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MODERNIZING QUALIFICATION ENHANCEMENT OF INTELLECTUAL PROPERTY (IP) PROFESSIONALS IN HIGHER EDUCATION INSTITUTIONS

Introduction. *The growing demands of the labor market and the innovation-driven economy have necessitated the preparation of a new generation of professionals. Such training shall be carried out in higher education institutions through competency-based, professional, and innovative learning that addresses contemporary challenges. Modernizing the process of professional development in the field of intellectual property (IP) is crucial for enhancing the competitiveness of professionals in the labor market and for generating additional income by integrating IP initiatives into economic circulation.*

Problem Statement. *The current system of professional development for teaching staff in the field of intellectual property remains largely formalized and requires modernization in line with the challenges of today's innovation economy. This situation highlights the need to identify effective approaches and tools to improve the system.*

Purpose. *The purpose of this study is to apply a competency-based approach and to analyze the educational services market in order to develop an effective professional development system for higher education staff in the field of intellectual property.*

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Results. *The importance of improving the qualifications of intellectual property specialists in higher education institutions has been substantiated. Reforms in this area, combined with Ukraine's transition toward an innovation-based development path, have increased the demand for highly qualified personnel capable of actively participating in innovative activities. To address this need, a competency-based approach has been proposed as the foundation for developing a modern professional development system. The advantages of this approach over traditional methods are identified, and key areas for acquiring IP-related knowledge are outlined, including their application by higher education staff in their professional activities. An algorithm for modernizing the professional development system in the IP field has been proposed, with emphasis placed on conducting marketing research of educational services in IP and transferring rights to such services through franchising agreements.*

Conclusions. *The outcomes of professional development in the IP field depend on the active engagement of educators in innovative pedagogical practices and on their ability to implement timely IP protection measures. These outcomes, in turn, influence the effective application of new competencies in the educational process and foster the active participation of students in innovation.*

Keywords: innovative activity, competence approach, modernisation of educational services, IP qualification enhancement at higher education institutions, marketing research of educational services, franchise.

The competitive business environment and the state's orientation toward an innovative development path drive the growing societal demand for highly qualified staff. Special training of modern innovation-oriented professionals occurs at higher education institutions (HEIs). It is they, as proven by the experience of the world's leading countries [1, 2] that play a fundamental role in the development and dissemination of innovation (productive, economic, technological, social, and sci-tech) aimed at the development and implementation of competitive products and advanced technologies. Today, the labour market and society place new demands on Ukraine's education system in terms of the competence of administrators of educational institutions and the professional competence of the teaching staff.

Nowadays, a modern successful professional meets the high requirements of employers, possesses a set of knowledge and creative ideas, generates them over a lifetime, and effectively organises their activities by developing personal abilities and accumulating and using innovative potential. This requires an appropriate educational environment that offers the necessary conditions for educating innovation-oriented young specialists who can become the primary labour resource for Ukraine's economic development. Thus, today, providers and consumers of educational services are interested in a new educational process organisation that relies on transitioning from subject-oriented education to competence-based, business, and professional education. Therefore, an urgent problem is the adequate and timely response of the qualification enhancement system (in terms of its structure, form, and content) to the needs and demands of society within the framework of an innovative economy.

The professional development problem of educators in intellectual property (IP) by participating in qualification enhancement (QE) is discussed in detail in the co-authored monograph by V. Luniachek, N. Ruban, A. Brovdii et al. [3]. Nevertheless, the following IP-related reforms and changes in the laws and regulations give grounds for modernising the QE procedure in the education system for IP specialists. There is a disproportion between the demand of the innovative economy for highly qualified professionals for universities, who can combine IP knowledge and the HEI intellectual and technological resources, and the under development of QE mechanisms in the relevant institutions.

The existing QE and re-training models for HEI teaching staff were studied based on the findings of distinguished national and foreign scholars, including V. Luniachek, P. Shadrykov, N. Larina, I. Sokolova, N. Klokar, Yu. Dolzhenko and others [4—9].

The scholars note that QE management in Ukraine is often formal and lacks consistency. QE is based mainly on the traditional transfer procedure of the best pedagogical practices, without any modern mechanisms being developed for quality assessment, certification and standardisation of educators' qualification enhancement or any per-

sonality-oriented QE programs, forms and technologies encouraged. The scientific and pedagogical community, supported by the Ministry of Education and Science, should be looking for effective ways, mechanisms and tools to modernise the QE system for the pedagogical staff to transform and adapt this system following the demands of the time, namely: intercultural and interprofessional interaction between states; resolution of common global environmental, technological, communication and information problems; structural and resource changes in employment and HR integration; sharp increase in the role of the intellectual capital and knowledge management in national and world economies; improvement of legal culture in the field of IP to comply with the rights and norms in the information space.

