

FINAL DOCUMENT¹

Recommendations of the participants of the XIV International Forum "Innovative Development through the Intellectual Property Market"

Moscow

April 21, 2023

Participants of the XIV International Forum "Innovative Development through the Intellectual Property Market", held on April 21, 2023 in Moscow (on the basis of the Kutafin Moscow State Law University - in the face-to-face and remote participation format and with online participation on the webinar.ru), representing the CIS, the EAEU, The Union State, state authorities, institutions of science and education, business and public organizations, mass media from 14 countries of the world, including countries of the EAEU, CIS and BRICS, including in videoconference mode at regional venues (on the basis of the Ural State University of Economics – USUE, Yekaterinburg, Kazan (Volga Region) Federal University, Kazan, Southern Federal University, Rostov-on-Don, Crimean Federal University, Simferopol),

having discussed the practices and problems of transition to the digital economy through the formation and development of the Eurasian intellectual property market in the context of sanctions and ways to solve them within the framework of the Great Eurasian Partnership in a multipolar world;

noting as positive changes the consideration and implementation at the interstate and national levels of the recommendations of previous International Forums, including as part of the adjustment of innovative strategies, programs and policies at the national and corporate levels in the CIS and the EAEU countries in the field of intellectual property;

supporting the creation in the Russian Federation of the first national system of standards "Intellectual Property" and the first national system of voluntary certification in this field on the basis of more than 20 interstate and national standards adopted within the framework of the activities of the interstate technical committee for standardization "Intellectual Property" ITC-550 and a similar national technical committee TC 481 in the Russian Federation, as regulators "soft power" in the condition of continuing contradictions of legislation in the EAEU and CIS countries;

welcoming the readiness to use the recommendations of this Forum in the preparation of government decisions in order to increase the level of coordination and interaction of all stakeholders in the formation of the intellectual property market as a condition for ensuring national competitiveness in the context of the crisis of international law and its institutions and the formation of a new international division of labor;

taking into account the discussion, **the following decisions** are unanimously adopted:

I. To give public recognition to the heads of international and interstate organizations (SCO, CIS, EAEU, Union State), the Russian Academy of Sciences in the year of the 300th anniversary and the National Academy of Sciences of the Kyrgyz Republic, organizations of the participating countries for greetings, attention and participation in the Forum; partners of the Forum (SIC "Kurchatov Institute" - Central Research Institute of KM "Prometheus" and the Russian company GC "Eurochem") for their support, as well as the RSRIIP, as the permanent organizer, acting all these years as the Directorate and the main sponsor of the Forum.

II. To hold the next XV International Forum "Innovative Development through the Intellectual Property Market" **on April 23, 2024** (Tuesday) in Moscow as part of the International Intellectual Property Days under the auspices of the United Nations.

¹ The final document was discussed and approved at a joint meeting of the Supervisory Board and the Scientific Council of the RSRIIP with the participation of the Program Committee of the Forum and after discussion at the plenary and session meetings of the XIV International Forum "Innovative Development through the Intellectual Property Market" on 21.04.2023 was adopted as a basis by its participants; following the results of the subsequent public discussion, including It has been finalized on the Internet and sent to international and interstate organizations (UN, WIPO, WTO, UNESCO, SCO, BRICS, CIS, EEC, EAEU, Union State) and to the highest national authorities and academies of sciences of the CIS and EAEU countries.

Note: IP - intellectual property, IP - IP object, OPS - industrial property objects, RA - Republic of Armenia, AR - Republic of Azerbaijan, RB - Republic of Belarus, RK- Republic of Kazakhstan, KR- Kyrgyz Republic, RF- Russian Federation, RT- Republic of Tajikistan, RU- Republic of Uzbekistan, WIPO - World Intellectual Property Organization

To invite the governing bodies of the international organizations of WIPO, SCO, CIS, EAEU, the Union State, the Eurasian Patent Organization, as well as national public authorities, academies of sciences and specialized organizations of the EAEU and CIS countries, member organizations of the Organizing Committee of the Forum to include in their work plans for 2024 participation in the preparation and holding of this event.

III. To recommend to the Council of the Eurasian Economic Commission, when preparing the decision of the Supreme Eurasian Economic Council (SEEC) "On the Main directions of international activity of the Eurasian Economic Union for 2024", within the framework of interaction with the international business and expert community, to provide for direct interaction with the International Forum "Innovative Development through the Intellectual Property Market".

IV. To take as a basis the draft final document of the Forum. Instruct the Forum Directorate to post this document on the Forum's website, the Program and Organizational Committees of the Forum to finalize and adopt as a whole, taking into account the comments and suggestions received following its public discussion, inform WIPO and the WTO, UNESCO and the UN European Commission, SCO, BRICS, the CIS Executive Committee, the Eurasian Economic Commission of the EAEU and the Standing Committee of the Union State, national parliaments, governments and academies of Sciences of the EAEU member states and CIS member states on the results of the Forum, its *conclusions and adopted recommendations* (in italics):

1. Strategy of competitiveness in the digital economy in a multipolar world

With all the major contradictions in the economy, politics and law listed in the final document of the previous XIII International Forum (22.04.2022) remaining in the world, increased sanctions pressure on Russia and the EAEU countries, along with the direct military participation of the United States and its satellites in the military conflict in Ukraine, have exacerbated these contradictions and challenges over the past period.

Challenges and strategic priorities. The struggle for resources and access to them is escalating, as a lever in a unipolar world to ensure prosperity and super profits in the interests of the elite of a small group of developed countries at the expense of exploiting most other countries with increasing inequality in socio-economic development, including digital inequality in this century. The gap in the development of the economies of low-income developing countries and developed countries in the world continues to grow. According to the UN, 92 percent of the world's population does not live to 65 years; half of the world's inhabitants can spend \$ 2 a day on food, and 285 million people in the world are threatened with hunger; every fourth person does not have a home. According to the IMF, the total sovereign public debt has already amounted to 100% of world GDP and continues to grow due to the debt of developing countries.

In the economy, this has led to the need to revise/adjust *strategic priorities in international relations*, which have persisted for the past 30 years:

- the raw materials market (RF, EAEU and CIS) and the technology market (USA and EU) — *technological sovereignty and national competitiveness*;
- the real market (economy) of intellectual property and the so-called "knowledge economy" (publications and their indexing, patent applications and patents) — *a ban on the use of Web of Science, Scopus data in evaluating the effectiveness of scientific activity, the creation of a national and Eurasian system for evaluating the effectiveness of R&D, the regime of the international principle of exhaustion of exclusive rights in parallel import, compulsory licenses*;
- the financial market of national currencies and securities and unilateral dependence on the US dollar — *the transition to settlements in national currencies, the creation of a regional settlement system*;
- the outflow of domestic capital and benefits for attracting foreign investment (with the growth of net profit of large and medium-sized businesses in the Russian Federation in 2021 - 2.6 times, capital outflow increased 1.5 times (72 billion US dollars) with the subsequent arrest / seizure of these assets under sanctions, with the simultaneous withdrawal of foreign investors with a ban on the use of their assets) — *protection of the domestic copyright holder and manufacturer, benefits for domestic investors*.

At the same time, in 2021-2023, there were stable trends in resolving these contradictions within the framework of the Great Eurasian Partnership, as a new center of the world order in a multipolar world. The main reference point of the EAEU (Decision of the EEC No. 9 of 05/21/2021) today was "positioning the Union as one of the centers for the formation of the integration contour of the Great Eurasian Partnership by pairing with the Chinese initiative "One Belt One Road".

The decline of the global economy in 2020 by 3.1% was replaced in 2021 (according to the IMF) by an increase of 5.9%, where the leaders were China (GDP growth in 2020 – 2.1%, in 2021 – 8.1%) and India (after a recession in 2020 – by 7%, in 2021 – GDP growth by 9%). In the EAEU, GDP growth in 2021 amounted to 4.6%.²

The world economy suffered from the anti-Russian sanctions adopted in 2022 and, above all, in the countries that imposed and supported these sanctions.

If in 2021 in the EAEU, with a decrease in exports - by 1.5%, imports increased by 14%, then under the conditions of sanctions by the end of 2022, Russia became the world leader in trade surplus (growth by 1.7 times) together with China (growth by 30 percent). The level of Russia's external debt, as of 04/01/2023, has become the lowest in the last 16 years.

According to the EEC, the volume of industrial production in the EAEU by the end of 2022 remained at the level of 2021 (growth in Kyrgyzstan – by 11.4%, in Armenia – by 7.8%, in Kazakhstan – by 1.1%; decrease – in Belarus – by 5.4%, Russia – by 0.6%). According to the consolidated forecast estimates of the IFV and the Ministry of Economic Development of Russia, the situation will practically no change in 2023. In order to respond to the strengthening of external challenges, risks and threats, the EEC Council Decree No.12 of 03/17/2022 approved a set of measures to increase the stability of the economies of the EAEU countries.

China has become a technological leader in the world and in 2023 it will account for 1/3 of the total economic growth of the world economy. At the same time, even with the decline in China's GDP growth from 8 to 5 percent, up to half of this increase is provided by the added value from IP turnover. China remains the only middle-income economy in the world, included (since 2019) in the 15 most innovative economies in the world (2022-11). Since 2013, according to WIPO, China has been "consistently and steadily moving up in the ranking of global innovative development", both in terms of the number of IPOs created, the conditions for their legal protection, commercialization and protection of rights to them, and the development of innovative infrastructure. Within the framework of this Forum, the Chinese experience has been studied and summarized annually since 2010, which is reflected in the final documents - recommendations of the Forum and publications.

