

*Repeshko P.I.,
Candidate of State Management Sciences,
Senior Instructor, Department of state service,
Black Sea State University named after Petro Mogyla*

MECHANISMS OF PUBLIC ADMINISTRATION COPYRIGHT PROTECTION TO PRODUCTS IN THE FIELDS OF SCIENCE (PLAGIARISM INTERFEERENCE)

Ukrainian universities, institutes and research and scientific and technical institutions deepen cooperation with foreign universities, institutions and other organizations. This makes it necessary to follow the rules of intellectual property on the results of scientific activity. The implementation mechanism to combat plagiarism in research activities is an important public policy.

Violation of copyright works in science occurs in research activities. There are cases in defense of theses for the degree. Manifestations of plagiarism in academic work harms the reputation of universities and research institutions. Program plagiarism detection in academic works is insufficient. Radical mechanisms should be developed to combat plagiarism in science.

Research – an independent or collective research by author or group of authors to develop a scientific problem. The complexity of this process sometimes leads to the election of a simplified approach. It is to use the results of other research activities of authors of scientific papers. Such borrowing may be by generally accepted rules of citation. This is facilitated by applicable law. Violation of these requirements is a violation of intellectual property copyrights to the works of science. Perpetrators must be held accountable.

Article 8 of the Law of Ukraine «On the copyright and Related Rights» stipulates that product in the science is subject

to copyright. Moral rights of the author protected in perpetuity. Article 50 of the Law of Ukraine «On Copyright and Related Rights» states that plagiarism - a publication (publication), in whole or in part, someone else's work under the name of the person who is not the author of this work, which in turn is a violation of copyright works in science, which gives rise to equitable relief. Author of scientific works, or other person who has acquired copyright research work has the exclusive right to use this work in any form and by any means, including permit or prohibit use of the work by others.

Ukraine has established a mechanism for state management of copyright protection to works of science. Its efficiency is the results of the Certifying Board of the Ministry of Education and Science of Ukraine. However, the results of its operations with signs of selectivity. It is proposed to introduce liability for supervisors applicants candidate degree and official opponents deprivation of Science degree in case of plagiarism in the work of job seekers, the protection of which they were given positive testimonials. For detecting cases of plagiarism in his thesis for the degree of Doctor of Science, the responsibility is to be distributed not only in the official opponents and scientific consultant who provided positive testimonials, but also to further the special Academic Council. Membership of the Board after the determination of the

award of the degree by dissertation work in which plagiarism is detected, it is necessary to prohibit all take part in specialized

academic councils. The measures provide a sound barrier on the way of plagiarism in scientific research.

*Rybak O.S.,
Ph.D. student,
Department of justice, Law faculty,
Kyiv National University named after Taras Shevchenko*

THE LEGAL NATURE OF THE LETTER OF REQUEST (LETTER ROGATORY) IN THE CIVIL PROCEDURE

The legal nature of the letter of request (letter rogatory) in civil proceeding, provisions of the legislation in force and theoretical approaches of scientists in this field are considered in the article.

On the international level such matter is governed by three basic conventions:

- The Hague Convention on Civil Procedure 1954;
- The Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters 1965;
- The Hague Convention on Obtaining Evidence Abroad in Civil or Commercial Matters 1970.

Letter of request is an instrument in judicial mutual assistance which is undertaken as a part of civil proceeding in relation to the needs that appeared during the proceeding and the resolution of this urgent issue cannot be solved any other way but to refer to the institution of the letter of request.

A Letter of Request is a document having a procedural form that serves as an in-

strument which enables carrying out civil proceedings and their expeditious providing. Execution of the letter of request is one of the constituent elements in the implementation of legal aid in international civil procedure.

Thus we cannot define letter of request as a kind of mutual international assistance because it will be not sufficiently correct. We also cannot say that it is a type of mutual legal assistance. That's why letter of request is an effective mechanism by using which mutual court assistance can be provided.

At the current stage of development, the urgent matter is to define the nature and content of the letters rogatory since there is scientific debate about the legal nature of this institution. Some scholars view it as a distinct kind of mutual legal assistance, others reckon it only as a mechanism of assistance. At present there is urgency to solve this issue, because it is crucial for the development of both scientific and legislative activities for improving its functioning.