

**Peculiaridades da legislação de propriedade
intelectual na Ucrânia sob lei marcial: aspectos
administrativos e civis¹**

**Peculiarities of legal regulation of intellectual
property protection in Ukraine under martial law:
administrative and civil aspects**

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Resumo

O objetivo deste artigo é analisar a legislação da propriedade intelectual na Ucrânia sob a lei marcial, em especial observar os aspectos administrativos e civis. Considera-se que a adequada administração pública da propriedade intelectual nas condições da lei marcial na Ucrânia é particularmente relevante para evitar problemas com potenciais processos judiciais no futuro. Observa-se também que a preservação de dados é relevante para a proteção e aplicação dos direitos de propriedade intelectual na Ucrânia na economia do pós-guerra. Para o desenvolvimento dessa pesquisa foram utilizados os seguintes métodos: análise de fontes biográficas, síntese, dedução, análise comparativa, meta-análise, entre outros métodos. Como conclusão, este trabalho destaca que o "Ukrpatent", que exerce os poderes da Autoridade Nacional de Propriedade Intelectual no domínio da propriedade intelectual, continua a funcionar nas condições de uma guerra em grande escala da Federação Russa contra a Ucrânia, assegurando ao mesmo tempo as funções relevantes e a operação contínua do sistema nacional de proteção legal da propriedade intelectual. Como resultado, segundo o "Ukrpatent", constatou-se que o número de pedidos de propriedade industrial registrados na Ucrânia no primeiro semestre de 2023 em comparação com o primeiro semestre de 2022 foi de 75%, o que indica um bom resultado para tempos de guerra.

Palavras-chave: Direito Autoral e Direitos Conexos; Objeto de Propriedade Intelectual; Direito de Propriedade Industrial; Marca. Regulamentação legal.

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Abstract

The purpose of the research is analyses the legal regulation of intellectual property in Ukraine under martial law. It has been established that proper public administration of the intellectual property portfolio under the conditions of martial law in Ukraine is particularly relevant to avoid problems with potential court cases in the future. It is also substantiated that the preservation of data is relevant for protection and enforcement of intellectual property rights in Ukraine in the post-war economy. Methodology: The following methods were used in the research: analysis of biographical sources, synthesis, deduction, comparative analysis, meta-analysis, etc. Conclusions. The article emphasizes that “Ukrpatent”, which fulfills the powers of the National Intellectual Property Authority in the field of intellectual property, continues to work in the conditions of a full-scale war of the Russian Federation against Ukraine, while ensuring the relevant functions and continuous operation of the state system of intellectual property legal protection. As a result, it was established, based on the analysis of data from “Ukrpatent”, that the number of registered objects of industrial property in Ukraine for the first half of 2023 compared to the first half of 2022 is 75%, which indicates a good result for wartime.

Keywords: Copyright and Related Rights; Object of Intellectual Property; Industrial Property Right; Trademark; Legal Regulation.

Introduction

In recent decades, human intellectual activity and its results have played an increasingly important role in our country, not only in the spiritual sphere, but also in material production. Along with traditional objects of property turnover, a new object of property turnover appeared - intellectual production, the result of intellectual, creative human activity. Today, intellectual production, which was previously distributed outside the market, has become one of the most valuable goods on the market. At the same time, the subject of the commodity market is not the intellectual production itself, but the rights to it, which must be protected and protected by law. Market relations are regulated by the norms of various branches of law, but a significant part of trade relations is regulated by the Civil and Economic Codes. types of goods require a special legal regulation of the procedure for acquiring ownership of the relevant goods and establishing the order of use and disposal.

For more than a year and a half, Ukraine has been heroically fighting for its independence and resisting the military aggression of the Russian Federation. Ukrainian life is divided into before and after. The Ukrainian people are united and work together on their own front for a common victory. Undoubtedly,

intellectual property is one of the areas that helps the country to develop its economy in such an extremely difficult time.

Despite the economic downturn, the IT industry remains one of the few areas of the state budget of Ukraine. As a result, its exports in the first half of 2023 increased by 21% and reached \$3.4 billion. It is worth noting that there are approximately 4,900 technology companies in Ukraine that bring funds to the Ukrainian economy.

