

## CONSTITUTIONAL BASIS OF EXTRAJUDICIAL PROTECTION OF INTELLECTUAL PROPERTY RIGHTS (MEDIATION PROCEDURES)

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DOI: 10.32342/2709-6408-2021-1-2-6

**Key words:** *constitutional rights, intellectual property, mediation, self-defense of rights, human and civil rights.*

The constitutional bases of mediation in intellectual property cases related to the complex interdisciplinary legal institution of self-protection of rights are analyzed. The urgency of the topic is due to a combination of public and private law principles in modern legal regulation and the general process of constitutionalization of private law and intellectual property law, in particular. It is noted that the proclamation of the constitutional right to self-defense means the inclusion in the comprehensive system of human rights protection of additional ways that increase the effectiveness of its other components and enrich the constitutional human rights mechanism as a whole. In recent years, mediation has been recognized as one of the effective and promising ways of self-protection of intellectual property rights. Ukraine is just beginning to build the institution of mediation as a way to protect intellectual property rights. The research of Ukrainian scientists analyzes the situations when it is expedient and profitable to use mediation to resolve disputes in the field of intellectual property. At the same time, in some works of Ukrainian researchers, in the author's opinion, there is an element of a certain underestimation of public law support for the right to self-defense, in particular copyright. We believe that the constitutional provisions on self-protection of rights should be used more widely in the development of doctrinal issues of mediation intellectual property matters, which should strengthen the civil aspects of the right to self-defense and give the problem a broader human significance. The author is convinced that the methodology of the modern system of protection of intellectual property rights should be based on an anthropological approach, which means that the provision and protection of intellectual property rights should be carried out from the standpoint of guaranteeing individual rights. It is concluded that the practice proves the profitability and effectiveness of the use of mediation in disputes related to the protection of intellectual property rights. The full implementation of this institution in Ukraine will contribute not only to improving the protection of intellectual property, but also to ensuring the constitutional rights of man and citizen.

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Одержано 02.03.2021.