

maintaining a high level of communication, and serving as a guarantor of law and order at the current stage of Ukrainian statehood be ensured.

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## **INTELLECTUAL PROPERTY AS AN OBJECT OF CRIMINAL LAW PROTECTION: NATIONAL AND INTERNATIONAL LEGISLATION**

Since gaining independence, our country has begun to pay much more attention to the development of intellectual property and the regulation of relations arising in this regard. This is primarily due to the fact that human intellectual activity is important both for the spiritual development of mankind and for the economic development of the state. Article 54 of the Constitution of Ukraine guarantees citizens the

freedom of literary, artistic, scientific and technical creativity, protection of intellectual property, their copyrights, moral and material interests arising from various types of intellectual activity. The enforcement of intellectual property rights and their protection is one of the main directions of Ukraine's state policy on national security, as defined by the Law of Ukraine "On the Fundamentals of National Security of Ukraine" of June 19, 2003. Intellectual property protection is important for stimulating innovation, creativity and economic development. It protects the rights of creators and innovators, as well as promotes competition and the creation of new products and services. Legislation in many countries provides for criminal liability for infringement of intellectual property rights.

Violations of intellectual property rights constitute a separate group of criminal offenses that are directed against the rights of owners to own, use and dispose of the results of their intellectual and creative activities. Criminal laws of different countries define liability for infringement of copyright and related rights, rights to industrial property, misuse of trademarks, disclosure of trade secrets, etc. The legal regulation of criminal liability for criminal offenses against intellectual property occurs not only at the national level: in the context of globalization, international agreements ratified by countries on their way to the global economic space are becoming increasingly important. International agreements establish standards of intellectual property protection that are binding for all participating countries and aim to harmonize national protection systems, namely the Berne Convention for the Protection of Literary and Artistic Works, the Paris Convention for the Protection of Industrial Property, the Patent Law Treaty, and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) establish general principles and standards for the protection of intellectual property rights.

The global system of intellectual property protection is aimed at establishing uniform approaches at the global level to ensuring the protection of copyright and related rights, inventions, utility models, industrial designs, trademarks, plant varieties, trademarks and other intellectual property rights.

It should be noted that there is no unanimous opinion among scholars on the range of criminal offenses that directly infringe on intellectual property rights. However, most agree that they include:

infringement of copyright and related rights (Article 176 of the Criminal Code of Ukraine); infringement of the right to an invention, utility model, industrial design, topography of an integrated circuit, plant variety, or innovation proposal (Article 177 of the Criminal Code of Ukraine); illegal use of a trademark, trade name, qualified indication of the origin of goods (Article 229 of the Criminal Code of Ukraine); and illegal collection for the purpose of use or use of information constituting a commercial or banking secret (Article 231 of the Criminal Code of Ukraine) and disclosure of a commercial or banking secret (Article 232 of the Criminal Code of Ukraine). The latter two offenses are related to criminal offenses against intellectual property only in terms of illegal obtaining and disclosure of information constituting a trade secret.

Thus, these higher criminal offenses against intellectual property can be grouped into three groups: 1) those that infringe on copyright and related rights (Article 176 of the Criminal Code of Ukraine); 2) those that infringe on industrial property (Articles 177, 231, 232 of the Criminal Code of Ukraine); 3) those that infringe on the legal means of individualization of participants in the economic (civil) turnover of goods and services (Article 229 of the Criminal Code of Ukraine).

In addition, it should be noted that there are criminal offenses that, although not directly infringing on intellectual property rights, are closely related to such infringements. These criminal offenses are either committed in conjunction with criminal offenses against intellectual property (e.g., Art. 2031 of the Criminal Code of Ukraine - "Illegal trafficking of disks for laser reading systems, matrices, equipment and raw materials for their production", Art. 216 of the Criminal Code of Ukraine - "Illegal manufacture, counterfeiting, use or sale of illegally manufactured, obtained or counterfeit control marks", Art. 301 of the Criminal Code of Ukraine - "Import, manufacture, sale and distribution of pornographic items"), or intellectual property rights are an additional object of these criminal offenses (e.g. Art. 3211 of the Criminal Code of Ukraine - "Counterfeiting of Medicines or Trafficking in Counterfeit Medicines", Article 305 of the Criminal Code of Ukraine - "Smuggling of Narcotic Drugs, Psychotropic Substances, Their Analogues or Precursors or Counterfeit Medicines" - in terms of smuggling of counterfeit medicines)

Criminal offenses in the field of intellectual property of the Criminal Code of Ukraine are not an independent institute of criminal offenses, but are placed in Section V of the Special Part of the Criminal Code of Ukraine: “Criminal offenses against electoral, labor and other personal rights and freedoms of man and citizen” (Article 176 “Infringement of copyright and related rights”, Article 177 “Infringement of rights to invention, utility model, industrial design, topography of integrated circuit, plant variety, rationalization proposal”) and in Section VII of the Special Part of the Criminal Code of Ukraine “Criminal Offenses in the Sphere of Economic Activity” (Art. 203-1 “Illegal trafficking of disks for laser reading systems, matrices, equipment and raw materials for their production”, Art. 229 “Illegal use of trademarks for goods and services, trade name, qualified indication of the origin of goods”, Art. 231 “Illegal collection with the purpose of use or use of information constituting a commercial or banking secret”, Art. 232 “Disclosure of commercial, banking secrets or trade secrets”). In our opinion, the value of social relations forming the sphere of intellectual property suggests that they should be separated into an independent section of the Criminal Code of Ukraine.

The danger of the consequences of these criminal offenses for the state economy is obvious. This feature stems from the fact that, on the one hand, intellectual property is considered as a means of increasing production efficiency, and on the other hand, it is a part of the economy, which in highly developed countries generates a significant amount of gross domestic product. Infringement of intellectual property rights causes significant damage to economic relations, is committed with mercenary motives, in order to obtain a certain economic result. However, the protection of intellectual property as an object of criminal law protection is an important aspect of the legal system that promotes innovative development and economic growth, and both national and international legislation is aimed at ensuring effective protection of intellectual property rights and preventing their violation.

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## **THE ROLE OF ARTIFICIAL INTELLIGENCE IN DIGITAL FORENSICS: INTERNATIONAL PRACTICE**

Digital forensics is undergoing a fundamental transformation driven by the exponential growth in data volume and complexity. Traditional digital forensic techniques are fundamentally labor-intensive, time-consuming, and prove ineffective when confronted with large-scale and sophisticated cyber incidents. Human investigators often struggle with the sheer volume and variety of digital evidence encountered in contemporary investigations. [1]

Despite technological advantages, the widespread implementation of AI is constrained by the need to overcome ethical (bias), legal (admissibility of evidence), and technical (the “black box” problem – XAI) challenges. This necessitates the unification of approaches and the development of international standards.