

their performance with that of their peers. This finding can also be used as reference by second language teachers and learners to enhance the learning process in the language classroom and to boost the mundane and traditional vocabulary learning process. In addition, by integrating the use of computer in the language learning, it is believed that second language learners will be able to learn vocabulary effectively and develop their potential in experiencing different methods of learning.

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**THE IDENTIFICATION OF COMPUTER GAME CHARACTERS
IN THE SYSTEM OF OBJECTS OF THE CIVIL LAW**

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Under the conditions of intensive development of economic relations on the Internet, there are new concepts that appear, identifying information resources that require a legal characterization and evaluation in terms of their compliance with the traditional notions of objects of the civil law. This article attempts to legally identify a computer game character in the system of objects of the civil law.

The modern period of civilization development is characterized by the transition from an industrial society to an information society through the computerization of all spheres and activities. The rapid development of computer technology has led to new results of intellectual activity: multimedia products, which have become part of modern culture. With the development of the World Wide Web, such phenomena as Internet sites, computer games, virtual museums, libraries have become an active part of our lives.

Under the conditions of intensive development of economic relations on the Internet, there are new concepts that appear, identifying information resources that require a legal characterization and evaluation in terms of their compliance with the traditional notions of objects of the civil law.

On the news portal TUT.BY on the 16th of January 2015 there was news published that in the Republic of Belarus there were spouses, who, in the framework of the peaceful settlement of the matter out of court on the division of marital property, upon divorce shared virtual property of the computer character [1]. Taking into account the fact that this news is of informative nature and that it does not contain any legal circumstances of the case, it, however, suggests the idea of the need to be prepared to give a legal assessment to the case that took place in the context of the topic.

In connection with the above mentioned circumstances the question of a legal status of computer game character and also its identification in the system of objects of the civil law become interesting.

Most virtual objects copy material ones: things, property, money, virtual services, etc. However, there are objects that have no analogues in the material world. These objects, in particular, will include a computer character.

Computer character is not identified in the system of the civil law. The list of objects contained in article 128 of the Civil Code of the Republic of Belarus reflects the traditional idea of the objects. The basic problem of the modern civil law doctrine is connected with the identification of certain benefits as things: to define the legal status of new non typical objects we should conservatively compare them with the ideas about a thing.

However, the inability to find computer characters in materialized form and the limited application of the principle of ownership and disposal in relation to these objects, cause a debatable question: whether these objects are a thing from the standpoint of the law of obligation.

Let us consider the computer game character through the prism of the object of the civil law as a "thing." Since computer characters cannot be detected in a materialized form, it seems reasonable to turn to the classification of items as "material" and "immaterial", which was first proclaimed in the Roman law. The Guy's Institutes say that immaterial items – are those things that cannot be tangible; (inheritance rights, the right of usufruct, law of obligation) [2, p.34]. Currently, there is no unity in the definition and composition of immaterial property (incorporeal things). According to Y. Gambarov, immaterial things include, first of all, "scientific, artistic, industrial and other spiritual products of our activities" [3, p. 589]. Y. Tuktarov believes that "the immaterial property – is all the objects that have no corporeal being, but protected by the subjective law (tradable rights, intangible economic benefits, including works, inventions, means of identification, information and so forth." [4, p. 122].

Analysis of the modern civil legal doctrine in relation to the category of "immaterial property" suggests that a number of property rights include property law, law of obligation, corporate, and exclusive rights for the results of intellectual activity or means of individualization. However, a more grounded one is the position of D. Fedotov, who in his investigation comes to a conclusion that it is reasonable to include into immaterial property the corporate rights and law of obligation only, as long as they are the objects of absolute right, while the property law and exclusive rights cannot be the objects of the absolute right, because they are absolute themselves [5, p.19].

Therefore, a computer character cannot be identified as a thing in terms of the civil law.

M. Popov considers computer characters as immaterial elements of a program for ECM (electronic computing machine) [6, p.31]. However, this approach allows to recognize a programmer as the only author, and, consequently, as the right holder – the author of a program for ECM. But a large number of people: writers, artists, composers and others, - are involved into the process of creating computer games. With such an approach, their creative contribution to the creation of a complex result of intellectual activity is without legal protection [7, p.12].

Computer character is part of a computer game, which typically includes such objects of intellectual property, as a computer program for ECM (graphic engine, server side, and others.), literary components (the story, the script, the characters, the format of the game, images (3D-graphics, animation, color solutions, interface), the Internet site and other components [8, p. 20]. Thus, a computer game contains several protected results of intellectual activity that allows us to relate it to the category of a complex object.

Apart from that, a computer game works only as an interaction with a user, which confirms its main feature - interactivity. In their study I. Yugay notes that the entire object is built on this interaction, "it exists only in the present tense (not played in a pre-arranged fixed form) and only in the course of a dialogue of a player with the product (author of the work in fact) or with other players. Other elements of the game are the result of such a contact" [9, p.149].

The selected elements give a reason to consider a computer game as a "multimedia product". There is no such category in the legislation of the Republic of Belarus.

Let us refer to the definition of multimedia product proposed by E. Kotenko in his dissertation work "the object of author's right expressed in electronic (digital) form, which includes several protected results of intellectual activities (such as a computer program for ECM, works of fine art, music, etc.), and which with the help of computer devices operates in the process of interaction with the user [10, p.9].

The analysis of this definition allows to conclude that the computer game is a multimedia product. The character of a computer game can also be identified as a multimedia product, since it meets all the necessary criteria: incorporates several protected results of intellectual activity, heterogeneous, created by the collaboration of authors (the program for ECM, works of graphics and design, literary works, and so on); characterized by a complex internal structure.

There are the following conclusions based on the above:

1. The development of information technologies is accompanied by the process of the emergence of new objects of the civil law, which leads to the need of rethinking the civil doctrine.

2. Theoretical and legal basis of the identification of non typical objects of the civil law, such as computer game characters, should take into account the dynamics of the development of a global information system including, at the same time, traditional ideas about the objects of the civil law prevailing in the doctrine of the civil law.

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