The components of such success in the field of IP and innovation for China, which are important to consider for all countries within the framework of the *Great Eurasian Partnership* in order to ensure their own national and Eurasian competitiveness, are:

- strategy for innovative development through the IP market, which is implemented in state, regional and corporate strategies, programs and policies for innovative and digital development;
- the innovation policy is focused on the final commercialization of IP through economic mechanisms for creating added value, capitalization and attracting investments against its collateral;
- unified rules for the formation, circulation (commercialization) and protection of IP (with the refusal in 2017 of the unified codification of IP norms in the Civil Code of the People's Republic of China, the preservation of all special laws and the active development of standardization in the field of IP, attributed to the priorities of state policy);
- centralized system of IP management committees (from municipalities to Beijing) to reduce administrative barriers to IP commercialization;
- developed innovation infrastructure geographically distributed throughout the country;
- an effective state legal protection system (since 2021, for the purpose of comprehensive judicial protection in the field of IP, functions in criminal, civil and administrative cases have been combined in 20 provincial-level prosecutor's offices; within the framework of customs protection of

²Decision of the EEC No. 7 of 27.05.2022 "On the main guidelines of the macroeconomic policy of the Member States of the Eurasian Economic Union for 2022-2023"

IP, the period for entering the IP into the Customs Intellectual Property Registry (TROIS/CIPR). TROIS/CIPR is 7 years, with the possibility for the right holder to submit such an application for the suspension of a batch of goods, which, in his opinion, is counterfeit, even if his IPO is not registered in TROIS/CIPR);

➤ trained personnel of professional intermediaries in the field of law, economics and IP management (at the rate of 1 intermediary per 10 researchers).

In the WIPO Global Innovation Index (GII - 81 indicators / 132 countries) at the end of 2022. the TOP-5 innovative economies of the world include Switzerland, the USA, Sweden, the UK and the Netherlands. The TOP-10 of the EAEU member states included only Belarus (according to the subindex of human capital, school and higher education - 6th and 8th place, the creation of mobile applications as part of online creativity - 2nd place; ISO 9001 quality certificates - 3rd place) and the Russian Federation (trade, diversification and market scale - 5th place, including the scale of the domestic market - 1st place, utility models - 9th place).

The place of the EAEU, CIS and BRICS countries in the Global Innovation Rating (GII)-2022-2021/2020³

EAEU Member States /population (million)	RA 3,0	RB 9,4	RK 19,0	KR 6,6	RF 145,9	AR 10,2	RT 9,7	RU 33,9	Brazil 214	China 1444	India 1343
GII -2022- 2021 /2020	80-69/ 61	77-62/64	83-79/77	94-98/94	47-45/47	93	104	82	54	11	40
Innovative resources	82	86	65	85	46	79	104	68	58	21	42
Regulatory environment	54-56/54	110-103/106	49-49/48	94-93/93	91-92/95	78-77	118	104-107	74	101-106	67-71
Quality of regulation	60-59/60	107-104/111	66-62/63	95/97	98-100/105	92-89	128	123-126	82	77-91	81-81
Rule of law	65-70/71	120-112/116	85-90/92	116/119	108-109/114	105-100	130	123-123	72	63-77	60-65
Business level	84-98/69	72-69/67	68-78 /71	107/105	44-44 /42	77	128	74	35	12	54
Innovative results, including IA	73	63	97	108	50	110	101	91	53	8	39
	71-44/59	107-129/130	115-105/107	117-123/121	35-50/61	101	120	94	33	2	40

If the sub-index "innovative resources" reflects the level of favorability for innovation, then the sub-index "innovative results" reflects achievements in this area and the effectiveness of the implementation of the innovative potential of the country. If in all BRICS countries (except Russia) the innovation performance index is higher than the innovation potential index, then in the CIS and the EAEU this indicator is higher only in Armenia and Belarus.

CIS and EAEU. The conditionality of further innovative development by the presence of a civilized intellectual property market has long been recognized in the USA, Japan, Germany, then in the mid-1990s in China, in 2010 — in the Russian Federation, in 2011 — in the EU. However, despite the UN recommendations, confirmed in the framework of the WIPO Medium-term Strategic Plan for 2022-2026, and the recommendations of this Forum on the interdependence of these processes and the need to reflect them in strategic documents for developing countries, such *strategies and programs for the formation and development of national and Eurasian IP markets are absent in the EAEU, as in most CIS countries and The EAEU (except the Republic of Belarus and the Kyrgyz Republic).*

At the same time, the activity and effectiveness of the CIS bodies in this area is much higher than in the EAEU. As part of the implementation of the *CIS Economic Development Strategy for the period up to 2030* (approved by the decision of the Council of CIS Heads of Government dated 05/29/2020) and the Comprehensive Action Plan for 2021-2025 for the implementation of *the Interstate Program of Innovative Cooperation of the CIS member states for the period up to 2030.* *The main directions of economic cooperation* for the purposes of innovative cooperation include strengthening the innovative component of economic growth based on the formation of national innovation systems and the implementation of interstate innovation projects ***through the formation and dynamic development of the CIS intellectual property market.*** The provisions of the Strategy and Plan consistently and significantly specify the measures provided for by previously adopted decisions on these issues (the Concept of Formation and Development of the Intellectual Property

³ Table prepared at RSRIIP based on data from WIPO annual reports for 2020-2022 <https://www.wipo.int/edocs/pubdocs/en/wipo-pub-2000-2022-en-main-report-global-innovation-index-pdf>

Market of the CIS member States dated 10/28/2016 and the Agreement on the Formation and Development of the Intellectual Property Market of the CIS member States dated 06/01/2018).

In 2022-2023, these issues were consistently considered at all levels of CIS interstate cooperation:

✓ at the 12th meeting of the Interstate Council on Legal Protection and Protection of Intellectual Property (08/30/2022), where it was recognized the need to develop a draft List of measures in the field of combating intellectual property offenses for the period up to 2030 and Methodological Recommendations for determining the market value (valuation) of intellectual property;

✓ at the meeting of the CIS Economic Council (09/23/2022), where the draft *Concept of Scientific, Technical and Technological Cooperation* of the CIS member states and the Action Plan for its implementation were also included and supported in the agenda of the formation of a common innovation space;

✓ at the meetings of the Commission on Economic Issues under the Economic Council of the CIS, where recommendations were adopted on granting the status of the center for commercialization of innovations of the member states of the Interstate Program of Innovative Cooperation of the CIS member states for the period up to 2030, and on the activities of the basic training, professional retraining and advanced training of personnel in the field of intellectual property.

In order to develop a modern and effective intellectual property system to improve the standard of living and competitiveness of the economies of the CIS and EAEU countries within the framework of the meeting of the Eurasian Intergovernmental Council (February 3, 2023, Almaty) Secretary General of the CIS Lebedev S.N. and Chairman of the Board of the EEC Myasnikov M.V. signed an Action Plan for 2023-2025 for the implementation of the Memorandum on deepening cooperation between the Executive Committee of the CIS and the EEC dated 11/27/2018 (more than 80 events, including digital economy and intellectual property).

Eurasian integration aims to create on the basis of the EAC (since 2015) by 2030. The Eurasian Union to achieve and maintain high-quality and sustainable economic growth of the Member States and the Union as a whole through the implementation of their competitive advantages. To build common markets in the EAEU without taking into account turnover and opportunities for commercialization of IP means to condemn the country in advance to a loss in the competition.

At the same time, in contrast to the CIS with the leading nature of decisions made in the field of IP, the commercialization of IP in the documents of the EAEU is not stated either as a goal, or as a task or direction of integration. At the same time, none of the strategic tasks in the priority areas of Eurasian integration in the field of IP, defined in the Treaty on the EAEU (2014), has been practically solved over the next 8 years.

In these circumstances, national initiatives for the preparation and adoption of strategic documents in the field of IP and the practice of their implementation in a number of countries are of particular importance.

In the State Program of Innovative Development of the Republic of Belarus for 2021-2025 (approved by the Decree of the President of the Republic of Belarus dated 09/15/2021 No. 348), and ***the Strategy of the Republic of Belarus in the field of IP until 2030*** (approved by Resolution of the Council of Ministers of the Republic of Belarus No. 672 dated 11/24/2021) with a specific action plan for its implementation for 2021-2023 for the first time defined the goals, objectives and measures *for the formation of a full-fledged intellectual property market and its integration into the Eurasian and world intellectual property markets.*

In 2022 as part of the implementation of the National Development Program of the Kyrgyz Republic until 2026 (approved by Decree of the President of the Kyrgyz Republic of 10/12/2021 No. 435), ***the State Program for the Development of Intellectual Property and Innovation in the Kyrgyz Republic for 2022-2026*** was adopted (approved by Decree of the Government of the Kyrgyz Republic of 05/20/2022 No. 265). Based on the results of the implementation of the State Program for the Development of IP in the Kyrgyz Republic for 2017-2021, the main strategic goal of which

was "creating conditions for the functioning of the intellectual property market in Kyrgyzstan by 2021", the Government of the Kyrgyz Republic recognized that *the process of forming the IP market in the Kyrgyz Republic "is on at the initial stage of its development* and indicates the need to provide comprehensive support from both government institutions and public structures in the formation of an ecosystem of IP and innovation". In this regard, as the main goal of the State Program for the new period until 2026. declared *"creation of conditions for the formation of a balanced and efficient ecosystem of IP and innovation in the Kyrgyz Republic by 2026, contributing to the development of the IP market and the production of innovative products"* by implementing the sub-goals:

- facilitating the discovery and subsequent generation of ideas;
- motivating authors to create and distribute creative works;
- improvement of the process of registration of intellectual property objects;
- providing an effective legal framework for the protection of IP rights;
- formation of an ecosystem of IP and innovations for the development of the market for IP and innovative products.

In the Republic of Kazakhstan, in the absence of a Strategy and a program, a ***Roadmap for the further development of the field of intellectual property in the Republic of Kazakhstan for 2022-2024*** was adopted (approved by the Prime Minister of the Republic of Kazakhstan on July 12, 2022), which provides for 28 events, incl. for 2022 - 14. Coordination for the implementation of the Roadmap is entrusted to the Ministry of Justice of the Republic of Kazakhstan.

