

THEORETICAL PRINCIPLES OF FORMATION AND MANAGEMENT OF INTELLECTUAL CAPITAL, INTELLECTUAL PROPERTY

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ABSTRACT

In today's Western countries, major economic scientists include entrepreneurship as part of economic resources. In our opinion, it is reasonable to include "entrepreneurial ability" in the composition of economic resources, because the fate and development of production depends on factors such as innate mental ability, perseverance, business acumen of entrepreneurs. The presence of such qualities in entrepreneurs becomes more noticeable, especially in the conditions of economic stress, shortage of resources.

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INTRODUCTION

It should be noted that the production result is not limited to the combination of its factors. The volume of produced products and services and the level of satisfaction of consumer demand also depend on the quality of production factors: labor force, labor tools and labor objects. This means the skills, knowledge and experience of workers, the use of innovative technologies in production. At the heart of this is intellectual capital.

Intellectual capital is the knowledge, skills and production experience of employees engaged in the production of products and services, as well as intangible assets (patent, license, know-how, etc.).

In the innovative economy, intellectual capital has its own characteristics. First, the intellectual capital in the form of skills, knowledge and experience of workers is accumulated (accumulated).

Second, intellectual capital cannot be separated from its owners. Intellectual capital is a high-level characteristic of a person: knowledge, ideas, inventions and creation of new products or services, etc. directed to creativity.

Thirdly, in the formation of intellectual capital, an individual's innate mental ability or the ability formed during education and training is of great importance.

Fourthly, the amount spent on intellectual capital will have economic and social benefits several times greater than the actual expenditure and over a long period of time. Also, the period of investments in intellectual capital is longer than investments in other objects.

Fifth, intellectual capital is an integral part of human capital.

Intellectual capital has value only when it is used in production and service processes, otherwise it is not important for the economy and society, that is, it has no value.

Intellectual capital creates value during participation in the production process and transforms as an intellectual resource. And such production is called intellectual production.

Intellectual production describes the ability of a person to think creatively and to be spiritually creative. A product of human intellectual creativity is called an intellectual product. It has a useful creative feature. All users of such a product will benefit to the maximum.

An intellectual product is inexhaustible. It reflects the level of innovative technical-technological, socio-economic development of the society. It is considered the result of creative activity. In many cases, this is the product of the work of intellectual workers - writers, poets, artists, scientists, engineers, technicians, etc.

An intellectual product will have the characteristic of innovation or its own inimitable features. Most of these products are conceptual - intangible. For this reason, it is not possible to apply the legal norms applicable to ordinary objects, i.e. material objects. It is a unique entity.

Intellectual resources are always involved in the production of material and immaterial goods in society. They have value like other resources and are not recognized as property.

The result of a person's intellectual activity, that is, an intellectual product, is his intellectual property.

The main source of intellectual property is a person's scientific research activity, his attitude to knowledge, science and the country's technical and technological development, as well as the country's scientific potential.

Intellectual property is a special commodity. It is considered a trading object. In the intellectual property market, sellers and buyers interact with each other regarding the sale of scientific ideas, technical innovations, works of art and literature, various information, which are considered special goods.

In the intellectual property market, scientific and technical innovations are sold under the condition that they become the property of the buyer or become the property of their owner and are temporarily used. In practice, patent, license and know-how trading takes place in this market.

Firms that introduce innovations often operate in the intellectual property market. They provide services for finding, selling and introducing innovations. Engineering and consulting firms participate in this market.

The intellectual property market has a great influence on the development of science and technology in the country and contributes to the effective use of innovations.

It should be noted that the importance of the intellectual property market is not only national, but also international. Today, the sharp increase in demand for scientific and technical innovations has raised relations in this market to the international level.

In Uzbekistan, the requirements that give rise to the right to obtain a patent for inventions, utility models, and industrial samples, as well as the procedure for issuing such a document by the Intellectual Property Agency, are defined in the Law of the Republic of Uzbekistan "On Inventions, Utility Models, and Industrial Samples" adopted on May 6, 1994.

In our country, along with many developed countries, the legal basis of intellectual property protection has been created, all the rights of property owners are fully protected by the adopted laws and regulations.

As mentioned above, the basis of intellectual property is science, technology and production, which

are closely related to each other. It covers the path from the product of the latest scientific creation to its practical implementation.