Most studies prove the relevance of and demand for IP competencies among the younger generation and society [10—13]. However, they offer no specific solutions to the problem posed under the conditions of transition to an innovative path of development. They do not provide an analysis of the results of the knowledge application after completion of the existing QE courses in this area. To date, no sufficient attention has been paid to teaching the processes of IP use in the digital economy, artificial intelligence, and science-intensive and capital-intensive technologies.

This study aims to apply the competence approach and study the market of educational services to form an effective qualification enhancement system for HEI staff in the IP field. When conducting the study and presenting the fin-

Table 1. **Comparisson of Conventional and Competency-Based Approaches in Terms of Designing the Training Procedures for QE Courses in IP**

Traditional approach	Competency-based approach
At the heart of education, the goal is forming knowledge, skills and abilities	At the heart of education, the result is the ability to use knowledge, skills, and abilities in professional activity and the ability to use complex knowledge in personal and public life
Steady relevance to the subject of the professional activity	Awareness of the value and meaning of one's professionalisation for oneself and society, vision of professional future, adequate self-esteem, ambition to expand own functional capabilities
Disciplinary approach prevails	Relies on an interdisciplinary approach
Forms a passive model of a specialist (there are programs, standards, instructions, and manuals to be strictly adhered to, but there is no motivation for self-expression)	Forms an active model of a specialist by engaging them in active, creative activity, with an orientation towards the development of the specialist's personality and ambition to become a versatile educator
The instructors are limited by what they teach students within their disciplines	Ambition to train an innovation-oriented young specialist, to regard the student as a partner, engage them in the innovation activity, to be a mentor in the entrepreneurial activity
Orientation to the mass reproductive activity	Orientation to the individual creative activity
Consolidation of knowledge through repetition, memorisation and accumulation of solid systematised field-specific knowledge	Application of knowledge in the proactive and responsible pedagogical activity, preparedness for dynamically changing demands of the labour market and ambition for leadership, integration into the global information space, mastery of modern professional problem-solving methods
Education for life	Lifelong education
Dependence of education quality on the number of courses attended in a particular subject area	Education quality depends on personal qualities, which are constantly supplemented and expanded, enlarging professional competencies

Source: authors' results.

dings, the general scientific principles and methods of cognition were used, including analysis, synthesis, the system approach, and empirical-speculative methods.

The developments by the methodologists, reformers of higher education, and researchers in the field of competence-based approach implementation suggest the following conclusion: the competence-based approach implementation in teaching lies in the organisation of the process of knowledge acquisition and skills development through a sequence of stages that ensure the cultivation of a complex of professional competences [3, 14—17].

Consequently, the result of training is not the information learnt and assimilated but the person's ability to act and make professional decisions while relying on personal qualities to perform a successful activity in a particular field. It is the competence-based approach, as defined in the Glossary of labour market terms and standard and curriculum development terms (European Education Foundation (EEF), 1997) and confirmed by successful use in the European educational systems, that enables students to develop:

1) the ability to meet the requirements set by the labour market;

2) the ability to focus on achieving a positive result in performing their work and doing it quickly and efficiently;

3) the ability to be ready to perform specialised labour functions and make independent decisions in resolving challenging situations or problems in a particular field.

Table 1 shows the requirements for a specialist within the traditional and competency-based approaches.

Professional educators shall be prepared to engage in innovative activities to achieve excellence, as these efforts often lead to the creation of intellectual property objects (IPOs). If such IPO data are not registered, this leads to the following negative consequences: the monopoly on development and additional commercial profit is lost, and attractiveness for investors decreases. In this regard, the first thing an educator can do when engaging in educational activity is create educational pedagogical innovations in their subject area and actively participate in HEI IP management by:

- developing their innovative technologies at the level of protectable IPOs;
- participating in the selection of technologies for which acquiring rights from third parties is advisable;
- participating in introducing IPOs to the economic turnover as intangible assets;
- ensuring timely IPO protection;
- participating in IP protection processes;
- understanding and knowing how to pass the procedure for commercialisation of IPOs and IP services;
- proposing new technologies for their subsequent transfer;
- observing and complying with the copyrights of third parties;
- demanding fair remuneration for the use of IP.