In the absence of common strategic guidelines and a "road map" for the formation and development of the IP market within the framework of interstate associations in the CIS and EAEU countries, challenges, risks and threats remain at the national and interstate levels, leading to loss in fierce competition and the struggle for the redistribution of international markets and spheres of influence:

- ✓ objective patterns of IP market development are ignored;
- ✓ relations in the field of R&D and intellectual property are assigned to the service sector, which, with fundamental differences in the approaches to their regulation, entails the creation of difficulties not only in the development of the IP economy, but also in the associated processes of innovative motivation of authors and copyright holders of such objects, budgetary and accounting for exclusive rights to intellectual property and taxation in this area;
- ✓ the former (imposed from the USA and included in the international ratings of the WTO and WIPO) continues the practice of information disarmament and economic defeat through the indicators of the so-called "knowledge economy" (publications indexed, among other things, in foreign databases of private companies, patent applications and patents), used to evaluate R&D results.

If ignoring the patterns of formation of the global IP market, after they were identified and fixed in the documents of this Forum, starting from 2010, could be considered a feature associated with the level of perception and understanding of the specifics of this market, then after 13 years this can already be considered a pattern, often having corruption element.

Recommendations. The Supreme Eurasian Economic Council and the EEC of the EAEU, the CIS Economic Council and the CIS Executive Committee, the Standing Committee of the Union State, national parliaments and governments of the EAEU member States and CIS member States (in terms of issues related to the area of competence):

1.1 Provide for the preparation and adoption of a Strategy and program for the formation and development of the Eurasian intellectual property market at the interstate level (relevance has been confirmed since 2016) and at the national level, and a Plan ("roadmap") for their implementation.

To analyze the international treaties of the EAEU member states that regulate their obligations to protect the rights to intellectual property in terms of their compliance with the national interests of these states, organizations and citizens, as well as the principle of reciprocity.

1.2 To take into account, when developing, implementing and adjusting strategies, programs and projects within the framework of innovative and digital development, the objective patterns of development of the IP market that have developed in the world and the specifics of their

implementation in integration associations in the post-Soviet space, taking into account the experience of China, reflected in the final documents - recommendations of this Forum in 2017-2022.

To initiate the development of a draft UN Convention on Science, the main purpose of which is to create a legal mechanism providing equal guarantees for the protection and maintenance of the balance of the rights of scientists, organizations and the state to the results of scientific activity, with the inadmissibility of monopolization by individual economic entities of transnational markets of the first published results of fundamental research and services of access to abstract databases about them and their authors.

1.3 Make adjustments to the regulatory and policy documents of the EAEU and the countries of the Union on the exclusion of R&D and IP from the services sector, with the subsequent classification of R&D as work and the allocation of the IP economy to an independent market sector.

1.4 When developing the Program based on the Concept of Forming a Common Financial Market of the EAEU, take into account the presence of special sections in terms of determining the goals, principles and objectives of creating IP management mechanisms in the banking sector, the insurance sector and the services sector in the securities market.

1.5 Consider at a meeting of the Board of the EEC EAEU and SEEC the issue of the effectiveness of the implementation of the general processes of Eurasian integration in priority areas in the field of IP, defined in the Treaty on the EAEU, and the need to adjust them taking into account the experience of the CIS and the interaction of interstate associations (the Union State, the EAEU and the CIS).

1.6 Taking into account that integration associations and their member countries are the object of "special attention", including through threats and sanctions from the "elite" (minority of countries) of the unipolar world, to regard any attempts of such pressure against any of the participants as a challenge to the entire Eurasian integration, its strengthening and creation own, independent regional legal and economic systems in the interests of national and Eurasian competitiveness. Taking into account the essential significance of these circumstances and their legally significant consequences, consider the need to prepare and make significant adjustments to both the adopted and the documents being prepared by interstate associations within the Union State, the EAEU, CIS, SCO and BRICS, including integration priorities and deadlines for their achievement, scientific, technical and industrial cooperation, ratings and indicators of real competitiveness and methods of their determination, taking into account the economic potential of intellectual property for innovative development at the national, Eurasian and international levels.

2. Legal protection of intellectual property objects and harmonization of legislation

The sphere of intellectual property includes three subject areas of regulation: 1) legal protection of the results of intellectual activity (RID) and means of individualization equated to them (intellectual property objects – hereinafter referred to as IPOs), 2) use of IPOs and turnover (commercialization) of property rights to them, including in the innovation process, 3) legal protection of IPOs rights.

In the field of legal protection of the IPO, the EAEU and CIS States are parties to 26 major international treaties under the auspices of WIPO, including the main treaties in the field of industrial property, implemented in national legislation with the priority of international law in case of differences with the norms of national legislation.

Within the framework of **the 63rd General Assembly of the Member States of WIPO** (July 14-22, 2022), after many years of discussions, a historic decision was made to hold two diplomatic conferences no later than 2024, at which the Design Law Treaty (DLT) and the international document on genetic resources and traditional knowledge associated with genetic resources. In 2022, new WIPO Standards ST.90 and ST.91, and the current versions of Standards ST.37, ST.88 and ST.26 with annexes were published on the websites of Rospatent and FIPS (in Russian).

Within the framework of **the 10th session of the Committee on WIPO Standards** (November 21-25, 2022), the reports of the Task Forces led by the Russian Federation on the preparation of draft recommendations on the search and comparison of 3D visual representations of intellectual property objects (3D models and 3D images) and the project technical standard for blockchain technology in the field of intellectual property were considered.

Within the framework of the **12th WTO Ministerial Conference** (June 12-17, 2022), an initiative was considered to grant WTO members the right not to fulfill a number of obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) in order to provide the necessary medicines to the population of developing countries.

As a result of the XIV **BRICS Summit** (June 23-24, 2022), the Beijing Declaration of the BRICS Leaders was adopted, according to which the BRICS countries support the development of cooperation on intellectual property and the intensification of exchanges and mutual learning on the issues of the intellectual property protection system and expect great practical results in such areas as patents, trademarks and industrial designs. Within the framework of the 14th meeting of the Heads of Intellectual Property Offices of the BRICS countries (09/15/2022), under the chairmanship of the Chinese State Intellectual Property Administration (CNIPA), the Research Report on Artificial Intelligence, the Catalog on Requirements for Types and Drawings of Industrial Designs and the Comparative Guide on procedures for filing applications and trademark Examination were approved, as well as updated Guidelines for the activities of departments.

The adoption of legal acts at the level of the CIS and the EAEU complements, but does not replace, this regulatory system.

At the same time, the Concept and the Agreement on the Formation and Development of the Intellectual Property Market of the CIS member states (2016-2018) provide for the improvement and harmonization of the regulatory framework of the CIS member states in the field of IP, while the CIS Economic Development Strategy for the period up to 2030 focuses on ensuring the enforcement of legislation in this area and improvement of law enforcement practice. In practice, model laws and codes adopted and adopted by the IPA CIS are often completely ignored when developing and adopting similar laws, regulations and standards at the national level in the participating countries.

According to the EAEU Treaty (2014) in the field of IP, the harmonization of legislation in the field of protection and protection of IP rights is attributed to the general processes and priorities of cooperation within the framework of Eurasian integration and is provided in accordance with Article 90 of the Treaty and according to the Protocol on the Protection and Protection of IP Rights (Annex No. 26 to the Treaty).

No new international IP agreements were adopted in the CIS and the EEC in the field of legal protection of IP in 2022. The CIS Agreement on Mutual Security of Interstate Secrets in the Field of Legal Protection of Inventions of 06/04/1999 was terminated. Within the framework of the 12th meeting of the Advisory Committee on Intellectual Property under the EEC Board (09/09/2022), the issue of the implementation of the Agreement on Trademarks, Service Marks and Appellations of Origin of the EAEU Goods dated 02/03/2020 (entered into force on 04/26/2021) was considered. At the same time, at the Administrative Council of the EAPO (September 2022), the Republic of Kazakhstan voiced a position on the inexpediency of creating a Eurasian system of legal protection of trademarks and service marks administered by the EAPO.

In the absence of effective post-control and the necessary coordination of rule-making activities at the national level by the EEC, a steady contradiction has developed between the constant growth of legal acts adopted in the EAEU member states in the field of IP and the tasks of harmonizing legislation in this area within the Union. With the growth in the number of regulators, the increasing DIFFERENCE of the goals and results of legal regulation in the field of IP at different levels (international treaties, treaties and acts of the EAEU bodies, national codes and laws, by-laws, standards) draws attention.

According to the WIPO Global Innovation Index GII - 2022/2020, Armenia and Kazakhstan are still leading among the EAEU countries in terms of the level and quality of regulation, while Belarus, Kyrgyzstan and Russia are outsiders in this indicator, Tajikistan and Uzbekistan are among other CIS countries, and China is among the BRICS countries.

For example, the legislation in the field of IP and innovation in the Kyrgyz Republic includes 14 laws, as well as the relevant norms of the Civil Code of the Kyrgyz Republic, the Code of Offenses and the Criminal Code of the Kyrgyz Republic, according to which more than 40 subordinate NPA and more than 60 departmental NPA have been adopted, specifying relations on individual IPOs.

The RA legislation in this area includes 8 laws on IP, the norms of the RA Civil Code (part 10, chapters 62-69) and the RA Criminal Code, which are also regularly amended that do not correspond to the national legislation of other member states of the Union. So, from 07/01/2021 the RA Law of 03/30/2021 ZR-109-N "On Industrial Design" (according to which software is referred to as industrial designs) and the RA Law of 03/30/2021 ZR-108-N "On Patents", prepared at the initiative of the Union of Armenian US lawyers, according to which utility models are excluded from the objects of patent protection at the national level (with the right to obtain a *short-term patent for an invention*), and Armenia (following the USA) will patent computer program algorithms (clause 6 of article 12 of the law).

As follows from the annual reports on the activities of the National Center for Intellectual Property of the Republic of Belarus (hereinafter NCIP RB) only for 2020-2022, "a large-scale work was carried out to improve legislation in the field of IP" (104 NLAs were developed, of which - 46 were adopted, including hours in 2020 - 22, in 2021 - 14, in 2022 - 10).

