

Analyticity a theory of legal regulation MONITORING IN ENGINEERING AIC

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In the article the impact of regulation engineering monitoring the study of intellectual property.

Monitoring, method, property, engineering.

Formulation of the problem. The need to develop the theory of regulation monitoring flows from conclusively proven experience of society, expressed neschyslenoyu number of known highly esteemed politicians, ranging from ancient times to the axiom that any wise statesman will always support any form of obtaining secret information from border without stopping to violation of foreign laws. However, violations of the laws should be carried out within emergency and within emergency. According to Webster's Dictionary of the definition of emergency as follows: "extreme necessity - a set of logical or moral conditions for an imminent or mandatory implementation of certain actions." The above is confirmed, refined and adjusted provisions st39.KK Ukraine "is not a crime of harm to interests protected by law in the state of emergency ... if it is not possible to eliminate any other means without exceeding the limits of extreme necessity. Creating lidernyh innovation and breakthrough software developer defines agricultural machinery and creators of new varieties of plants, agricultural livestock and more information about world thresholds of scientific and technical knowledge. This problem is solved with the use of benchmarking - vysokoefektyvnishoho kind of monitoring is a set of tools for information and lidernyh to create breakthrough technologies as the basis of long-term competitiveness. But information about the world of science and the scientific and technical knowledge and the development of thresholds on the basis of technical and scientific solutions (liderni and breakthrough innovation) is proprietary and is usually confidential. Obtaining this information for national development through existing relationships with traditional open methods is not possible. This makes traditional monitoring inefficient and requires a new

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relationships and relevant relationships. At the same time, the methods of legal regulation monitoring activities at benchmarking the current development of our country are not available. Research on the subject is

almost not made. However, it requires systematization of objects and relationships, enter new categories of developing methodological and scientific tools regulation system monitoring activities in the form of benchmarking to solve this problem.

The above demonstrates the need for a theory of regulation monitoring.

Analysis of recent research. This theory must be created using the theory of intelligence, created before the First World War. In a broad sense, the term "theory" expresses a set of beliefs, ideas, ideas aimed at explaining any phenomena [1, S. 507]. Under existing methodological theory narobok regulation monitoring can be considered as a generalization of object-practical activity that forms the system elements set of scientific provisions necessary to master certain activities [1, p 507], which in modern society marked theory of regulation which should be monitored as benchmarking, should include the following elements in which the element that defines the subordination (benchmarking) subject to all the residue that explain the origin, nature and relationship of the object pattern research. The main provisions of that theory is the following: monitoring in agriculture within the regulation must constantly and continuously provide for information to create knowledge about the breakthrough and liderni technology, especially the markets of agricultural products (plans and concepts of market leaders and their relation to the products and opportunities AIC Ukraine) concept developed relationships developed countries and their leading firms in agriculture and related industries literary sources (newspapers, reports, etc.) for agriculture development in the country and its relations with Ukraine agribusiness. This monitoring is the most effective research by any science. The proposed thesis as discussed in this article.

The above is confirmed by the fact that in the very near future monitoring, as a function of management in any sector of the economy, including agriculture, considered as informational and analytical support integrated management of business risks [2, C. 30].

Also, according to experts (according to the findings of renowned experts developed countries), the following industrial breakthrough will be possible and on the basis of the results of monitoring research in the broad sense of the process [3, P. 5-9; 4, P. 23-32; 5, S. 145-146; 6, S. 7-13; 7, S. 2-7], which is the study of the theory of regulation monitoring.

Experts from the US, particularly acute problem of industrial espionage adds the fact that he was put on a state basis. With 173 countries worldwide public authority at least 57 actively collecting secret information belonging to the property rights of US companies. But governments are at least 100 countries are spending part of their GDP to

cover expenses caused by industrial espionage. Especially distinguished in this Germany, Japan and France, but they are catching up with Russia, China and South Korea. All countries participating in the hunt for alien secrets can be divided into two categories: those who can afford to use all modern methods of technical intelligence; those who rely only on their personal factor agents [8].

Methods range from traditional espionage (theft, bribery) to modern, using high technology. To achieve results apply all conceivable means and ways, such as: mergers and acquisitions, joint ventures and partnerships, international exchange programs and civic organizations. Involved in the production of strange secrets public services actively recruit foreign students and employees, translators, consultants, lobbyists, journalists, etc. Various international forums, exhibitions, scientific symposiums and conferences. These methods, according to their klasfikatsiynyh signs are monitoring methods as benchmarking within regulation.