Proper management of an intellectual property portfolio under martial law is especially important to avoid problems with potential future litigation, and data retention is extremely important to protect and defend intellectual property rights in Ukraine, especially in post-war times.

Legal aspects of intellectual property protection in Ukraine were studied in scientific publications by Halaburda N., Leheza Ye., Yefimova I. Chalavan V. Yefimov V. and others⁵. However, introduction of martial law in Ukraine requires an update of general developments regarding intellectual property.

More than half a century of full-scale war in Ukraine clearly testified that Ukraine is going through an extremely difficult test, and is passing it step by step with dignity and balance. Ukraine faces enemies not only on the battlefield, but also in all spheres of life, in particular in the field of digital technologies (the number of cyber attacks tripled during the total war). Ukraine and its citizens face challenges in many areas of life, in particular, in the field of intellectual property.

It is clear that these challenges cannot be overcome without the support of the countries of the European Union, the USA, Canada, etc.

1. Features legal regulation of intellectual property in Ukraine under martial law

Copyright and related rights and industrial property law are part of intellectual property law, an important component of which is civil law. As you

⁵ Halaburda, N. Leheza, Y, Chalavan, V. Yefimov, V. Yefimova, I. (2021). Compliance with the principle of the rule of law in guarantees of ensuring the legality of providing public services in Ukraine. Journal of law and political sciences. Vol. 29, Issue 4, 100-121.

know, civil law is a complex branch of law with a centuries-old history that regulates important social relations related to the exercise of property and personal non-property rights. Therefore, the subject of civil law is property relations, related personal non-property relations and other personal non-property relations. At the same time, property relations are regulated by the majority of norms of civil law, which have their own characteristics, criteria for division, peculiarities of implementation and ways of applying the norms that regulate them⁶.

The most characteristic features of property relations are their commodity-monetary and expense nature, independence and independence of the organizational and property status of the participants in property relations, and the legal equality of participants in civil property relations. The most widespread in the science of civil law is the division of property relations into property relations and relations in the field of transactions. These relations constitute the main part of the subject of civil law and have all the legal features mentioned above.

Property relations also include relations related to the exercise of intellectual property rights. In addition, property relations of purchase and sale also include relations related to the exercise of property rights to the object of intellectual property rights, which is a product. However, the characteristics and features of relations related to the creation, use and alienation of rights to the results of intellectual, creative, spiritual activity are so different from other classic civil-law relations that a separate subject of the regulation of intellectual property relations was allocated and a new branch of law was distinguished - intellectual property rights⁷.

After the signing of Decree of the President of Ukraine No. 64/2022 "On the introduction of martial law in Ukraine", optimization of activities, including

⁶ Horbalinskiy, V. Leshchenko, O. Mashchenko, O. Leheza, Y. Prymakov, K. (2023). Ways to protect the rights of individuals in administrative proceedings: legal regulation and international experience international experience: Vías de protección de los derechos de las personas en los procesos administrativos: regulación jurídica y experiencia internacional. Cuestiones Políticas, 41(77), 324-334 DOI: 10.46398/cuestpol.4177.22

⁷ Hryhorash O., Korneyev M., LehezaYe. Zolotukhina L., Hryhorash T. (2018). "The development of small business as a source of formation of local budget revenues in Ukraine". Investment. Management and Financial Innovations, 1 (15), 132-140. Doi:10.21511/imfi.15(1).2018.12

business structures, state bodies, local self-government bodies and relevant state enterprises and institutions was observed⁸.

After the proclamation of the Decree of the President of Ukraine No. 64/2022 “On the Introduction of Martial Law in Ukraine”⁹ the optimization of the activities of state authorities, local self-government bodies, and relevant state enterprises and institutions, including business structures, has been observed¹⁰.

