



Syllabus

«Legal Regulation of Digital Content»

Higher education degree – master
Field of knowledge – 29 International relations
Specialty – 293 International law
Educational and Professional Program - International Law

Study year – 1 Semestr – 2

Number of credits : 5, Language of study: english

Head of the course:

Assoc. prof. of the Department of International Law and Migration Policy, PhD,
Hanna POPERECHNA

Contact information: h.stakhyra@wunu.edu.ua, office 5313

Description of the discipline

The purpose of studying the discipline "Legal Regulation of Digital Content" is the acquisition by students of systematic knowledge in the field of circulation of digital content. To form an understanding of the essence of the concept of digital content and to identify methods of legal regulation of its circulation. To investigate the genesis of the legal regulation of the circulation of digital content in the acts of the European Union. To analyze the possibility of regulating the legal relations of the circulation of digital content by the current provisions of the national law of Ukraine. Investigate possible ways of forming contractual relations for the circulation of digital content and enshrining relevant norms in the legislative acts of Ukraine.

This discipline should contribute to the formation of highly professional specialists in the field of jurisprudence.

After completing the study of the discipline "Legal Regulation of Digital Content", students should be able to identify, analyze and propose ways to solve multifaceted problems of international legal and national legal content; produce new ideas for solving practical tasks in the field of professional legal activity; prepare drafts of international treaties and acts of national legislation, provide proposals for eliminating conflicts between the norms of international law, as well as bringing the norms of national law into compliance with the norms of international law; to be aware of the mechanism and consequences of the implementation of norms of international treaties, acts of international intergovernmental organizations, decisions of international courts into the national legal order; to provide legal support for the processes of adaptation of various branches of Ukrainian legislation to the law of the European Union.

Course structure

Hours (lec. /pract.)	Topic	Learning outcomes	Control measures
4 / 2	1. Digital content as a new object of civil law.	Gain knowledge on the definition of a new object of civil law - digital content.	Tests, questions, cases
4 / 2	2. Teaching about the nature of digital content.	To study the modern doctrine regarding the teachings about the legal nature of digital content.	Tests, questions, cases
4 / 2	3. Contract structures that mediate the circulation of digital content.	Gain knowledge about contractual structures that mediate the circulation of digital content.	Tests, questions, cases
4 / 2	4. Content of contractual obligations in the field of circulation of digital content.	Consolidate knowledge about the content of contractual obligations in the field of digital content circulation.	Tests, questions, cases
4 / 2	5. Peculiarities of the transfer of personal data in contractual relations for the supply of digital content.	Consolidate knowledge about the peculiarities of the transfer of personal data in contractual relations for the supply of digital content.	Tests, questions, cases
4 / 2	6. Liability for non-performance or improper performance of contracts mediating the circulation of digital content under the legislation of Ukraine.	Gain knowledge about responsibility for non-fulfillment or improper fulfillment of contracts that mediate the circulation of digital content under the legislation of Ukraine.	Tests, questions, cases
6 / 3	7. Liability for non-fulfillment or	To study the peculiarities of liability for non-fulfillment or improper fulfillment of contractual	Tests, questions,

	improper fulfillment of contractual obligations in the field of circulation of digital content in EU acts.	obligations in the field of circulation of digital content in EU acts.	cases
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Recommended sources