Table 2 lists the main types of faculty-authored works entitled to copyright protection. It is also worth considering that the sale of rights to IPOs is essential as a value-adding mechanism (the IP constitutes up to 10—15% of the price of the products sold). The leaders in the global IP trade market are China, the United States, and Japan.

The co-authored monograph by S. Kornovenko, O. Kulbashna, and O. Paramonova provides a comprehensive study of faculty members' emergence and implementation of IP rights [7]. It confirms the importance of IP for HEIs and faculty, the latter preferably being competent in the appropriation, ownership, disposal, and use of the products of their work in the field of innovation.

Thus, an educator's task in the field of IP is to shift from reproductive and adaptive teaching methods to system-modulation methods, i.e., to develop one's abilities to effectively and reasonably apply IP knowledge by personally participating in innovative activities while contributing to this competence development in Master's degree students. In this regard, training qualified specialists for the innovative economy is the responsibility delegated to HEI educators and staff

1. Marketing research of educational services in the field of IP

2. General concept of formation and development of QE system for HEI employees in the field of IP

3. Application of the competence-based approach, principles, goals, and objectives of QE in the field of IP

4. Determination of requirements for students of QE courses concerning personality traits and the specific subject area

5. Development of training programs about the best programs and practices of national and international experience in IP teaching

6. Preparation of individual assignments depending on the student's professional needs and personality traits

7. Execution of the final graduation paper. Pedagogical monitoring of the educational process and integral assessment of the graduate's competence

8. Analysis of the course activity by the criteria:
- cost-effectiveness coefficient;
- quality of service provision;
- demand for educational services in the IP market

Fig. 1. Stages of QE system development in IP

Source: authors' results.

and depends on their ability to reveal and exploit the inner reserves of a student, give them an apparent picture of entrepreneurship with effective use of IP, and help assess and adequately use their abilities. Achieving these objectives requires modernising the training procedure through qualification enhancement, primarily for the faculty and staff of each Ukrainian higher education institution (HEI). Our society is becoming aware that intellect, knowledge and IP constitute the nation's innovative and intellectual capital, which needs to be accumulated, professionally developed and adequately managed.

Consequently, the urgency of a competency-based approach, the need to improve the training process in QE to align with the ongoing education reform in Ukraine, and the significant changes in Ukraine's primary laws regarding IP protection highlight the importance of modernising the QE system in the IP field. The stages of QE system development and optimisation in the IP field are presented in Fig. 1.

Following the proposed scheme for QE system development, let us examine the critical stages of this process in more detail.

1. General concept of the IP qualification enhancement system formation and development. The purpose of the concept is to improve the skills of the specialists in the field of IP to ensure the effective development of the country's innovative economy. Following the new requirements for the qualification level, HEI specialists and faculty involved in innovative activities are called upon to provide legal support for creating intellectual products, cooperate with IP specialists to participate in IP identification and protection, and in-

corporate IP rights. Educational institutions are committed to producing innovation-oriented specialists capable of dealing with the relevant complex tasks to solve scientific and technical, technological, industrial, social and other problems by using such modern competencies developed during the training process as:

- the ability to work with information technologies, including electronic patent databases;
- the ability to create IPOs in compliance with the relevant and effective laws and regulations;
- the ability to establish or participate in the entrepreneurial activity;
- the ability to manage innovative projects concerning all the advantages and peculiarities of the IPO.

2. Application of the competence-based approach, principles, goals and objectives of qualification enhancement in IP. As noted above, the competence-based approach implies the ability to develop and purposefully use the acquired knowledge, skills and abilities both in professional activity and public life and independently acquire them throughout life. The competency-based approach relies on the following principles:

- the principle of consistency: training organisation is considered as a process of transition from the initial state to the final result, taking into account interrelations between individual elements under the influence of the external and internal environments;
- the principle of applicability of the training outcomes: application of the acquired IP knowledge and skills directly in their professional activity;
- the principle of needs development for deepening the IP competence: determination of the material acquisition level and assessment of its usefulness for achieving a specific goal and additional enhancement of knowledge to expand the functional capability to meet new needs;
- the principle of interdisciplinarity: IP implementation and management with the knowledge applied in different fields;
- the principle of self-education: organisation of the self-education process; motivation to self-study and to engage in professional competence enhancement in the field of IP.
- the principle of continuity: commitment to being competitive and in demand in the labour market through lifelong learning.