In the Russian Federation, the main source of regulation at the national level in the field of legal protection of IP is the Civil Code of the Russian Federation (Part Four) and related federal laws (for example, No. 98-FZ "On Commercial Secrets" dated 07/29/2004, No. 316-FZ dated 12/30/2008 (ed. dated 12/21/2021)"About patent attorneys") and subordinate legal acts. At the same time, during codification and subsequently, norms were adopted, a number of which run counter to the international obligations of the Russian Federation in this area. For example, in contrast to the generally accepted concept of "intellectual property", which in international law⁴, as in all other member states of the EAEU, is understood as a limited set of rights to an open list of intellectual property objects, within the framework of codification in Russia, the principle "on the contrary" was applied: IP is a closed list of intellectual property objects, for which an unlimited list of intellectual property rights is defined. At the same time, in the Civil Code of the Russian Federation itself (clause 4, article 769) and a number of other laws (for example, Federal Law of December 8, 2003 N 164-FZ (as amended of December 29, 2022) "On the Fundamentals of State Regulation of Foreign Trade Activities" (articles 2, 36-40, 43-46), Federal Law of 08/03/1995 N 123-FZ (as amended on 12/06/2021) "On Pedigree Livestock Husbandry" (Article 7), the norms have been preserved and are in force, where intellectual property refers to the exclusive rights to the IPO, and not the IPOs themselves. Since common Eurasian markets assume common Eurasian rules for their regulation, the need to return the norms of Russian law in this area to the international track, along which Eurasian integration is going, remains.

In the context of ongoing attempts to disseminate Russian experience in codifying IP legislation, including through the preparation of a new version of the Model Intellectual Property Code for the CIS member states, one should take into account the increasing risks for solving the problems of Eurasian integration through the harmonization of IP legislation and the practice of other countries (in the Russian Federation, none of the seven (the goals of codification have not been achieved, during this period Part 4 of the Civil Code of the Russian Federation has been amended more than 30 times; China abandoned full codification in 2017, retaining a three-level regulatory system).

In general, the results of the analysis of national legislation in the field of IP in the CIS countries and the EAEU indicate the existence of fundamental differences in the definition of the object-subject composition in the subject area of legal regulation, the main legal regimes for the protection, commercialization and protection of rights to intellectual property. Taking into account the imperative nature of the rule-making of the EAEU bodies and weak "post-control" on the implementation of the decisions made, often instead of harmonization, there is an increase in such conflicts (collisions of "false harmonization"), which are an obstacle to common markets within the framework of Eurasian integration, conflict with the real interests of national economies and business communities and the stated goals and priorities of integration within the digital agenda.

⁴ See paragraph VIII of Art. 2 of the Stockholm Convention Establishing the World Intellectual Property Organization (WIPO) dated July 14, 1967, references to which are contained in more than 20 international treaties ratified also by all EAEU member states.

Along with this, the conditions for changing the structure of the IP market (for 20 years the share of patent sales has decreased from 80% by 4 or more times), the lack of innovative motivation for authors and right holders, the growth of unfair competition and the limited advantages of national patents and protection certificates for industrial IP objects predetermined the following trends when choosing the method of legal protection of these intellectual property items:

➤ a steady reduction in the number of patent applications and the issuance of national patents (for example, over the past 11 years in the Republic of Belarus, the number of patent applications for inventions has decreased by 5.5 times (from national applicants - by 6 times), for utility models - by 3.8 times, for industrial designs - almost 2 times);

➤ transition from the national to the regional and international levels and procedures for the legal protection of intellectual property rights (for example, in the Kyrgyz Republic as of April 1, 2023, 97% of inventions are protected by Eurasian patents, 97% of industrial designs and 80% of trademarks are registered under international procedures).

In this regard, the conclusion made in the Report of the EEC Business Development Department "On the state of law enforcement practice in the field of intellectual property rights protection in the EAEU for 2021" (p.29) that "neither in 2020 nor in 2021, the quantitative indicators of the activity of applicants and copyright holders did not significantly decrease" It is incorrect and contradicts the data of the same Report (p.30), where the indicators of patent activity in relation to inventions in the EAEU as a whole decreased from 2016 to 2021 by 25% in terms of (filing of applications) and by 30% (in terms of the number of patents granted).

Standardization. Under these conditions, *in order to resolve numerous legal conflicts in the regulation of relations in the field of intellectual property*, the national and interstate technical committees for standardization "Intellectual Property" (TC 481 / ITC 550) with the secretariat on the basis of the RSRIIP have been established and have been operating, respectively, since 2009/2017. By 2022, the first national system of standards "Intellectual Property", including 8 interstate standards in this area, has been created in the Russian Federation on the basis of more than 25 standards developed at the RSRIIP and adopted in the Russian Federation. *In the field of legal protection of the IPO*, there are interstate standards: GOST 34888-2022 Intellectual property. Terms and definitions (which defines more than 400 terms in relation to the main stages of the intellectual property life cycle); GOST 34831-2022 Intellectual property. Scientific works, GOST 34887-2022 Intellectual property. Scientific discoveries, GOST 34886-2022 Intellectual property. Official results of intellectual activity (to specify the procedures and rules of the legal protection regime declared in international law and national laws in relation to certain categories of IPOs). In March 2023, the first national system of voluntary certification in the field of intellectual property was created and registered in Rosstandart (Reg. No. ROSS RU.D2789.04RNI0 of 03/23/2023).

Recommendations. The Executive Committee and the IPA of the CIS, the interstate councils of the CIS on legal protection and protection of intellectual property, on antimonopoly policy, on standardization, metrology and certification, the Standing Committee of the Union State, the EEC of the EAEU and the Standing Committee of the Union State, national parliaments and governments, as well as national authorities in the field of intellectual property of the CIS countries and the EAEU (in terms of issues related to the area of competence):

2.1 To provide for the development of a common methodology and methods of harmonization, taking into account the contradiction between the existing dependence of national legislation on international law and the possibilities of its application in the current crisis of the main institutions of international law, as well as the specifics of branches of law and legislation and criteria for evaluating the effectiveness of regulation at the national and interstate levels. At the same time, it should be borne in mind that the use of a reference to the "obligation to comply with national legislation" allows signing documents when making decisions on interstate cooperation, but does not allow for their effective implementation in the future without appropriate changes and harmonization of legislation.

2.2 To confirm the relevance of the initiative of the Russian Federation and the Republic of Belarus to prepare a roadmap for the harmonization of the legislation of the EAEU member states in

the field of IP, including the removal of barriers, exemptions and restrictions, in accordance with the methodology for separating obstacles in the internal market of the EAEU and taking into account the proposed differentiation of levels and regulatory mechanisms, including the results of a comparative analysis for define each country:

- a list of the norms of the Civil Code that create legal conflicts with the norms of international law and the law of the EAEU;

- a list of the norms of the Civil Code that create legal conflicts with the norms of other sections and chapters of the Civil Code and national laws.

Taking into account the interdisciplinarity of legal regulation issues, to provide for their consideration at the EEC Board of the EAEU in order to make a decision and establish the personal responsibility of the EEC officials for the preparation and implementation of the roadmap for the harmonization of the legislation of the EAEU countries in the field of IP within the digital agenda.

Consider it necessary to carry out similar preparatory work for the BRICS countries in 2023.

2.3 To consider the creation of a system for the coordination of rule-making activities with the participation of representatives of all EAEU member States, including:

development of criteria for evaluating the effectiveness of standard-setting activities (ensuring competitiveness while reducing legal conflicts and obstacles in this area);

increasing the effectiveness of post-control by the EEC in the unification and harmonization of national legislation in this area;

mandatory independent anti-corruption expertise of draft regulatory legal acts on legal and economic support of intellectual property.

2.4 Based on the stated priorities and tasks of ensuring national and Eurasian competitiveness with a plurality of objects and legal conflicts of regulation of their legal regimes, as well as problems of interaction of subjects during the transition to the digital economy, including in the field of digital rights, consider the possibility of using digital modeling technologies in rulemaking along with machine-readable law technologies with the definition of consequences in rulemaking.

2.5 To provide for the active use of references to the application of national and interstate standards in the field of IP within the framework of rulemaking, with the attribution of issues of management and economics of intellectual property to priority areas of standardization that ensure national competitiveness and the development of institutions of Eurasian integration.

2.6 To abandon the policy and practice of mandatory state registration of RID created within the framework of R&D with budget financing, without preliminary examination and assessment of the economic feasibility of such a decision, especially with regard to algorithms of computer programs. Since computer-aided design/modeling technologies and digital twin technologies are among the TOP 5 technologies that are of the highest priority for achieving technological leadership and ensuring the competitiveness of national companies, including under the conditions of sanctions, patenting software algorithms, as well as state registration of computer programs protected in the form of literary works, involves the discovery of basic codes, which significantly reduces their competitiveness in the conditions of digitalization and increases the risks of unfair competition against their copyright holders.

2.7 To support the initiatives of the Eurasian Patent Office (EPO) on the development of integration processes in the field of intellectual property in the Eurasian space, aimed at providing additional tools to authors and copyright holders for the protection of IP and intellectual property protection, including:

- creation of a system of registration of a single trademark, utility model,

- improvement of the system of dispute resolution in respect of intellectual property rights IP objects,

- formation of a common expert information space and implementation of educational projects.

3. The economics of intellectual property and innovation

In the field of the use of IPOs and the turnover of property rights to them, there are international and interstate agreements, the main ones of which are: Agreement on Trade-related Aspects of Intellectual Property Rights" (TRIPS) (dated 04/15/1994, with amendments. dated 12/06/2005);

Agreement on the Unified Procedure for Managing Copyright and Related Rights on a Collective Basis in the EAEU dated 12/11/2017; Agreement on the Formation and Development of the Intellectual Property Market of the CIS Member States dated 06/01/2018 (entered into force 01/12/2019).

With insufficient regulation of this area of IP commercialization relations at the national level and the practical absence of such regulation at the regional level, stable *negative trends have developed in the CIS and EAEU countries in the 21st century, leading to the loss of technological sovereignty, the preservation of import dependence and a decrease in national competitiveness.*

Firstly, the state policy of mandatory patenting and state registration for the legal protection of all RID obtained with budgetary financing of R&D has led to the opposite of the claimed results. In the digital economy, the volume of technologies based on copyright objects (computer programs, databases), related rights and know-how, the legal protection of which does not require state registration, is objectively growing. The "patent for patent's sake" policy, with an annual decrease in the total number of active patents and certificates for OPS, a decrease in the share of RID and registered transactions for the disposal of rights to them (from 0.1 to 2%), leads to the early termination of patent legal protection of the IPO.