Intellectual property rights are subjectively identical to physical property rights, since the owner of the intellectual property right can own, use and dispose of the corresponding object. However, the different object of the right of physical property and the right of intellectual property puts each of these rights in a slightly different legal category. Yes, the distinguishing features of the property right to IPPR are that the object of the intellectual property right is creative, and the right to the object of the intellectual property right is exclusive, that is, the exclusive right of the subject (owner) to allow the use of the object of the intellectual property right to another person and the exclusive right of the subject (owner) to prevent the illegal use of the object of intellectual property right, as well as the right to dispose of the object of intellectual property right, which consists of the right to prevent (including prohibit) such use¹¹.

Intellectual property rights include not only property, but also non-property personal non-property intellectual property rights. This is a feature that distinguishes intellectual property rights from property rights.

Objects of intellectual property rights include literary and artistic works, computer programs, data compilations (databases), performances, phonograms, videograms and transmissions of broadcasting organizations; performance,

⁸ Law of Ukraine. (2022). On the introduction of martial law in Ukraine: Decree of the President of Ukraine dated February 24, 2022 No. 64/2022. Available at: <https://www.president.gov.ua/documents/642022-41397>. (accessed on 01.09.2023).

⁹ Law of Ukraine. (2022). On the introduction of martial law in Ukraine: Decree of the President of Ukraine dated February 24, 2022 No. 64/2022. Available at: <https://www.president.gov.ua/documents/642022-41397>. (accessed on 01.09.2023).

¹⁰ Law of Ukraine. (2022). On the introduction of martial law in Ukraine: Decree of the President of Ukraine dated February 24, 2022 No. 64/2022. Available at: <https://www.president.gov.ua/documents/642022-41397>. (accessed on 01.09.2023).

¹¹ Leheza Ye. O., Filatov V., Varava V., Halunko V., Kartsyhin D. (2019). “Scientific and practical analysis of administrative jurisdiction in the light of adoption of the new code of administrative procedure of Ukraine”. *Journal of Legal, Ethical and Regulatory Issues*. 5 (22). 1-8.

phonograms, videograms, transmissions (programs) of broadcasting organizations, scientific discoveries, inventions, useful models, industrial samples, layout of integrated microcircuits (topography), innovative proposals, plant varieties, animal breeds, commercial (brand) names, trademarks (signs) for goods and services), geographical indications and trade secrets¹².

When studying the concept of intellectual property rights, one should remember the need to distinguish between the concepts of "intellectual property" and "intellectual activity". In addition, the term "creative activity" is also often used in research in the field of intellectual property law. This is due to the fact that creativity is a prerequisite for the creation of an intellectual property right and in most cases one of the main criteria for the creation of an intellectual property right.

On March 4, 2022, information about the activities of the Appellate Chamber of State Intellectual Property during the period of martial law appeared on the website of Ukrpatent¹³. Therefore, during the introduction of military service, in order to prevent a threat to the life and health of participants in the consideration of objections, the consideration of objections on the merits in appeal meetings, especially in the video conference mode, is temporarily suspended.¹⁴ At the request of the participant, objections can be considered in the order of written proceedings based on the available materials.¹⁵

However, already on June 30, 2022, Ukrpatent essentially resumed consideration of the objection and application for recognition of a well-known Ukrainian trademark in the appeal hearing¹⁶.

¹² Leheza, Y. Liudvik, V. Filipp, A. (2023). Interacción de los cuerpos y fuerzas de seguridad de ucrania en la revelación de delitos y crímenes: : normas internacionales y experiencia extranjera. DIXI, 25(2), 1–15. Doi: 10.16925/2357-5891.2023.02.06

¹³ Law of Ukraine. (2022). On the introduction of martial law in Ukraine: Decree of the President of Ukraine dated February 24, 2022 No. 64/2022. Available at: <https://www.president.gov.ua/documents/642022-41397>. (accessed on 01.09.2023).

¹⁴ Leheza Ye. O., Filatov V., Varava V., Halunko V., Kartsyhin D. (2019). "Scientific and practical analysis of administrative jurisdiction in the light of adoption of the new code of administrative procedure of Ukraine". Journal of Legal, Ethical and Regulatory Issues. 5 (22). 1-8.