The scientific and technical development in it is carried out based on the economic laws of the national economy in the field of production and service, regularly using the achievements of science and technology in practice.

In scientific and technical development, the attitude towards invention in the country is very important. The economic effect obtained as a result of the application of inventions in the national economy is one of the decisive factors of scientific and technical development. Therefore, the application of invention patents as a new technology and technique to the national economy, which is an intellectual property, accelerates the rate of gross production in the economy of our country.

At the time of the rapid development of our economy, great attention is being paid to the protection of existing and future intellectual property in our country.

Today, the creation of intellectual property and the organization of work on its legal protection has become a state policy in the countries of the world. Because the level of development of any country, its influence in the world community, depends on the extent to which intellectual property works are carried out, new techniques and technologies are created.

Uzbekistan is a country known to the world for its developed intellectual property base, i.e. intellectual capital. It is a scientific center with great potential in Central Asia with high national values.

However, Tanzila Norboeva, chairman of the Senate of the Oliy Majlis of the Republic of Uzbekistan, said: "We know that the World Intellectual Property Organization ranks countries according to the Global Innovation Index." This rating included 129 countries. The neighboring countries include Kazakhstan, Kyrgyzstan, and Tajikistan. But Uzbekistan could not take a place in this rating.

Naturally, such a situation cannot be sustained for Uzbekistan, which has a large intellectual capital. For this reason, by the Decree of the President of the Republic of Uzbekistan No. PF-5544 dated September 21, 2018, the main factor to eliminate the existing shortcomings in scientific and innovative activities in 2019-2021, to increase the level of competitiveness of the country in the international arena, and to ensure its innovative development - A strategy aimed at the development of human capital was developed.

The main goal of the strategy is to include our country among the 50 advanced countries of the world according to the Global Innovation Index by 2030.

The main directions of the strategy are as follows:

- development of science, inventiveness and technology transfer;
- improving the financing system of innovative activities;
- development of infrastructure and information and communication technologies;
- improvement of the education system and development of human capital;
- development of competition and reduction of administrative obstacles.

Uzbekistan is developing its science and technology in cooperation with the world community, on the basis of mutual agreement. In particular, the Agreement on Performances and Phonograms and the Copyright Agreement, adopted within the framework of the World Intellectual Property Organization

(WIPO) on December 20, 1996, entered into force for the Republic of Uzbekistan on July 17, 2019.

101 countries in the world and the European Union are parties to these two WTO treaties.

The UNO is a specialized institution that has been part of the United Nations (UN) system since December 1974.

These agreements are also known as "WIPO Conventions on the Internet" and define the main criteria for the protection of copyright and mixed rights in the digital environment.

The WTO Agreements on the Internet laid the groundwork for a new technologically coordinated protection system in areas such as interactive delivery of copyrighted content, limiting copyright protection, and promoting technologies that enable the distribution and use of creative products.

In our country, the laws "On the accession of the Republic of Uzbekistan to the Locarno Agreement on the establishment of the international classification of industrial designs signed in Locarno on October 8, 1968" and "On the accession of the Republic of Uzbekistan to the Treaty on Patent Law adopted by the Diplomatic Conference in Geneva on July 1, 2000" have been adopted.

Also, Uzbekistan joined and ratified the Rio Declaration, the United Nations Convention on Climate Change, Biological Diversity, and Desertification, the Vienna Convention on the Protection of the Ozone Layer, and the Basel Convention on the Control of Transportation and Emission of Hazardous Waste. The Republic of Uzbekistan is also a member of the Madrid Agreement on Trademark Registration.

In Uzbekistan, attention is being paid to the effective use of intellectual property in the implementation of large-scale works aimed at socio-economic development. On July 14, 2018, the President of the Republic of Uzbekistan "On additional measures to increase the efficiency of commercialization of the results of scientific and scientific and technical activities" According to the Resolution No. PQ-3855, the Ministry of Foreign Affairs of our country will support the commercialization of the results of scientific and scientific-technical activities abroad, as well as their promotion in international markets, through diplomatic means.

In conclusion, it can be said that large-scale work is being done to create favorable conditions for the implementation of scientific and scientific-technical activities, scientific-technical and innovative development in our country.

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