer program itself is not a complex object. Besides, if we consider the author of a computer program to be the sole author of a multimedia piece of work, we ignore the rights of the people involved in the creation of this work: script writers, artists, composers, designers and others.

In contrast to a database, which is a composite product and involves the acknowledgement of copyright only for the performed selection or arrangement of materials, in the process of creation of a multimedia piece of

work a whole new product is born as a result of combining of different forms of art, which is not a just a combination of its individual components, but a single piece of work.

Thus, at present, none of the regimes of the specified objects protection is suitable for the multimedia work. I. Stamatoudi considers sui generis regime to be one of the most appropriate models of social relations regulation arising on the object under study [12, p.272]. A similar position is held by E.S. Grin [13, p. 16].

This position seems reasonable, since the multimedia work can be regarded as an independent copyright object, therefore the best possible legal regime for the multimedia work is the one which provides legal protection to the object as a single product, and not as a combination of different parts that make up the object.

In sum, the Belarusian legislation and judicial practice do not provide an answer to the question concerning the legal regime of the multimedia work. To ensure effective legal protection of the multimedia work, it is logical and reasonable to recognize legislatively the category of "multimedia work", to define a set of productive means of protection among the many relevant legal regimes, providing legal protection to the multimedia work as a single complex object.

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DISTRIBUTION OF FAMILY ROLES

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Today we can see the change in family roles. Traditional roles of men and women have been undergoing a shift. For a long period of time a man was the breadwinner and the head of the family, making important decisions. A woman was completely attached to the family. Nowadays, men and women tend to have equal economic, political and social rights and possibilities. The new social roles resulted in significant changes in the family roles.

There are various debates and views on the term "family". In today's Belarusian society a family is often described as a unit of people that are related, either legally through marriage or biologically. There are many different types of families (nuclear family, single parent family, childless family and others) [3].

The main problem of scientific research consists in studying the specifics features of matrimonial interactions, modern distribution of family roles. Many researchers describe a crisis of a family and one of its causes may be the fear of young people to marry because of the conflict ideas about family life and the relations between spouses. Young married people have some distortion of an image of a family and an image of a spouse [2]. As a result, "family myths" are formed that affect the nature of matrimonial interaction and activity of a family in general.

Such outstanding psychologists as K. Kirkpatrick, S. V. Kovalyov, G. Navaytis and many others were engaged in studying this issue.

Today Belarus ranks second in the world in the number of divorces [1]. One of the main reasons is the spouses' discrepancy of ideas of family roles. Marriage has become less important from the economic point of view for women, who are now able to undertake paid work outside the home, which leads to their increasing financial independence and ability to form separate households [4].

Along with this, there have been marked changes in people's attitudes regarding marriage in recent years. Besides, the choice available to couples and individuals has become more extensive. As a result, fewer people are getting married. Women's economic independence has also contributed to the increased divorce rates over the last four decades [4].

In our research, we supposed there was a gender difference in the way family roles are distributed.

We analyzed modern researches in psychology and pedagogical science on the issue family relations; marital communication as the core of the family system; gender stereotypes in functional and role structure of the family. We made analysis of students' ideas about the distribution of family roles.

We used a questionnaire, which included 32 family roles. This questionnaire included the roles described by Y. E. Alyoshina, L. Y. Gozman, E. M. Dubrovskaya, S. V. Kovalyov. In the questionnaire, the following roles were presented: "a household manager", "a buyer of products", "one who earns money", "a treasurer", "a poor performer of duties", "one who cleans home", "one who takes out garbage", "a cook", "one who cleans the table after meals", "one who looks after pets", "an organizer of holidays and entertainments", "an errands runner", "a decision-maker", "a mender of broken things", "a mediator in a conflict", "one who likes to be ill", "a supporter of strict discipline", "a chief accuser", "one who consoles the offended", "one who evades discussion of issues", "a creator of trouble for others", "one who keeps away from family problems", "one who makes sacrifice for the sake of others", "a family volcano", "one who nurses a grievance", "a joker", "a master/mistress", "one who is responsible for baby care", "a tutor", "an organizer of family subculture", "one who is responsible for maintenance of family relations", "a psychotherapist".

70 students took part in our research, 35 females and 35 males; aged from 17 to 21. The majority of the students were from Belarus, but among them, there were also young people from Turkmenistan. All of the students were of humanities faculty and technical faculties of Polotsk State University.

The task given to the students was to mark in the first column of the table the roles, typical of women; in the second column - roles typical of men, and in the third column it was necessary to choose five most important family roles.

It would be interesting to discuss the choice of 5 most important family roles. The females chose such roles as "one who earns money", "a decision-maker", "a household manager", "one who is responsible for baby care", "a master/mistress". The males were of the same option.

The distinctions between the ways the students distributed the family roles are significant. Most obviously, these distinctions are visible on the example of such roles as "a household manager", "one who earns money", "a treasurer", "a cook", "one who looks after pets", "an errands runner", "a supporter of strict