¹⁵ Leheza, Y. Liudvik, V. Filipp, A. (2023). Interacción de los cuerpos y fuerzas de seguridad de ucrania en la revelación de delitos y crímenes: : normas internacionales y experiencia extranjera. DIXI, 25(2), 1–15. Doi: 10.16925/2357-5891.2023.02.06

¹⁶ Dymko I., Muradian A., LehezaYe. Manzhula A., Rudkovskyi O., (2017). Integrated approach to the development of the effectiveness function of quality control of metal products. Eastern

For the first half of 2023, “Ukrpatent” has published indicators of receipt and consideration of applications and registration of industrial property objects

Objects of industrial property	The first half of 2022	The first half of 2023	2023 to 2022 (%)
Applications received			
<i>Received in total</i>	24,263	13,757	57.1
Inventions	1,592	1,231	77.1
national procedure	731	432	57.1
<i>national</i>	598	313	51.2
<i>foreign</i>	129	119	88.3
international procedure	874	802	93.2
Useful models	2,149	1,029	47.6
national procedure	2,145	1,041	47.8
<i>national</i>	2,094	1,018	48.6
<i>foreign</i>	45	17	43.3
international procedure	4	2	1
Industrial samples	893	433	46.9
<i>national</i>	801	384	46.5
<i>foreign</i>	93	51	56.4
Trademarks	19,617	11,048	55.3
national procedure	15,750	7,387	47.5
<i>national</i>	13,635	6,178	47.4
<i>Foreign</i>	2,121	1,211	56.4
international procedure	3,884	3,651	93.3
Decisions made			
Inventions	1,245	1,084	89.1
Useful models	2,032	1,621	77.8
Industrial samples	833	501	62.4
Trademarks	14,244	12,844	89.1
Paperwork completed			
Inventions			
<i>formal examination</i>	1,798	1,547	85.3
<i>qualification examination</i>	1,722	1,335	78.1
Useful models	2,351	1,709	73.2
Industrial samples	941	778	83.3
Trademarks			
<i>national procedure</i>	17,451	15,791	91.1

<i>international procedure</i>	4,401	4,411	99.5
Registered			
Registered in total	16,679	12,531	74.3
Inventions	1,231	832	67.3
Useful models	2,346	1,191	49.3
Industrial samples	1,071	454	43.7
Trademarks	12,032	10042	84.9
International registrations	4,415	4,296	99.7

Analyzing the data in Table 1, we can conclude that the military aggression of neighboring countries clearly affects the industrial property sector, but, despite this, the number of industrial property objects registered in the first half of 2022 is not the same. compared to the first half of 2023 – 74.8%. We hope that in the second half of 2023, the number of objects of industrial property registration will increase significantly, which will lead to economical income to the state budget.¹⁷

The important Law of Ukraine dated April 1, 2022 "On the protection of the interests of individuals in the field of intellectual property during the martial law introduced as a result of the armed aggression of the Russian Federation in Ukraine" No. 2174-IX in the year regulates the field of intellectual property.¹⁸

In accordance with paragraph 1, Part 1 of the above-mentioned Law, since the date of the introduction of martial law in Ukraine, introduced in connection with the armed aggression of the Russian Federation against Ukraine, expiration of time limits for taking actions related to the protection of intellectual property rights, as well as the time limits for the procedures for acquiring these rights, has stopped. From the day following the day of suspension or cancellation of martial law, the course of these terms shall continue taking into account the

¹⁷ Odyntsova, I. Berezhna, K. Yuzikova, N. Leheza, Y. Iliushchenko, H. (2021). International legal standards for providing public services in combating corruption. *Journal of law and political sciences*. V. 27, 2. 275-291. Available at: https://drive.google.com/file/d/1We_a8coOoV-vSBb2biWJ7iDV8G-IDjAw/view (accessed on 01.09.2023).

¹⁸ Leheza, Ye. Shablysty, V. Aristova, I. Kravchenko, I. Kornikova, T. (2023). "Foreign Experience in Legal Regulation of Combating Crime in the Sphere of Trafficking of Narcotic Drugs, Psychotropic Substances, their Analogues and Precursors: Administrative and Criminal Aspect". *Journal of Drug and Alcohol Research*. Vol. 12 . No. 4, 1-8. DOI: 10.4303/JDAR/236240

time that has passed before their suspension¹⁹.