Over 30 years more than 1.4 million patents have been issued in all the EAEU countries, 370 thousand of them are valid, including more than 185 thousand patents terminated prematurely in the Russian Federation over the past 5 years. This is often used by foreign companies, which, with minor modifications, re-patent these technical solutions for themselves. At the same time, joint ventures are not created, license agreements with domestic producers are not concluded, compulsory licenses are not issued, which leads to the displacement of domestic companies from national markets in favor of the interests of international and foreign TNCs, to scientific and technical losses, economic losses and the preservation of import dependence.

Secondly, the closure of state contracts for R&D by the number of patent applications filed in the absence of ensuring a balance of interests of participants in the innovation process (in the "triad" of the author - copyright holder - investor) led to the substitution of economic motivation for the creation and improvement of technologies / products at their own expense by waiting for the next state order. This has greatly increased the corruption factors and risks in this area. The use of previous intellectual property at all stages of the innovation process from R&D to production should be accompanied by the conclusion of a license agreement with the copyright holder (on a reimbursable basis — if the RID is created at the expense of extra—budgetary funds), which will allow the inclusion of intellectual property in the pricing of the final product. The conditions and model of intellectual property turnover should provide motivation for all participants in the innovation process to improve the created technologies for the production and sale of competitive products.

Thirdly, the former (imposed from the USA and included in the international ratings of the WTO and WIPO) practice of evaluating the effectiveness of R&D through indicators of the so-called "knowledge economy" (publications indexed, including foreign databases of private companies, patent applications and patents) continues instead of economic indicators of value creation from the use of IPOs. According to these information indicators in international rankings, for example, Russia is among the top ten world leaders, so it belongs to developed countries. But in terms of the share in the creation of added value from the turnover of intellectual property in the production and sale of innovative high-tech products, the Russian Federation, like other EAEU and CIS countries, is only in the list of developing countries.

According to WIPO, in 2020-2022, out of 132 countries in the GII rating on the index of profitability from IP turnover, including capitalization through intangible assets, the PRC is 2nd place, the Russian Federation is 35, RA-71, RU- 94, the rest of the CIS and EAEU countries are at the end of this list: AR-101, RB- 107, RK- 115, KR -117, RT- 120.

The main negative consequences of using information openness indicators as the main targets for free informing private foreign companies and foreign competitor states about the results of R&D obtained with budget financing in the CIS and the EAEU countries include the failure to achieve the

key goals of innovative development and ensuring the competitiveness of domestic developments and innovative products created on their basis, national copyright holders and commodity producers.⁵

As a result, declaring the strategy of innovative development, the EAEU and CIS countries are developing an "original" economy based on the export of domestic raw materials (information) and the import of technologies, often based on the knowledge of domestic scientists. This is how the innovative development of foreign countries is financed, often to the detriment of their own national interests, including technological sovereignty.⁶

Fourth, the results of monitoring the activities of the EEC, the EAEU and CIS countries in 2015-2022, which are presented in the final documents of this Forum (2016-2022), and the results of a comparative legal analysis when applying an algorithm for managing innovations within their life cycle to the norms of the basic laws governing relations in the field of scientific and technical policy, scientific and innovative activities, indicate the presence of a number of differences and contradictions, both at the interstate and national level.

For example, the Law of the Kyrgyz Republic No. 103 dated June 16, 2017 "On Science and on the fundamentals of State Scientific and Technical Policy" specifies three areas of activity (*scientific, scientific and technical and innovative*), but at the same time IP protection is attributed to the principles of scientific and technical policy, where intellectual property is understood as "legally protected rights on the results of intellectual activity in scientific, industrial, literary and artistic fields", but scientific and technical activity (ROC), innovation activity (TR) and agriculture are excluded.

In the Republic of Belarus, the objects of state scientific and technical policy include relations with state bodies as subjects of this policy (which were not previously classified as subjects of scientific activity, but at the same time, only relations with participants in such activities are classified as objects and relations with subjects of scientific activity are not included. At the same time, regulatory mechanisms for the use of the IPO for the stated purposes of scientific, scientific and technical activities and innovative development are not defined in these national laws.

In the Russian Federation, simultaneously with the amendments to Part 4 of the Civil Code of the Russian Federation, legal norms were introduced — "bookmarks" that have been in effect and are in effect in Russian legislation, creating obstacles to the effective management of IPO rights. An example is the adoption in 2014 the new norm of clause 3, article 1227 of the Civil Code of the Russian Federation, according to which the provisions of Section II of the Civil Code of the Russian Federation do not apply to intellectual property rights, unless otherwise established by the rules of Section VII of the Code. As a result, if these issues are not settled in Part 4 of the Civil Code of the Russian Federation, many previously applied institutions of property law have been banned for relations in the field of intellectual property on the management of IPO rights. In another case, when Part 4 of the Civil Code of the Russian Federation was put into effect, *information was excluded from the list of objects of civil rights and objects of turnover* (Articles 128 - 129 of the Civil Code of the

⁵ A good example is the current situation with the production and supply of fire-resistant liquids for energy facilities, including all nuclear power plants on the territory of the Russian Federation and the Republic of Belarus. 100% of these oils are currently produced abroad on the basis of the basic OMTI technology, the developer and copyright holder of which is JSC "VTI", which has a century-old history of success in the development of domestic energy. Under the conditions of sanctions, foreign manufacturers of fire-resistant oils have increased prices by 2 times and imposed a ban on their supply to Russia. To ensure the technological sovereignty and energy security of the state, to reduce dependence on a limited number of manufacturers, it is necessary to resume as soon as possible own production in the Russian Federation of the original OMTI and other fire-resistant liquids, which requires prompt consideration of the issue of the "roadmap" (to solve this problem in a period of no more than 2 years) in the Ministry of Energy of Russia with the participation of the copyright holders of the basic technologies, equipment manufacturers and operating companies.

⁶ After discussions in the RAS on these issues in 2020- 2022, including when discussing the draft action plan ("roadmap") for the development of competition in the field of science, developed by the FAS-RAS working group as part of the preparation of the National Plan for the Development of Competition in the Russian Federation for 2021-2025", by Decree of the Government of the Russian Federation dated 03/19/2022 No. 414 a ban has been introduced until the end of 2023 on the application of the requirement for the availability of publications in publications indexed in the Web of Science, Scopus when evaluating the effectiveness of scientific activities and the implementation of state support measures. At the same time, the Ministry of Education and Science of the Russian Federation was instructed to develop, with the participation of interested federal authorities and organizations, its own domestic system for evaluating the effectiveness of R&D, which has not been fulfilled until now.

Russian Federation). Since as a result of more than 80% of all R&D, including those carried out with budget financing, scientific, technical and other documentation is claimed, which is commonly understood as information on a tangible medium or in electronic form, this exception significantly limited the possibilities of legal circulation of documentation. At the same time, if earlier, in accordance with the norms of Chapter 77 of the Civil Code of the Russian Federation, documentation was allowed to be included in a single technology as a complex object of intellectual property, then with the exclusion of this chapter from the Civil Code of the Russian Federation from 01/01/2022 with the repeal of the relevant federal laws, this became impossible.

The low level of commercialization of IP due to the lack of motivational mechanisms in scientific and technological development programs, with imperfect mechanisms for examining the results of scientific and scientific and technical activities and a shortage of qualified specialists complement the list of reasons for the failure to achieve the stated key indicators of innovative and digital development. It is obvious that recognition at the strategic level of the interconnection and interdependence of innovative development through the intellectual property market is necessary, but not enough. The process of embedding regulatory mechanisms for the use of IPOs for the stated purposes of innovative and digital development should also be enshrined in legislation and subordinate regulations.

Fifthly, the globalization of world trade and the growth of sanctions have actualized the problem of parallel imports, which means the import from abroad to the EAEU countries by importers of original goods containing intellectual property objects and lawfully released into civil circulation on the territory of another state, but without its permission, which generates a conflict of interests of importers and copyright holders claiming the absolute authority to control parallel imports.

In accordance with the EAEU Treaty (Annex No. 26) and as a result of the entry into force of the EAEU Customs Code (from 01/01/2018), while maintaining national legal regimes within the five EAEU member States, three principles of exhaustion of the exclusive right to intellectual property objects apply: international, regional and national. In the conditions of a single customs territory and a single economic space of the EAEU with the actual absence of ETROIS/ECIPR (although since 2010. more than 20 regulations on its creation have been adopted) and the availability of national registries with different approaches and procedures for their maintenance, the prerequisites for the growth of the turnover of counterfeit products and contraband across the single customs border within the EAEU remain.

Under these conditions, a foreign right holder may unfairly use, for example, the exclusive right to a trademark and restrict the import of specific goods to the internal Eurasian market or implement a pricing policy consisting in inflating prices in this market.

In accordance with the Decision of the EEC Council No. 45 of 23.06.2014, a working group was established to develop proposals for the further application of the principle of exhaustion of the exclusive right to intellectual property objects, 5 meetings were held in 2014-2015. By Order of the EMPS No. 6 dated 04/13/2016, a draft protocol on amendments to the EAEU Treaty regarding the possibility of establishing exceptions to the principle of exhaustion of trademark rights was prepared, which was approved by Order of the EEC Board No. 30 dated 04/24/2017 and sent for approval and signing to the EAEU member States. After that, over the next 7 years, the issue of parallel imports remained unresolved, and was practically excluded from the work of the EEC, although its relevance in modern conditions has increased dramatically. This is largely due to the decision of the Government of the Republic of Kazakhstan to ban the supply of foreign goods to Russia included in the sanctions lists of unfriendly countries from April 1, 2023.

In the absence of support at the regional level from the member of the Board (Minister) for Economics and Financial Policy of the EEC appointed permanently only from the Republic of Kazakhstan and the head of the EEC Business Development Department supervised/controlled by him, to whose jurisdiction all intellectual property issues have been transferred, the member states of the Union are forced to seek solutions to this problem independently (the Russian Federation – by releasing parallel importers from civil liability; RB - by changing the regime of exhaustion of exclusive rights).