According to former CIA director Gates (1991-1993), now the security of business information increasingly is threatened, and the sources of risk becomes greater. Trouble can be expected on the part of organized crime syndicates and terrorists, and from intelligence centers funded by the government.

During his speech on an organized association InformationTechnologyAssociationofAmerica international conference of experts on information security held in mid-2000, Gates said that in the modern world power the country is primarily determined by its economic capabilities, as numerous intelligence agencies devoted to the business becoming more serious attention . Government finance operations, during which examines the activities of various companies, gathered information about the planned contracts summarizes information on the financial situation and banking organizations, examines events that may affect the formation of prices on the world markets. [8]

Results. "Parallel structures seek to have full information about the market, as well as data on manufacturing and are often willing to share it with companies of the country", - said Gates, who now holds the position of dean of the School of Civil and Public Service behalf of Bush at the University of Texas. For important information intelligence services actively use many techniques developed during the "Cold War."

These methods include, for example, wiretapping and analysis of documents submitted businessmen in hotel rooms during business trips. Implementing intelligence in the company of agents who secretly steal or copy files not protected computers. Some units have a sophisticated means of interception, allowing even decrypt encrypted information sent by corporate channels. Particularly sensitive messages encrypted using

outdated technology. Secret agencies regularly analyze telecommunications traffic, and the information is sent through computers, including e-mail.

"Perhaps the most experienced in this respect is the French intelligence service" - said Gates. However, it is not alone. Russia, China, South Korea, India, Pakistan, Germany, Israel and Argentina also collect intelligence information in the interests of national companies. This list can add many other countries.

The classic example of economic espionage - received publicity "wiretapping" in the October 1995 CIA trade negotiations between Japan and the US on possible tariffs on Japanese cars class. Reports based on the recording were then transferred to the United States trade representative. The Americans claim that secretly collected information is not intended for use by large companies - roughly speaking, the CIA did not work commissioned by "General Motors", and the data were categorized information of national interest.

Another example is use of "tier" for the needs of American business. Thus, in 1990, two hundred millionth telecommunications agreement between Indonesia and Japanese NEC upset after the National Security Agency (NSA) caught talks participants. The then President George W. Bush was informed. Contract as a result was divided between the NEC and the US AT & T. In 1994, the "Echelon" followed the negotiations between Brazil and French telecommunication company Thomson, eventually 1.3 billion contract went to American corporation Raytheon. Although spying is not only Americans, but their regular partners - Canadians. Recently it was reported that in the 80 years of the last century, Canada, overhearing Americans, including a number of US embassies, intercepted 2.5 billion contract to supply grain to China. [8]

Western European intelligence agencies also willing to help private business. Thus, the Swedish Government helps Swedish companies to commercial exploration. Embassy of Sweden regularly supply the "native" companies needs both economic and political (in recent years the emphasis has shifted from politics to the economy).

The French government also works closely with corporations. Some experts say that the French are more prone spy trade secrets of a competitor than to gather and analyze business information. Thus, according to media reports, the French government wiretapped conversations AirFrance passengers using bugs embedded in an airplane seat. It is clear that to confirm or deny this information extremely difficult. Significant role in getting economically significant information playing methods and means of identifying information from public sources, that the analytical methods of research sources.

It is well known that the role of open source in large economic intelligence. In some areas of economic analysis used by 95% of the information is obtained from official statistical publications, media reports, expert opinions IMF countries.

The main provider of open source materials within the CIA - Information service of foreign broadcasts (FBIS), belonging to the Directorate of Science and Technology. FBIS selectively transmits and receives information from a large number of radio and television programs, newspapers, scientific, technical and journalistic magazines, commercial databases, books, underground literature. This tacit work also includes the CIA human intelligence (HUMINT), Remote Sensing (IMINT) and radio intelligence (SIGINT). Remote Sensing includes a satellite image. For example, when US interest in Iraqi oil reserves, satellite shooting of Iraqi oil helped the efforts of intelligence. [8] Thus this method is a method of tracking, legal and relates to methods and means of monitoring within regulation.

The economic offenses and corruption each year consuming companies in the US 260 billion. Dollars inside the country and another 140 billion. Dollars in foreign operations. And the numbers are increasing every year. According to information "of the American Society of Industrial Security» (ASIS), since 1985 the number of cases of espionage on US industries increased by 260%. Currently, the number of cases of economic espionage, investigated by the FBI, has almost doubled compared with 1994. From 1998 to 2002, according to the FBI, the number of crimes that fall under Article legislation on industrial espionage has increased by 323%.