Adoption of the above-mentioned law ensures the resolution of acute issues regarding the terms of taking actions to protect intellectual property rights and the terms of procedures for obtaining these rights²⁰. Regarding the object of intellectual property rights, the conditions for filing an objection against an application or international registration on the territory of Ukraine, the right to appeal to the State Intellectual Property Office or the Appeals Chamber of the invalidity of the conditions for the recognition of an invention in court, as well as the possibility to update the omitted provisions²¹.

One of the main tasks facing Ukraine in the field of intellectual property is the strengthening and implementation of the European integration process. Ukraine continues to actively develop in related areas. The confirmation is the draft of the Law of Ukraine "On introducing some changes to the legislation on strengthening the protection of intellectual property rights in Ukraine" adopted on July 1, 2022 (No. 2334-IX dated July 1, 2022)²².

According to the explanatory note of the above-mentioned Law of Ukraine, the main purpose of adopting such a legislative act consists in implementation into national legislation of the provisions of the Association Agreement... regarding general obligations, civil measures, procedures and means of protection of intellectual property rights, provided for by part three Chapter 9 Section IV of Agreement, and by the Directive 2004/48/EC of the European Parliament and the Council dated 29 April, 2004 on protection of

¹⁹ Law of Ukraine. (2022). On the protection of the interests of persons in the field of intellectual property during the martial law introduced in connection with the armed aggression of the Russian Federation against Ukraine: Law of Ukraine dated 01.04.2022 № 2174-IX. Available at: <https://zakon.rada.gov.ua/laws/show/2174-20#Text>. (accessed on 01.09.2023).

²⁰ Tylchuk, V. Matselyk, T. Hryshchuk, V. Lomakina, O. Sydor, M. Leheza, Ye. (2022). Administrative and legal regulation of public financial activity: Regulación administrativa y legal de la actividad financiera pública. *Cuestiones Políticas*, 40(72), 573-581. Doi: 10.46398/cuestpol.4072.33

²¹ Law of Ukraine. (2022). On the introduction of changes to some laws of Ukraine regarding the support of the national musical product and the restriction of public use of the musical product of the aggressor state: Law of Ukraine dated June 19, 2022 No. 2310-IX. Available at: <https://zakon.rada.gov.ua/laws/show/2310-20#Text>. (accessed on 01.09.2023).

²² Zadyraka, N. Leheza, Ye. Bykovskiy, M. Zheliezniak, Ye. Leheza, Y. (2023). Correlation of Legal Concepts of Administrative Procedure and Administrative Liability in the Sphere of Urban Planning. *Jurnal cita hukum indonesian law journal*. Vol. 11 No. 1, 33-44, DOI: 10.15408/jch.v11i1.31784

intellectual property rights²³.

The main changes will concern the possibility of court's demanding information about the origin and distribution network of goods or services that violate intellectual property rights; application of preliminary court injunctions against intermediaries whose services are used by defendants in violation of intellectual property rights; the possibility of applying a one-time fine instead of methods of protection; the principles of compensation for property damage caused to the right holder by means of compensation for damages, including lost profit, or collection of income received by the infringer, or payment of compensation, and/or non-property (moral) damage indemnity; the possibility of publicizing information regarding violation of intellectual property rights and the content of the respective court decision²⁴.

Pursuant to Article 1(4). Article 1 of the above-mentioned Ukrainian law stipulates that the military invasion of Ukraine by the Russian totalitarian Nazi regime shall be marked by:

a) The Latin letters "Z" and "V" are used as symbols of military invasion of Ukraine in the manner and with the signs specified in Article 2 of this Law;

b) Official or unofficial emblems (emblems) of the Armed Forces of the Russian Federation, including ground forces, aerospace forces, navy, strategic missile forces, airborne forces, special forces, other armed forces and (or) corpses of terrorist countries (aggression country)²⁵.