In order to ensure uniformity of approaches to resolving conflicts of private and public interests in antimonopoly regulation and protection against unfair competition, taking into account the explanations of the Constitutional Court of the Russian Federation (Resolution of 02/13/2018 No. 8-P) in cases of unfair behavior of foreign trademark holders, including the creation of a threat of monopoly on the commodity markets of the EAEU countries, procedures were provided for the use of antimonopoly regulation and civil law institutions to counter abuse of law in the interests of public interests to protect competition, including the national standard GOST R 58223-2018. "IP. Antimonopoly regulation and protection from unfair competition". In the context of the growth of sanctions by Federal Law No. 46-FZ of 03/08/2022 (as amended. dated 06/28/2022), the Government of the Russian Federation has the authority to determine the list of demanded original foreign-made goods containing any OIS introduced into legal circulation outside the EAEU, the import of which into the EAEU without the consent of the copyright holder will not be considered a violation of the law. By the Decree of the Government of the Russian Federation dated 03/29/2022 No. 506, these powers were delegated to the Ministry of Industry and Trade of Russia.

The Republic of Belarus adopted the *Law of the Republic of Belarus No. 241-Z dated 01/03/2023 "On the Restriction of Exclusive Rights to Intellectual Property objects"*, which is of an extraordinary nature and is temporary (*until 12/31/2024*) in terms of establishing additional restrictions on exclusive rights already provided for by the legislation of the Republic of Belarus:

a) allowing the use of individual objects of copyright and related rights (computer programs, audiovisual works, musical works, broadcasts of broadcasting organizations) without the consent of the copyright holders (if these copyright holders belong to foreign unfriendly states and prohibited or did not give consent (permission) to use lawfully published IPOs on the territory of the Republic of Belarus, but with subsequent payment of remuneration to them);

b) establishing a change in the regime of exhaustion of the exclusive right in respect of all IPO applied (contained) in certain types of foreign-made goods. At the same time, in the legislation of the Republic of Belarus on IP, the *regional* regime of exhaustion of exclusive rights applies only to trademarks and geographical indications; with respect to copyright objects, phonograms, inventions, utility models, industrial designs and plant varieties, a *national* exhaustion regime is provided.

Maintaining the same situation in the absence of rotation of managers in the areas of integration in the EEC not only increases the risks of reducing the pace of integration, but also creates threats to block these processes in the field of intellectual property, which is one of the key factors in ensuring technological sovereignty and national competitiveness within the EAEU.

Standardization. In order to eliminate gaps and conflicts, to specify the procedures and rules declared in international law, EAEU law and national legislation in the field of IP rights management to create added value at all stages of the innovation life cycle, the role of standardization and its use in the processes of harmonization and unification of the rules for the formation of a civilized Eurasian IP market is significantly increasing (for example, for example, **GOST 34916.1-2022** IP. The use of IPO in the Internet. Part 1. General provisions, **GOST 34830 -2022** IP. Management at the State Academy of Sciences). The basis for the preparation and adoption of interstate standards in the CIS and the EEC on these issues can also be national standards in force in the Russian Federation: **GOST R 58086-2018** IP. Distribution of intellectual rights between the customer, the contractor and the author on protected RID created and/or used in the performance of R&D; **GOST R 58590-2019** IP. Management in a credit institution; **GOST R 58592-2019** IP. Stock market management; **GOST R 70484-2022** IP. Risk insurance; **GOST R 58800-2020** IP. Use of the trademark; **GOST R 58591-2019** IP. Accounting and intangible assets.

Along with the development and adoption of standards in this area, a set of measures is needed to create conditions for their application, ensuring the priority of IP commercialization. In particular, the lack of mass demand for insurance services in the field of IP is also explained by the unwillingness of the insurance community to widely introduce risk insurance in the field of IP (there are no methods for including risks associated with property rights to IP in innovative risk insurance programs; financial companies do not own data on financial losses related to court costs and losses of IPO rights holders in the illegal use of IPO).

Recommendations. In order to successfully develop economic relations at the regional and national levels, including within the framework of innovative cooperation and secure digital development, the EAEU and the EAEU EEC, the CIS Economic Council and the CIS Executive Committee, CIS interstate councils on legal protection and protection of intellectual property, antimonopoly policy, standardization, Metrology and Certification, the Standing Committee of the Union State, national parliaments, governments and academies of sciences of the member states of integration associations (in terms of issues related to the area of competence):

3.1 When adjusting and adopting strategic and program documents for innovative and digital development, improving legislation and adopting subordinate regulations, take into account that:

recognition at the strategic level of the interconnection and interdependence of innovative development through the intellectual property market is necessary, but not enough. The process of embedding regulatory mechanisms for the use of intellectual property objects for the stated purposes of scientific and scientific-technical activities, innovation and digital development should also be enshrined in the legislation and subordinate regulatory legal acts of all participating countries;

a significant delay in the creation of regulatory mechanisms in the field of commercialization of intellectual property at the national, interstate and international levels, along with a low level of legal and economic culture on these issues and the lack of professional personnel in this area predetermine the need for long-term (including state) investment in demand generation for the development of the "fourth basket" of trade in the CIS countries and The EAEU (unlike other sectors where demand generates supply).

3.2 To ensure a fundamental transition from information indicators (publications and their citations, patents and patent applications, conferences and seminars) to a system for evaluating the effectiveness of scientific and scientific-technical activities based mainly on expert assessment and economic indicators of such efficiency (creation of added value, share in pricing, share in capitalization of assets, share in attracting investments, share of royalties, etc.), which also implies a significant adjustment of the policies of corporations/ organizations when choosing the method of legal protection of created RIDS in scientific and technical in the sphere with budget financing in the interests of further commercialization of IP and ensuring national technological competitiveness.

To this end, to envisage changes in the NPA defining publications in publications indexed in foreign databases as key indicators of the effectiveness of scientific, scientific, technical and innovative activities with the complete cessation of budgeting of these processes in the interests of foreign companies and states as the copyright holders of BIG DATA.

To consider the issues of creating, on a contractual basis, international abstract databases of scientific data of the EAEU and the CIS, international scientific citation indices and international university rankings and the adoption for these purposes of an interstate program to stimulate the development and increase the competitiveness of scientific periodicals in the EAEU and CIS member states with the definition of mandatory minimum requirements for a scientific periodical (by branches of science), if optional preparation of annotations to all publications in English.

3.3 To consider the expediency of a permanent transition to the international regime of exhaustion of exclusive rights in respect of all IPOs, taking into account the fact that international agreements to which the EAEU and CIS countries are parties do not restrict States in choosing the regime of exhaustion of exclusive rights. The introduction of a regime of international exhaustion of exclusive rights to IPOs used in imported goods that are essential for the internal market of the EAEU is a necessary and reasonable solution in order to ensure national competitiveness within the framework of Eurasian integration.

3.4 To provide for the placement of a state order for the inventory and examination of technologies and goods supplied to the EAEU countries within the framework of "parallel imports", based on domestic developments, to develop an algorithm for protecting national interests and ensuring technological sovereignty, including using digital technologies and mechanisms for protecting the rights to IPOs. Prepare and adopt pricing methods/standards for innovative products using the IPO, and its further use for accounting and taxation purposes, including for cases of a paid / gratuitous / compulsory license to use the IPO for the purposes of state contracts.

3.5 Provide for amendments to the EAEU Treaty (Article 9, Annex No. 1) and the EEC Work Regulations, in terms of excluding/limiting the dependence of ministers and heads of departments of the EEC on the position of the national governments of the EAEU member States that they represent, including by introducing their mandatory rotation in fixed areas of activity and authority in EEC.

3.6 To confirm the conclusion and recommendation of this Forum (2022) that China's practice of using borrowed foreign technologies for the production of products in the interests of its domestic market with internal patenting (until the termination of foreign patents of former copyright holders) with subsequent patenting of modified technologies in countries of a potential legal market for its products may be in demand when choosing counter-sanctions in modern conditions, as successful and confirmed in courts, including in the USA on claims of the PRC (for example, China against Apple).

3.7 To the national standardization bodies, the EASC of the CIS to support the inclusion in the Interstate Standardization Program for 2023-2026 of work on the preparation and adoption of interstate standards based on the national standards of the Russian Federation on IP, taking into account the priorities of Eurasian integration on IP and the organization of interaction of integration associations (SG - EAEU - CIS - BRICS).

When planning budget expenditures for 2023-2024, to provide, taking into account the formation of the EAEU single financial market by 01/01/2025, the costs of research on the preparation of international and interstate GOST Intellectual Property standards. Management in a credit institution, Intellectual property. Stock market management, Intellectual Property. Insurance of risks involving the expansion of financial services through IP transactions, including the creation of a system for assessing insurance risks in the field of IP.

The CIS EC and the CIS Executive Committee, CIS interstate councils on legal protection and protection of intellectual property and on antimonopoly policy, the EAEU EEC and national executive authorities, including in the field of standardization and IP, take into account the creation of the system of standards "Intellectual Property" in their practical activities and contribute in every possible way to its development and introduction to the international level.

3.8 National executive authorities in the field of science and education in the framework of the formation and improvement of the ecosystem of intellectual property and innovation for the development of the intellectual property market and innovative products, including the creation and support of research and programs aimed at the development of new technologies and innovations in various sectors of the economy (based on consortia and associations, as platforms for promoting and supporting the implementation of scientific and technological projects and initiatives) pay attention to the need for:

- intensification of work on the creation of methodological support and tools for the support and commercialization of university products;

- further development of the network of technology transfer centers and improving their efficiency, as well as the development of startup studios as one of the effective tools for the development of university technology projects;

- comprehensive support for the development of initiatives, including youth ones, for the development of a closed-cycle economy at the regional level, technology transfer in the field of circular economic models in conditions of ensuring the national technological sovereignty of the EAEU countries.

