

He was elected for four year period. The President had to perform political, military and national functions.

In our opinion the most important innovation of the scientist was the separation of Justice from the Administration.

Judiciary brunch of power included: the first instance courts, State tribunal – “which was the supreme court of justice” and Chairman of State Justice.

A great attention was paid to the organization of local authorities in the counties. The most important section of the Constitution was “The rights of the people to self-determination”. The civil servants had to be Ukrainians by nationality and Ukrainian was “government language” [1].

To sum up the constitutional law created by Stanislav Dnistrjanskii was very democratic and humane. It was written logically and easy for understanding. In this document there were widely presented the rights and freedoms of citizens, duties of civil servants, which were revolutionary in the history of Ukrainian legislation.

Reference:

1. Станіслав Дністрянський. Конституція ЗУНР. – 1920.
2. Usenko I. B., Vozniy V. I. Constitutional Projects of the Galician State and the Western Ukrainian National Republic / Encyclopedia of the History of Ukraine: Volume 5. - 2008. - P. 568.

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HUMAN RIGHTS AND FREEDOMS IN UKRAINE

The thesis deal with such an urgent topic as human rights and freedoms in Ukraine.

This scientific topic was a subject of many scientists` research: N.V. Vitruk, N. I. Matusov, V.A. Maslennikov.

In a modern democratic society, people are free and have certain rights and freedoms, which is a prerequisite for the realization of democracy. First, we will define what human rights and freedoms are. **Human rights** are recognized

and guaranteed by the state of the possibility of realization of actions (rights) of a person in the field not prohibited by law. **Human liberties** are spheres, spheres of human activity in which the state should not interfere.

The problem of human rights has always been the subject of sharp class wars for the possession of rights or their expansion. The received or extended rights, in their turn, fixed the status of a person in the society at this or that stage of its development and each stage of the state development was the next step towards finding and expanding freedoms, replenishing human rights with new qualities, expanding them to a wider range of subjects . A modern list of human rights is recorded in many legal acts and in the Constitution of Ukraine. The new Constitution of Ukraine unites the traditional provisions in the strengthening of human and civil rights and freedoms, in particular in the definition of social and cultural rights and freedoms, with fundamentally new provisions and approaches, and consolidates civil (natural), political and economic rights and freedoms. Human rights, which should not be limited in any circumstances: on life; on equality in rights; to a fair trial; for first aid; freedom from torture; freedom from slavery. The main point is that everybody should know his own rights for protection. Furthermore everybody has the right to private property and nobody is allowed to take it away without reference to the law. There is a number of other rights, such as the right to non-interference in personal and family life (Article 32); - the right to freedom of outlook and religion (Article 35); the right to unite in political parties and political organizations (Article 36); the right to work (Article 43); the right of everyone to education (Article 53); the right to a safe for life and health environment, to compensation for damage caused by the violation of this right (Article 50); the right to freely choose and be elected to the bodies of state power and bodies of local self-government (Article 38) and others. Freedom of the person is the initial concept of a problem of human rights. It is characterized by the following features:

- all people are born free and equal in dignity and rights;
- a person has the right to do everything that is not directly prohibited by the current legislation;
- all people are equal in legal possibilities, legal assistance and legal protection;
- human freedom is an objective reality, it is beyond the limits regulated by law, as it is influenced by other social norms (morals, ethics, religious norms and others).

Human rights in the modern world are a problem, the solution of which lies at the center of practical activity of the international community and each state. The state elected by folk should defend the rights, however they aren't always observed. Even today rich people have more power and rights, sometimes their interests become beyond rights of ordinary people. Our world should exterminate this problem; everybody must fight for his rights and defend them. Moreover it is necessary to respect other people's rights.

References:

1. Конституція України.
2. Міжнародний пакт про економічні, соціальні та культурні права.
3. Рабинович Л.М. Права людини та їх правова підтримка. - К., 1992.- С. 5.
4. Рабінович П. М. Основи державної теорії права і держави. - К., 1994.- С. 7.
5. Буткевич В. Права людини в Україні // Права людини в Україні.— К., 1995.- С. 34.

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ANALYSIS OF JUDICIAL PRACTICE OF PROTECTION OF RIGHTS TO INVENTIONS (UTILITY MODELS)

To start with, the number of disputes over the violation of the rights to inventions and utility models is steadily increasing. The law of Ukraine "On the Protection of Rights to Inventions and Utility Models" does not properly regulate the relations related to the resolution of disputes on this object of patent rights, as it indicates only the list of possible patent disputes.

The rules for the protection of the rights to utility models (inventions) in the legislation of Ukraine need to be improved. In particular, in contrast to the Law of Ukraine "On Copyright and Related Rights" (section V of the law, which defines types of violations of copyright (related rights), the procedure for the protection, special methods of protecting rights, ways to ensure a claim in cases