Such symbols may not be used in printed materials, advertisements, in places where certain events are held, on television, radio, on the Internet, in social networks, in campaign materials, except for materials aimed at countering

²³ Law of Ukraine. (2022). On the prohibition of propaganda of the Russian Nazi totalitarian regime, armed aggression of the Russian Federation as a terrorist state against Ukraine, symbols of the military invasion of the Russian Nazi totalitarian regime in Ukraine: Law of Ukraine dated 05/22/2022 № 2265-IX. Available at: <https://zakon.rada.gov.ua/laws/show/2265-20/ed20220522#n9>. (accessed on 01.09.2023).

²⁴ Leheza, Y. Pisotska, K. Dubenko, O. Dakhno, O. Sotskyi, A. (2022). The Essence of the Principles of Ukrainian Law in Modern Jurisprudence. *Revista Jurídica Portucalense*, December, 342-363. DOI: 10.34625/issn.2183-2705(32)2022.ic-15

²⁵ Law of Ukraine. (2023). On amendments to some legislative acts of Ukraine regarding strengthening the protection of intellectual property rights: Law of Ukraine dated March 20, 2023 No. 2974-IX. Available at: <https://zakon.rada.gov.ua/laws/show/2974-IX#Text> (accessed on 01.09.2023).

the armed aggression of the Russian Federation against Ukraine, in copyright objects and related rights created after 24 February, 2022²⁶.

The relevant normative legal act provides for changes in the following Laws of Ukraine: «On Political Parties in Ukraine», «On Combating Terrorism», «On printed Media (Press) in Ukraine», «On State Registration of Legal Entities, Natural Persons - Entrepreneurs and Public Organizations», «On Television and Radio Broadcasting» and «On Public Associations»²⁷.

On June 19, 2022, the Verkhovna Rada of Ukraine adopted the Law of Ukraine "On Amendments to Certain Laws of Ukraine Regarding Support of National Music Productions and Restrictions on Public Use of Music Productions of the Aggressor State" dated June 19, 2022 No. 2310 No. 9.²⁸

These changes mainly concern the spheres of television, radio and culture. Thus, according to the provisions of the Law, television and radio organizations are obliged to provide at least 75% of the daily volume of broadcasting in the state language during the conduct of programs, including news and analytical columns, entertainment programs (announcers, radio presenters). broadcast²⁹.

In addition, the mentioned regulatory bill clarified the concept of ethnic music production for the first time, increasing the share of songs in ethnic languages on the radio to 41%, as well as prohibiting the reproduction of music, films or other sound signals on the radio. in the cabin of buses, in addition to

²⁶ Matviichuk, A. Shcherbak, V. Sirko, V. Malieieva, H. Leheza, Y. (2022). Human principles of law as a universal normative framework: Principios humanos del derecho como marco normativo universal. *Cuestiones Políticas*, 40(75), 221-231. Doi: 10.46398/cuestpol.4075.14

²⁷ Zhukova, Ye. Bryl, K. Svystun, L. Kobrusieva, Ye. Leheza, Y. 2023. Legal regulation of public administration of education and science: Regulación legal de la administración pública de educación y ciencia. *Cuestiones Políticas*, 41(76), 336-346. <https://doi.org/10.46398/cuestpol.4176.18>

²⁸ Kobrusieva, Ye. Leheza, Ye. Rudoi, K. Shamara, O. Chalavan, V. (2021). International standards of social protection of internally displaced persons: administrative and criminal aspects. *Jurnal cita hukum indonesian law journal*. Vol 9, No 3, 461-484. DOI: <https://doi.org/10.15408/jch.v9i3.23752>

²⁹ Indicators of receipt and consideration of applications and registration of industrial property objects in the first half of 2023. 2023. The official website of the Ukrainian National Office of Intellectual Property and Innovation. Available at: <https://ukrpatent.org/uk/articles/1h-2022>. (accessed on 01.09.2023).

information about the route, it is also forbidden to turn on music in the taxi cabin without the consent of all passengers ³⁰.

Final considerations

Therefore, despite the extremely difficult conditions in which all spheres of social life found themselves under martial law, painstaking law-making activity continued, especially in the field of intellectual property. With the support of friendly countries and the international community, ensure the further functioning and gradual improvement of the intellectual property protection mechanism under martial law with the aim of strengthening and implementing the European integration process of Ukraine.

