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V. MATVIETS, L. ABRAMYK
Precarpathian State Agricultural Experimental Station
of Institute of Agriculture of Carpathian region of NAAS
T. SONETS
Ukrainian Institute for Plant Variety Examination

USING OF PLANT VARIETY AS OBJECT RIGHT
OF INTELLECTUAL PROPERTY

The proclaimed by Ukraine course on integration into the EU, and also membership in the WTO has provided the protection of industrial property rights, in particular on plant varieties.

The aim of the study was an analysis of legal bases of protection on plant varieties, use of the variety as intellectual property rights.

Theoretical and methodological basis of the study are legislative and normative and legal acts of Ukraine. In study, the methods of analysis and synthesis, which based on a systems approach, were used.

The legislation of Ukraine is defines three types of intellectual property rights for plant variety, private unproperty rights of intellectual property for plant variety, certified by state registration; property right of intellectual property for plant variety, certified by the patent; property right of intellectual property on spreading to the variety plants, certified by state registration.

The legal principles of protection of plant varieties and Ukrainian realities are revealed in article. It is shown that in justifiable improper using of the variety not only violate the rights of particular owner, but also has serious consequences for society entirely.

The variety of plants is a specific object of intellectual property.

Today, variety must be protected by all kinds of rights, because by the rapid development of technology, possibility of rights violations in large volumes was became.

All the participants wins from playing by the rules on the market. ORIP owners will get the investment in the development of research from creation new and improved varieties. Authors – financial reward for their intellectual and often physical labor. Consumers – a guarantee of profit from the use of high-quality goods i.e. variety.