ASIS together with known auditing firm PriceWaterhouseCoopers (PWC) conducted a large study of electronic firms in Silicon Valley, in which it was concluded that the growth of industrial espionage inside the American community of high-tech firms (hightechcompanies - STC) and between US and foreign corporations. According to this study, in 1999, only the NTS, members of the "club" highly profitable Fortune 1000 companies, have suffered losses from theft of confidential proprietary information of \$ 45 billion. Dollars. For comparison, in 1995, estimated the FBI, the losses amounted to just 24 billion. Dollars.

If we talk about specific losses, it is enough to give you an example. As a result, Japanese competitors theft of materials related to the creation of promising aircraft with variable geometry wings, the loss of the American company made 3.5 bln. Dollars.

According to American observers, industrial espionage begins to seriously threaten the national interests of the most powerful countries. The fact that the US, where annual spending on research and technological development reach the astronomical sum of 600 billion.

US., Is the main object of international corporate espionage, is not surprising.

According to the FBI, in industrial espionage against the United States government involved the secret services of many countries, including the closest allies and partners. During hearings in Congress in May 2002, representatives of the agency to which entrusted with combating corporate espionage from outside, announced the list of 23 countries where these activities are carried out informally by state intelligence services. This list, along with Israel, Britain, Germany, France and Russia are listed.

American Society for Industrial Security (ASIS) annually celebrates the growing number of large American corporations that were affected acts of espionage. The most attractive were the secrets of IBM (computers), CorningInc. (Special coatings, optics and semiconductors), HoneywellCorp. (Aerospace equipment), Eastman-Kodak (photographic equipment, including aerospace and shooting), AT & T (link), GeneralElectric (electrical).

Experts call several factors that led the Knights 'cloak and dagger' turn to industrial spies. On the one hand, in recent years rapidly increased the cost of innovation - the state and large corporations have more money to invest in research activities vazhkoprohnozovanoyu impact .S other hand, the innovations have a tendency to rapidly become outdated. In addition, the advanced countries of basic science grows ever more closely with big business. As a result, there was an interesting situation: investors become economically profitable to invest not in the same innovation and infrastructure of extracting information about it.

These findings confirm the need for theory to obtain information from public sources within the regulation methods of monitoring the most effective of which is the essence of benchmarking is this: "Find the best in other industries and apply in his."

Experts note: deidealization espionage leads to the fact that the intelligence people fade global thinking, what were Soviet "illegal" Abel or agent Philby. According to a former CIA operative Beyer, "developed decadent mood, all it seems that the golden days of James Bond lost forever, and lack of spirituality bezzubist paralyzed people."

Even if the security services involve all resources in the fight against international terrorism, the number of cases of industrial espionage will grow rapidly. Large corporations are investing heavily in this area of activity. And it is doubtful that the leading world powers refuse to support national companies. [10]

The above statements confirmed the known theoretical information and rozvidluvalnoyi of Sir Edward Lyuhard - a senior official of the Ministry of Defence of the United Kingdom.

Collect and classify all possible information relating to the strength of so foreign armies, met with the progress achieved by foreign countries in military art and science, and keep the information in a form that it could familiarize himself if necessary and used for appropriate purposes [11, C. 254].

Do espionage unusually expanding knowledge of the human soul, although it destroys us, turning into cynics. Is it decent man will peek through the keyhole and collect information on grain, which prefers umovchuvaty neighbor? This can be justified during the war, when all good, and that not everyone will agree to spy for most much easier to go to the front [11, C. 268].

Conclusion. So The article revealed the need for a theory of regulation monitoring as a generalization of object-practical activity that forms the system elements set of scientific provisions necessary to master certain activities in which the element that defines the subordination (benchmarking) subject to all residue explain the origin, nature and relationship of the object pattern research. The main provisions of that theory is the following: monitoring in agriculture within the regulation must constantly and continuously provide for information to create knowledge about the breakthrough and liderni technology, especially the markets of agricultural products (plans and concepts of market leaders and their relation to the products and opportunities AIC Ukraine) concept developed relationships developed countries and their leading firms in agriculture and related industries literary sources (newspapers, reports, etc.) for agriculture development in the country and its relations with Ukraine agribusiness.

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In Article rassmatryvaetsya Effect legal regulation engineering Monitoring Study at intellectual property.

Monitoring, method, property, engineering.

The paper examines the impact of regulation engineering monitoring in investigation of intellectual property.

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