Determine that the relevant legislation was enacted during total war. The legislation of Ukraine for the first time defines the terrorist state, the institutions of the terrorist state, the propaganda of the Russian Nazi totalitarian regime, the armed aggression of the Russian Federation against Ukraine as a terrorist state, the symbolic meaning of the Russian Nazi totalitarian regime of the armed forces. invasion of Ukraine.

It is well-founded that during the martial law in Ukraine, according to normative legal acts, the relevant intellectual property right is implemented in law enforcement activities by the relevant subjects of the intellectual property right in full in accordance with the powers.

References

Dymko I., Muradian A., LehezaYe. Manzhula A., Rudkovskyi O., (2017). **Integrated approach to the development of the effectiveness function of quality control of metal products.** Eastern European Journal of Enterprise Technologies, 6/3 (90), 26-34. Doi: 10.15587/1729-4061.2017.119500

Halaburda, N. Leheza, Y, Chalavan, V. Yefimov, V. Yefimova, I. (2021).

³⁰ Villasmil Espinoza, J. Leheza, Ye. Holovii, L. (2022). Reflections for the interdisciplinary study of the Russian Federation's invasion of Ukraine in 2022. Cuestiones Políticas, 40(73), 16-24. Doi:10.46398/cuestpol.4073.00

Compliance with the principle of the rule of law in guarantees of ensuring the legality of providing public services in Ukraine. Journal of law and political sciences. Vol. 29, Issue 4, 100-121.

Horbalinskiy, V. Leshchenko, O. Mashchenko, O. Leheza, Y. Prymakov, K. (2023). **Ways to protect the rights of individuals in administrative proceedings: legal regulation and international experience international experience.** Vías de protección de los derechos de las personas en los procesos administrativos: regulación jurídica y experiencia internacional. Cuestiones Políticas, 41(77), 324-334 DOI: 10.46398/cuestpol.4177.22

Hryhorash O., Korneyev M., LehezaYe. Zolotukhina L., Hryhorash T. (2018). **“The development of small business as a source of formation of local budget revenues in Ukraine”.** Investment. Management and Financial Innovations, 1 (15), 132-140. Doi:10.21511/imfi.15(1).2018.12

Indicators of receipt and consideration of applications and registration of industrial property objects in the first half of 2023. 2023. **The official website of the Ukrainian National Office of Intellectual Property and Innovation.** Available at: <https://ukrpatent.org/uk/articles/1h-2022>. (accessed on 01.09.2023).

Kobrusieva, Ye. Leheza, Ye. Rudoi, K. Shamara, O. Chalavan, V. (2021). **International standards of social protection of internally displaced persons: administrative and criminal aspects.** Jurnal cita hukum indonesian law journal. Vol 9, No 3, 461-484. DOI: <https://doi.org/10.15408/jch.v9i3.23752>

Law of Ukraine. (2022). **On the introduction of martial law in Ukraine:** Decree of the President of Ukraine dated February 24, 2022 No. 64/2022. Available at: <https://www.president.gov.ua/documents/642022-41397>. (accessed on 01.09.2023).

Law of Ukraine. (2022). **On the introduction of changes to some laws of Ukraine regarding the support of the national musical product and the restriction of public use of the musical product of the aggressor state:** Law of Ukraine dated June 19, 2022 No. 2310-IX. Available at: <https://zakon.rada.gov.ua/laws/show/2310-20#Text>. (accessed on 01.09.2023).

Law of Ukraine. (2022). **On the prohibition of propaganda of the Russian Nazi totalitarian regime, armed aggression of the Russian Federation as a terrorist state against Ukraine, symbols of the military invasion of the Russian Nazi totalitarian regime in Ukraine:** Law of Ukraine dated 05/22/2022 № 2265-IX. Available at: <https://zakon.rada.gov.ua/laws/show/2265-20/ed20220522#n9>. (accessed on 01.09.2023).

