INTELLECTUAL PROPERTY IN INNOVATION

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Abstract. In production activities, fixed assets, technologies used, labor skills, and manufactured products contain the results of the intellectual activity of certain individuals. These results include non-standard and original organizational, technological, technical, and entrepreneurial solutions, during the implementation of which the manufactured products acquire new consumer properties that are in demand among buyers.

Keywords. intellectual property, modern technologies, digital economy, entrepreneurship.

Introduction. Elements of intellectual activity include data on the design and technological properties of manufactured products, innovative solutions and techniques for their creation, implementation, information on ways of organizing business activities that ultimately generate income for manufacturers and owners. This information represents intellectual property, which can be the object of purchase and sale, taking it into account in the cost of manufactured products.

Property is the emerging relationship between business entities that determine the belonging of certain results to a given activity. From an entrepreneurial point of view, the main importance is the ownership relations of the means of production, highlighting three provisions, expressed:

- in the appropriation of the means of production - relations fixed legal ownership of the relevant means of production;
- exploitation of means of production - relationships in which the owner rents them out;
- in the economic realization of property - relationships that generate income from the use of means of production.

The consumer quality of intellectual property is expressed in the generation of additional profit through the use of new knowledge about better satisfaction of consumer requirements. The consumer qualities of manufactured products are understood as their usefulness and ability to satisfy social needs—production and personal—of consumers. And the category “quality” represents the level at which the consumer value of a product satisfies certain needs, that is, it reflects a measure of utility. Intellectual property as an economic category reflects the social relations that are formed in the production process regarding the use of production factors and the appropriation of the obtained useful results.

The economic content of the concept of “intellectual property” is determined by the fact that the new quality of products obtained through the use of intellectual property is formed in the process of its production. The economic category of intellectual property is presented in the form of a materialized result of labor and production costs. The economic importance of intellectual property is determined by the need to improve the level of product quality, due to the fact that “quality:

- is a leading factor in increasing the efficiency and competitiveness of production, as well as the intensity of economic development as a whole;
- represents the main indicator of innovation activity;
- serves as a criterion for consumer demand.

The ultimate goal of quality management is demand from consumers, obtaining an economic effect, that is, making a profit. The role of consumer qualities of any object of intellectual property is expressed individually, presented inseparably from the possibilities of its use based on the characteristics of the final product produced using it. Thus, intellectual property (IP) is an integrated concept that reflects a complex set of copyright (exclusive) rights to the results of an individual's creative (innovative) activity in any field of activity (scientific, industrial, technical, technological, social, artistic, etc.), as well as the right to individualize a legal entity, products (works, services).

IP objects are documented rights to organize intellectual activity, describing the ownership of a business entity with distribution (appropriation) rights, which can use the authority to own, dispose and use the property. The category "intellectual property" combines two types of objects: industrial property objects and copyright objects. Scientific discoveries are neither objects of industrial property nor objects of copyright, since they are not enshrined in law in any country, but the scientific sphere assigns them the names of their discoverers (Archimedes' law, Kondratiev cycles, etc.). Special IP objects include topologies of integrated circuits, selection achievements, etc. Their peculiarity is their intangible nature.

The parameters of the market for IP objects are determined by the technical, innovative and intellectual potential of scientific organizations, innovative industrial enterprises and differ from other markets:

- IP parameters are of an intangible nature;
- the owner has monopoly rights to the IP;
- at the beginning of the implementation of IP rights, there is no competition due to individuality and monopoly on IP objects;
- the supply of IP rights for the production of innovations is higher than the demand for them, but there is no overstocking of innovative products, since a significant number of inventions, industrial designs and know-how are sources for obtaining new products and future innovations.

The modern market of intellectual innovative products is characterized by the following properties:

- intellectual products in the sphere of exchange correspond to the characteristics of the product;
- markets for intellectual products have quantitative parameters, territorial and sectoral structure, methods pricing, regulatory indicators;
- the market for intellectual products is influenced by market factors, competitive factors, scientific and technical potential of industrial production, etc.

Next, we highlight the specific features of the market for IP objects that are different from the market for commercial products:

- the market for IP objects is a market for unique products that are present on the market in the singular;
- transactions on the market of intellectual products are high-risk and require a comprehensive assessment;
- the options used for transactions for the purchase and sale of intellectual products provide for different amounts of rights for both the buyer and the seller;

- concluded agreements for purchase and sale transactions of intellectual products provide for limiting conditions for their application (terms, volumes, territory);
- Individual pricing occurs when buying and selling intellectual products.

Trade turnover of intellectual products is quite complicated. At the moment, the purchase and sale of licenses for IP objects and licensing agreements for the transfer of property rights are well developed.

The implementation of IP objects is called “transfer of technologies”, which is carried out in different ways, in different forms and in different areas of activity. The transfer can be carried out on a commercial or non-commercial basis. On a non-commercial basis, technology transfer includes:

- transfer of information arrays, data banks, scientific information, patents, licenses, etc.;
- transfer of rights to innovative developments and technologies;
- organization of training, internships, internships for specialists, students and scientists, conducted on a parity basis by interested structures;
- holding exhibitions, seminars, symposiums, conferences for the purpose of transferring knowledge;
- transfer of specialists and scientists from one organization to another;
- implementation of cross-licensing;
- creation of venture capital firms, research laboratories, etc. at high-tech enterprises.

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