4. Legal protection of intellectual property

In the field of legal protection of IPO rights, unlike other areas of regulation, the norms of national codes of liability for offenses are applied in priority, as well as interstate agreements with the participation of the Russian Federation:

- The EAEU Agreement on Coordination of Actions for the Protection of Intellectual Property Rights dated September 08, 2015 (entered into force on 07/19/2016)

- The Agreement on the Customs Code of the EAEU dated 04/12/2017 (as amended on 05/29/2019), entered into force on 01/01/2018

- CIS Agreement on Cooperation in countering the Production and Distribution of Counterfeit products dated May 26, 2017 (entered into force on 07/04/2019)
- Agreement on Cooperation of the Customs authorities of the CIS member States in the Field of protection of Intellectual Property Rights dated May 31, 2019 (entered into force on December 10, 2019)
- Agreement on Cooperation of the CIS member States on the Prevention and Suppression of the Use of False Trademarks and Geographical Indications (concluded on 05/28/2021);
- Agreement on Cooperation of the CIS member States on the Protection and Protection of Copyright and Related Rights in Information and Telecommunication Networks (concluded (11/12/2021).

Within the framework of updating and improving the CIS regulatory framework in the field of intellectual property in 2022, internal procedures were carried out under Agreements signed at a meeting of the CIS Council of Heads of Government on cooperation of CIS member states on the prevention and suppression of the use of false Trademarks and geographical indications (28.05.2021) and on the protection and protection of rights to copyright objects and related rights in information and telecommunication networks (11/12/2021).

The legal protection of the interests of the holders of the rights to the IPO and the coordination of this activity under the EAEU Treaty (2014) is also attributed to the general processes and priorities of cooperation within the framework of Eurasian integration.

In the Advisory Committee on Intellectual Property under the EEC Board (a total of 23 CC under the EEC), a subcommittee has been established to coordinate actions for the protection of IPR rights (there is no information about its work after two meetings in 2016-2017). Within the framework of digital transformation in the field of IP in the EAEU in the direction 5 "Formation of the digital space of the Union, digital infrastructures and ecosystems" Strategic directions for the development of the Eurasian Economic Integration until 2025 (approved The decision of the EEU dated 12/11/2020 No. 12) provides for the development of coordinated approaches to combating violations of the rights to the IPO on the Internet, for which a working group has been established to develop coordinated approaches within the framework of the EAEU to combat violations of the rights to the IPO on the Internet (from 2022).

Based on the results of the analysis of legislation with heterogeneity in the composition of violations in the field of IP and law enforcement practice in the field of IP protection and countering the production and trafficking of counterfeit products, as well as differences in the levels of administrative and criminal liability for unfair competition associated with the use of IP in the EAEU countries in 2015-2022, it can be concluded that at the interstate level there is no objective picture of understanding the volume and structure of counterfeit products, which preserves the basis for the continuation of unfair competition.

Protection against counterfeiting. In accordance with the international legal approach of recognition as counterfeit and the national legislation of the EAEU countries (except the Russian Federation), counterfeit products are goods containing a *limited list* of IPOs (objects of copyright, objects of related rights, means of individualization - TK, geographical indications, NMPT), created and (or) put into circulation in violation of any the rights of the copyright holder provided for by national legislation (a limited list of intellectual property objects in case of violation of any rights to them).

The same model is also implemented within the framework of customs control and IP protection by customs authorities in the EAEU, were, according to paragraph 3 article 385 of the EAEU Customs Code, objects of copyright and related rights, trademarks, service marks and NMPT can be included in the unified customs register of Intellectual property objects (ETROIS/CIPR).

In the Russian Federation, according to the norm of Article 1252 of the Civil Code of the RF, any material media containing *any IPO* (more than 20 types of IPO) with violation of *only the exclusive rights* of their copyright holders to these IPO are recognized as counterfeit. At the same time, the Administrative Code of the Russian Federation and the Criminal Code of the Russian Federation retained the previous legal model of protection against counterfeit, according to which it is possible

to bring to administrative and criminal responsibility for counterfeit only in part 5 of the 20 categories of intellectual property objects.

That is, what is recognized as counterfeit in Russia is not such in other EAEU countries and its turnover is not subject to counteraction at the customs border of the EAEU. At the same time, fundamental differences remain between the norms of the Civil Code of the Russian Federation, the Administrative Code of the Russian Federation and the Criminal Code of the Russian Federation regarding the possibility of bringing to responsibility for violations of rights in respect of all categories of IP objects (for example, in the Criminal Code of the Russian Federation and the Administrative Code of the Russian Federation there are no rules on liability for violations of rights to selection achievements).

Administrative liability is not provided for: in the Republic of Armenia - in general for IP offenses and in the Kyrgyz Republic (before the adoption of the Code of the Kyrgyz Republic "On Offenses" dated 10/28/2021); in the Republic of Kazakhstan - for violations of copyright and related rights, rights to inventions, utility models, industrial designs, selection achievements and integrated circuit topologies.

Legal protection of IP in the EAEU (2015-2021)⁷

Offenses for 7 years	PA	PB	PK	KP	PФ
Objects of patent law	3	0	0	2	33
Objects of copyright and related rights	17	222	461	3	10403
TM	52	428	928	41	51841
Administrative responsibility	0	725	854	29	49361
Introduced by the OIS in the TROIS/CIPR (valid on 1.04.2023)	364	211	836 out of 1678	183 out of 417	1782 out of 35480
Criminal liability	71	13	545	18	12356

At the same time, the data indicated in the EEC Reports do not reflect the real picture of the state of legality in the field of IP and anti-counterfeiting, since they take into account offenses in the EAEU member states in the context of administrative offenses and crimes only, without taking into account cases considered in the framework of civil and arbitration proceedings in these countries. Under these conditions, the comparison in the Reports of the number of violations of IP rights detected from 2016 to 2021 with the number of counterfeit goods detected in the EAEU member States (graphs 41-47, p. 54-60 of the Report) and the conclusions drawn on this basis are incorrect.

Thus, within the framework of the national system of the Russian Federation of protection in the field of IP, with a plurality of legislative norms on liability and structures of their enforcement, the practice of this protection in the Russian Federation remains "leaky". On the one hand, with the annual growth of cases on the protection of rights holders of their rights in civil proceedings (from 2016 to 2022 - 2.5 times, over the past 10 years - 3.5 times), in 80% of cases the court made decisions, including more than 90% of them - positive. On the other hand, when representatives of law enforcement and other state bodies participate in the framework of administrative - legal and criminal - legal protection, the effectiveness of such protection for copyright holders drops sharply.

In the period from 2010 to 2022, with a sharp reduction in the number of materials coming to the courts on bringing persons to administrative responsibility for offenses under Article 7.12 of the Administrative Code of the Russian Federation (almost 20 times), up to 20% of protocols and other materials are returned due to incorrect protocol and registration of other case materials or their incompleteness; the number of punished persons decreased by 21 times, the number of fines imposed and actually collected - by 23 times.

By 2022, compared with 2008, the number of convicts under Article 146 of the Criminal Code of the Russian Federation (copyright and related rights) has decreased by almost 30 times. For violation of inventive and patent rights under Article 147 of the Criminal Code of the Russian Federation over the past 15 years, only 15 people have been convicted, while in 2010, 2011, 2016-2019, 2021-2022, not a single person was brought to criminal responsibility for this crime.

⁷ Based on the data of the Reports of the EEC Business Development Department "On the state of law enforcement practice in the Field of intellectual Property Rights protection in the EAEU" for 2020 - 2021

At the same time, the authorized (competent) bodies of the EAEU member states in the field of protection of IP rights within the EAEU from the Russian Federation do not include the IP of Russia, responsible for investigating IP crimes, and the State Commission of the Russian Federation for Combating Illicit Trafficking in Industrial Products, coordinating the activities of 27 federal executive authorities, which also lack the Ministry of Culture of Russia, the Ministry of Finance of Russia and Rospatent, which have powers of supervision in this area.

Standardization. In order to eliminate gaps and conflicts, to specify the procedures and rules declared in international law and national legislation in the field of protection of IP rights, including from counterfeit, **GOST 34917-2022** Intellectual Property. Determination of the level of counterfeit goods at the regional level and **GOST 34829-2022** Intellectual property. Customs protection were adopted. The basis for the preparation and adoption of interstate standards in the CIS and in the EAEU on these issues can also be national standards in force in the Russian Federation: **GOST R 58233-2018** IP. Antimonopoly regulation and protection against unfair competition; **GOST R 58347-2019** IP. Preventive actions against spread of counterfeit and fraudulent products in mechanical engineering. Protective methods and technologies; **GOST R 58348-2019** IP. Preventive actions against spread of counterfeit and fraudulent products in mechanical engineering. Requirements to procurement, acceptance and disposal processes.

Recommendations. The Supreme Eurasian Economic Council and the EEC of the EAEU, the CIS Economic Council and the CIS Executive Committee, the CIS interstate Councils on legal protection and protection of intellectual property, on antimonopoly policy, on standardization, metrology and certification, national parliaments and governments of the EAEU member States (in terms of issues related to the competence):

4.1 To confirm the relevance of the recommendations of this Forum in 2018-2022 for the EEC of the EAEU in terms of preparing a roadmap for the harmonization of legislation in the field of IP protection; to the parliaments of the EAEU member States - to eliminate legal conflicts and gaps in national legislation on civil, administrative and criminal liability for intellectual property offenses, including using the Internet.

4.2 To consider the issues of clarifying the composition of the national authorized bodies in the coordination structures at the national level, the EAEU and the CIS (taking into account their powers and functions) to regulate and protect the rights to IPOs and counteract the turnover of counterfeit products in integration associations.

4.3 To confirm the relevance of the conclusions of this forum (2010-2022) that the objectivity of understanding counterfeiting and unfair competition in all its manifestations can only be based on a clear regulatory classification of offenses and the definition of their exhaustive comparable national lists (civil law torts, disciplinary offenses, administrative offenses and crimes) and their unified statistical accounting, including with international cooperation.