Law of Ukraine. (2022). **On the protection of the interests of persons in the field of intellectual property during the martial law introduced in connection with the armed aggression of the Russian Federation against**

Ukraine: Law of Ukraine dated 01.04.2022 № 2174-IX. Available at: <https://zakon.rada.gov.ua/laws/show/2174-20#Text>. (accessed on 01.09.2023).

Law of Ukraine. (2023). **On amendments to some legislative acts of Ukraine regarding strengthening the protection of intellectual property rights: Law of Ukraine dated March 20, 2023** No. 2974-IX. Available at: <https://zakon.rada.gov.ua/laws/show/2974-IX#Text> (accessed on 01.09.2023).

Leheza Ye. O., Filatov V., Varava V., Halunko V., Kartsyhin D. (2019). **“Scientific and practical analysis of administrative jurisdiction in the light of adoption of the new code of administrative procedure of Ukraine”**. Journal of Legal, Ethical and Regulatory Issues. 5 (22). 1-8.

Leheza, Y. Liudvik, V. Filipp, A. (2023). **Interacción de los cuerpos y fuerzas de seguridad de ucrania en la revelación de delitos y crímenes: : normas internacionales y experiencia extranjera**. DIXI, 25(2), 1–15. Doi: 10.16925/2357-5891.2023.02.06

Leheza, Y. Pisotska, K. Dubenko, O. Dakhno, O. Sotskyi, A. (2022). The Essence of the Principles of Ukrainian Law in Modern Jurisprudence. **Revista Jurídica Portucalense**, December, 342-363. DOI: 10.34625/issn.2183-2705(32)2022.ic-15

Leheza, Ye. Shablysty, V. Aristova, I. Kravchenko, I. Kornikova, T. (2023). **“Foreign Experience in Legal Regulation of Combating Crime in the Sphere of Trafficking of Narcotic Drugs, Psychotropic Substances, their Analogues and Precursors: Administrative and Criminal Aspect”**. Journal of Drug and Alcohol Research. Vol. 12 . No. 4, 1-8. DOI: 10.4303/JDAR/236240

Matviichuk, A. Shcherbak, V. Sirko, V. Malieieva, H. Leheza, Y. (2022). **Human principles of law as a universal normative framework: Principios humanos del derecho como marco normativo universal**. Cuestiones Políticas, 40(75), 221-231. Doi: 10.46398/cuestpol.4075.14

Odyntsova, I. Berezhna, K. Yuzikova, N. Leheza, Y. Iliushchenko, H. (2021). **International legal standards for providing public services in combating corruption**. Journal of law and political sciences. V. 27, 2. 275-291. Available at: https://drive.google.com/file/d/1We_a8coOoV-vSBb2biWJ7iDV8G-IDjAw/view (accessed on 01.09.2023).

Tylchyk, V. Matselyk, T. Hryshchuk, V. Lomakina, O. Sydor, M. Leheza, Ye. (2022). **Administrative and legal regulation of public financial activity: Regulación administrativa y legal de la actividad financiera pública**. Cuestiones Políticas, 40(72), 573-581. Doi: 10.46398/cuestpol.4072.33

Villasmil Espinoza, J. Leheza, Ye. Holovii, L. (2022). **Reflections for the interdisciplinary study of the Russian Federation's invasion of Ukraine in 2022**. Cuestiones Políticas, 40(73), 16-24. Doi:10.46398/cuestpol.4073.00

Zadyraka, N. Leheza, Ye. Bykovskiy, M. Zheliezniak, Ye. Leheza, Y. (2023). **Correlation of Legal Concepts of Administrative Procedure and Administrative Liability in the Sphere of Urban Planning**. Jurnal cita hukum indonesian law journal. Vol. 11 No. 1, 33-44, DOI: 10.15408/jch.v11i1.31784

Zhukova, Ye. Bryl, K. Svystun, L. Kobrusieva, Ye. Leheza, Y. 2023. **Legal regulation of public administration of education and science**: Regulación legal de la administración pública de educación y ciencia. Cuestiones Políticas, 41(76), 336-346. <https://doi.org/10.46398/cuestpol.4176.18>