1. Зеров К. О. Особливості захисту авторських прав на твори, розміщені в мережі Інтернет. К. Інтерсервіс, 2018. 220 с.
2. Про схвалення Концепції розвитку цифрової економіки та суспільства України на 2018-2020 роки та затвердження плану заходів щодо її реалізації : Розпорядження Кабінету Міністрів України від 17.01.2018 р. № 67-р. URL : <https://zakon.rada.gov.ua/laws/main/67-2018-%D1%80>
3. Стахира Г. М. Проблеми визначення поняття цифрового контенту. Актуальні проблеми правознавства. № 3 (11). 2017. С. 127–131.
4. Стахира Г. М. Речово-правові проблеми природи цифрового контенту. Підприємництво, господарство і право. № 11. 2017. С. 55–58.
5. Стахира Г. М., Калаур І. Р. Відповідальність сторін за порушення договірних зобов'язань з постачання цифрового контенту. Право України. № 2. 2019. С. 77–90.
6. Стахира Г. М., Саванець Л. М. Концепція договору постачання цифрового контенту в умовах адаптації договірного права України до *acquis communitare* ЄС. Форум Права. 2020. 61(2). С. 56–64. DOI: <http://doi.org/10.5281/zenodo.3702455>.
7. Стахира Г. М., Саванець Л. М. Цифровий контент як об'єкт авторського права. Науковий вісник Ужгородського національного університету. Серія Право. 2019. № 59. С. 167–170.
8. Digital Content Services for Consumers: Assessment of Problems Experienced by Consumers (Lot 1) Report 4: Final Report. URL : http://ec.europa.eu/justice/consumer-marketing/files/empirical_report_final_-_2011-06-15.pdf
9. Directive (EU) 2019/770 of the European Parliament and theof the Council of 20 May 2019 on certain aspects concerning contracts for the supply of digital content and digital services. URL : <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L0770&from=EN>
10. Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC. URL : <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L0771&from=pl>
11. Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31999L0044&from=PL>
12. Directive 2011/83/EU of the European Parliament and of the council of 25 October 2011 on consumer

rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council. The data base of legislation of the European Union. URL : <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0083&from=EN>

13. Directive of the European Parliament and the Council concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) 2002/58/EC dated 12.07.2002. URL : <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32002L0058>

14. Directive of the European Parliament and the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data 95/46/EC dated 24.10.1995. URL : <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31995L0046>

15. Draft European Parliament legislative solution on the proposal for a regulation of the European Parliament and of the Council on a Common European Sales Law (COM(2011)0635 – C7-0329/2011 – 2011/0284(COD)). URL : <http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A7-2013-0301&language=EN>

16. Fritzsche J. Kommentar zum Bürgerlichen Gesetzbuch: BGB Band 1: §§ 1-487.C. H. Beck, 2018. 2500 s.

17. Kilian W. Non-monetary counter performance in online-contracts relating to digital content. Ius est ars boni et aequi. Księga pamiątkowa dedykowana profesorowi J.zefowi Frąckowiakowi. Wrocław. 2018. 1380 s.

Proposal for a Directive of the European Parliament and of the Council on certain aspects concerning contracts for the supply of digital content COM/2015/0634 final - 2015/0287 (COD). URL : <https://eur-lex.europa.eu/legalcontent/EN/TXT/?uri=celex%3A52015PC0634>
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011PC0635&from=PL>

18. Proposal for a Regulation of the European Parliament and and of the Council on a common european sales law 2011/0284 dated 11.10.2011. The data base of legislation of the European Union. URL : <http://eur-lex.europa.eu/legal>

19. Purtova N. Property rights in personal data: A European perspective. URL : https://pure.uvt.nl/ws/files/1312691/Purtova_property16-02-2011.pdf

20. Stakhya H. Providing of data as a counter performance in contract for supply digital content. Legea si Viata. № 12/2. 2017. S. 172–175.

Evaluation policy

- Policy on deadlines and rescheduling: Rescheduling of modules takes place with the permission of the dean's office if there are good reasons (for example, sick leave).
- Academic Integrity Policy: Copying during tests and exams is prohibited (including using mobile devices).
- Attendance Policy: Attendance is a mandatory component of assessment. For objective reasons (for example, illness, international internship, and other reasons), training can take place online with the permission of the university administration.

Evaluation

The final score (on a 100-point scale) from the internship is determined as a weighted average value, depending on the specific weight of each component:

Credit module 1	Credit module 2	Credit module 3	Total
30	40	30	100%
Oral survey during classes (1-2 topics) - 15 points per topic - max. 30 points Modular control work - max. 70 points	Oral survey during classes (3-7 topics) - 10 points per topic - max. 40 points Modular control work - max. 60 points	Preparation of CPIT - max. 40 points. Protection of CPIT - max. 40 points Participation in trainings - max. 20 points	

Student evaluation scale:

ECTS	Marks	Content
A	90-100	excellent
B	85-89	good
C	75-84	good
D	65-74	satisfactorily
E	60-64	enough

FX	35-59	unsatisfactory with the possibility of reassembly
F	1-34	unsatisfactory with a mandatory repeat course