To develop and approve a unified methodology for the structure and list of data on the preparation of annual reports of authorized national bodies of the CIS and EAEU countries in the field of IP on their activities. To include in the system of annual monitoring of law enforcement practice in the field of protection of intellectual property rights in the EAEU statistics and data analysis of law enforcement practice in the framework of civil IP protection with mandatory adjustment of the structure and content of the annual Reports of the EEC on these issues.

*4.4 To support the adoption and introduction into practice, starting from 2023, the annual monitoring and determination of the national Index of counterfeit goods based on the basic calculation data contained in the national state information systems and departmental databases of the EAEU member States and CIS member States, and the rating of national Indices of counterfeit goods in the EAEU and CIS, in accordance with **GOST 34917-2022**.*

4.5 The EEC and the national organizers of the annual International Forum "Anti-Counterfeit" should provide for mandatory consideration of proposals received during the discussion of issues on the agenda of the plenary and in-session meetings and the preparation on this basis of a Plan ("roadmap") for their implementation with the publication of the document on the official websites of the organizers of the Forum.

4.6 Provide for the development of a standard providing for a system of internal compliance with the requirements of legislation in the field of intellectual property protection in the organization's activities (compliance systems).

5. Centralization of regulation and administration in the field of intellectual property as a condition of competitiveness

In the conditions of centralization and specialization of public administration in the field of IP in the world (since 1967), in the CIS and EAEU countries (except the Russian Federation), unified interstate and state bodies were created with the unification of the functions of administration of copyright, related, patent and other rights in respect of all major categories of intellectual property objects.

An example is the State Agency for Intellectual Property and Innovation under the Cabinet of Ministers of the Kyrgyz Republic, which is not only the only regulator in the field of IP, but is responsible for the administration of the management processes of IP rights in the framework of innovation activities. This experience may be in demand when conducting patent reform in the EAEU and CIS countries, the need for which is long overdue.

In 2021, the member States of the Patent Cooperation Treaty (PCT) unanimously decided to appoint the Eurasian Patent Office (EAPO) as an international search authority and an international preliminary examination body within the PCT.

Russia, as before, is the only country where the functions of public administration and regulation in the field of intellectual property are dispersed among more than 15 federal executive bodies, where there is competition between departments instead of competition of economic entities on these issues. So, only in part four of the Civil Code of the Russian Federation, more than 15 federal executive bodies are listed as regulators and bodies administering processes in the field of IP (the Ministry of Education and Science of Russia, the Ministry of Culture of Russia, the Ministry of Economic Development of Russia, the Ministry of Agriculture of Russia, the Ministry of Construction of Russia, the Ministry of Finance of Russia, the Ministry of Defense of Russia, the Ministry of Internal Affairs of Russia, the Ministry of Health of Russia, the Ministry of Industry of Russia, the FSB of Russia, the FCS of Russia, FAS of Russia, Rosselkhoznadzor, Rospotrebnadzor, etc.). At the same time, the list of these bodies is open for its addition by the Government of the Russian Federation (authorized federal executive authorities and authorized bodies). Since July 1, 2020, Rospatent is formally responsible here for only six of the 20 categories of intellectual property objects, does not have objective information regarding other departments and is not a competent authority on all issues in this area, as well as is not responsible for the commercialization of intellectual property created with budget financing.

Since no one in the authorities in the Russian Federation is engaged in monitoring this activity, there is a misconception (myth) about the monopoly of Rospatent (Ministry of Economic Development of Russia) in the field of IP regulation, which, in many ways, is related to the existing problems of regulatory regulation and the lack of results of its economic efficiency and competitiveness. This is largely facilitated by the conflict of legal norms laid down in Part 4 of the Civil Code of the Russian Federation. Although, according to Article 1225 of the Civil Code of the Russian Federation, 20 categories of IP objects are attributed to intellectual property, but by name the federal executive authority for intellectual property is attributed by the legislator only to the competence of Rospatent. This significantly reduces the possibility of coordinating positions, even within one country, on the formation of a single IP market and ensuring competitive advantages of innovative development for the EAEU as a whole. This, in many ways, is the root cause of the difficulties in developing agreed solutions, including on the harmonization of national legislation in the EAEU on these issues.

Reaching compromises in regulation today and in the future is also possible through the mechanisms of "soft regulation", where standardization is among the priorities. With the stated strategic goals of Eurasian integration, the formation of common markets for goods, works, services, finance and intellectual property involves the development and adoption of common standards. At the same time, according to the results of the analysis of the powers, the availability of financial

resources and the results obtained in the field of standardization in the "triad" (CIS, EAEU, Union State), it is obvious that the existing procedure for the adoption of interstate standards (CIS EASC) does not meet the objectives of Eurasian integration, neither according to the list of GOST and the timing of their adoption, nor according to the conditions applications.

Repeated rotation of plenipotentiary representatives of States in 2020-2022 - members of the EASC as part of the ITC and long deadlines during the domestic procedures for multiple approval of GOST projects and decisions on their adoption (first of all, in the Republic of Kazakhstan they exceed the regulatory deadlines by 2-4 times), negatively affect the quality and effectiveness of the work of the ITC, lead to a significant slowdown in processes and disruption of the deadlines for the preparation and adoption of interstate standards provided for by the fundamental standards, which requires either a revision of these norms, or the creation of conditions for their mandatory implementation.

Among the tasks of Eurasian integration based on ensuring competitive advantages in the field of scientific and technological development, the most significant for the IP market are: management and investment, interaction and cooperation, cooperation and integration. At most enterprises and organizations in the EAEU and CIS countries (in the absence of unified approaches to the organization of the IP management system), there is still no unified IP lifecycle management system (from the selection of RIDS and their expertise to the evaluation, insurance and commercialization of exclusive IP rights, taking into account the use of the previous IP at all stages of the innovation process and ensuring a balance of interests of the participants).

According to sociological research, 72% of university graduates have work experience in their specialty, by 2023 only 47% of Russian citizens were working or looking for a job in their specialty, 19% of applicants plan to get a job not by profession, and 6% - in related industries. That is, in half of the cases, the results of the work of universities turned out to be unclaimed in the labor market, which requires a comprehensive analysis and adjustments, including in the state order for personnel training. At the same time, the demand of the Russian market for IP personnel (lawyers, economists and managers) today is more than 50 thousand specialists, while the annual graduation of the Rospatent Academy per year is only 150 people.

Recommendations.

5.1 Taking into account the role and importance of Russia in the processes of Eurasian integration, the Government of the Russian Federation should initiate consideration and resolution of the issue of centralization of state regulation and administration of intellectual property processes in the Russian Federation (taking into account the best international practices, including the EAEU member states, as well as the Russian experience of such work in 2012-2013).

5.2 Within the framework of the interaction of the EAEU EEC and the CIS Economic Council with the participation of the Interstate Council for the Legal Protection and Protection of Intellectual Property of the CIS, national standardization and intellectual Property bodies of the EAEU member States to hold a discussion on the powers of national and supranational bodies in the field of patenting and state registration of rights to industrial IP objects.

In the context of a reduction in the role of patenting and state registration in relation to the main objects of the modern IP market, the functions of patenting and confirming legal protection for all objects of industrial IP can be redistributed from the national to the interstate regional level (for example, the EAPO) with the assignment of the current authorized national authorities in the field of IP as the main function - the administration of the rights management processes for IP objects within the framework of innovation activities (taking into account the experience of the Kyrgyz Republic).

5.3 The EEC of the EAEU, the CIS Economic Council, Interstate Councils for Standardization, Metrology and Certification, on Legal protection and protection of Intellectual Property of the CIS, national Governments, national bodies for standardization and intellectual property, academies of sciences, public authorities in the field of education, leading universities and specialized scientific organizations of the EAEU and CIS countries (in terms of issues related to the area of competence) to provide:

- attribution of management and economics of intellectual property to priority areas of standardization (taking into account the experience of the Russian Federation), ensuring national competitiveness and development of institutions of Eurasian integration, including when planning annual budget expenditures for these purposes;

- active use of references to the application of national and interstate standards in the framework of rulemaking with consideration of the inclusion of standards in the list of normative legal acts (taking into account the experience of the Republic of Belarus);

- creation of a joint working group with the participation of representatives of the EASC of the CIS, the EEC of the EAEU, the Standing Committee of the Union State to develop a coordinated position and mechanisms for interaction and distribution of tasks in the standardization processes and improve its effectiveness, taking into account the accumulated experience and potential of their solutions with the participation of integration associations.

5.4 National Governments, academies of sciences, public authorities in the field of education, leading universities and specialized scientific organizations of the EAEU and CIS countries (in terms of issues related to the area of competence);

- to confirm the recommendations of the participants of this Forum in 2017-2022 regarding the monitoring of information on the work of national universities in this field, the creation of basic and network special departments; ensuring interuniversity and interregional cooperation in creating a system of training and retraining of personnel for the field of IP; the formation and implementation of state orders in the field of scientific research in the preparation and defense of dissertations on seeking the academic degree of doctor and candidate of sciences, the work of postgraduate and doctoral studies with their budgetary funding; dissemination of this experience through interstate bodies, including the EAEU EEC, and specialized scientific journals, including Intellectual Property Law;

- to recommend, within the framework of the systematic organization of training and advanced training of specialists in the field of intellectual property, as well as the development and promotion of appropriate training programs and information resources that help raise public awareness of the importance of intellectual property and the management of rights to RID, the introduction as mandatory academic disciplines on standardization and intellectual property within the training programs of the specialist, bachelor's and Master's degrees in economics and law, and also in the field of information technology;

- to provide for the development and implementation of its own (national and Eurasian) system for rating universities and evaluating their performance, based on the main purpose of educational institutions for training personnel and their competitiveness in the labor markets;

- to establish an exchange of experience and best practices of universities regarding the use of modern services for depositing copyright objects, including in the context of considering educational programs and courses as full-fledged products for further commercialization.

The continuation of the stated course for Eurasian integration within the framework of the Greater Eurasian Partnership in a multipolar world, where the IP market, digitalization and standardization act as components of a unified competitiveness in the context of the crisis of international law and the growth of sanctions, require all participants to understand the conditions for its implementation, determine responsibility for achieving the planned results based on their own potential, when the national advantages of each they can and should become the advantages of all participants of integration associations.