Application of the competence-based approach and the corresponding principles sets out the following tasks:

- curricula development for specific target audiences for qualification enhancement in the field of

Table 2. **Main Types of Faculty-Authored Works Entitled to Copyright Protection (Issue of Patents, Certificates)**

Types of works	Objects of IP rights
Result of innovative activity in the form of scientific-technical report	Copyright objects (COs); Objects of industrial property (OIP): invention, utility model, industrial prototype, trade mark, trade secret
Dissertation (doctoral, PhD)	COs; OIPs: invention, utility model, industrial prototype
Monograph	COs
Textbook, teaching aid, dictionary, reference book	COs
Scientific article	COs
Original methodologies	COs
Innovative pedagogical technologies	COs; OIPs: invention, utility model.

Source: authors' results.

IP concerning the protection and commercialisation of IP rights;
- development of topics for QE courses, preparation of work programs, and training;
- attraction of highly qualified staff to teach QE courses;
- creation of electronic textbooks and resources, innovation and information support;
- preparation of coaching learning technologies;
- use and development of project teaching methods and online simulators (training and assessment procedures for distance learning);
- development and publication of educational, methodological and scientific literature in IP-related areas and aspects;
- pedagogical monitoring of the educational process (tracking and periodic control of the student's progress in pursuing their goals).

3. Marketing research of educational services in the field of IP. The principles of classical marketing and its application to the marketing of educational services, as well as the works of modern researchers, suggest defining the marketing of educational services as a complex of works related to the study of the potential and actual market of the consumer of educational services in IP qualification enhancement and this service promotion in the consumer market [15].

Under market economy conditions, an educational service is a commodity with specific characteristics that should be considered.

Marketing research is an ongoing process meant to update and adapt this service to particular consumers in a particular market. Marketing research covers the following aspects:

1. Study of demand for IP qualification enhancement service among employers. Analysis of the requirements set by employers for employees in an innovative economy. For example, in January-February 2020, the Ministry of Education and Science of Ukraine, in cooperation with the Ministry of Economic Development, Trade and Agriculture of Ukraine and the Ministry of Digital Economy of Ukraine, surveyed business representatives regarding the innovation activity and the current need for Ukrainian research and development (R&D) [18]. The survey results indicated that additional employee education is needed for IP and technology transfer protection. These aspects can be covered by qualification enhancement in IP.

A similar survey was conducted by the Department of Creative Pedagogy and IP of the Ukrainian Engineering Pedagogics Academy in cooperation with V.N. Karazin Kharkiv National University within the framework of the sociological study "IP Through the Eyes of Educators" under the state-funded research work No. 19—01 "Theoretical and methodological ways to enhance IP qualification of educators." The findings confirmed the need to deepen the IP knowledge of HEI employees, including the heads of HEI divisions.

2. Study of the level of personal competence in IP among potential consumers of this service.

3. Study of preparedness and level of training of each training seeker.

4. Study of programs and methodological support of similar services provided on the market. Study of teaching forms and methods. Material and technical support.

5. Study of personnel policy and analysis of qualification levels of specialists teaching in QE courses.

6. Analysis of pricing policy and factors affecting pricing policy formation for service organisations.

7. Analysis of the degree of competition. Determination of own educational service competitiveness as compared to that of competitors. Choice of leading indicators for comparison and choice of methodology for competitiveness assessment.

8. Analysis of outreach and promotion campaign level and choice.

9. Liaising with course graduates. Study of problems related to the practical application of IP. Collecting and further recording negative and positive feedback from alums.

4. Setting requirements for students in QE courses concerning personality traits and particular subject areas. Successful course completion requires the student to be familiar with IP objects, un-

derstand how to work with normative legislative resources, be able to work with information electronic databases, and preferably know English.

5. Curriculum development. Development of training programs to cover various aspects of IP in addition to electronic textbooks, video lectures, and business games. When developing such programs for distance learning, we would suggest using a pedagogical design that would ensure the creation of an exciting educational cycle of an online course intended to increase the comprehensibility and understandability of the material through the use of innovative technologies aimed at effective practice-oriented learning and achievement of specific learning goals, determination of the educational process content, formation of the organisational structure for effective qualification enhancement, technological support of the QE process.

6. Preparation of individual assignments based on student's professional needs and personality traits. Preparation of diverse and multi-level programs based on the analysis of students' wishes and the level of the target audience to ensure the individual approach to training. Active use of interactive training forms, coach technologies, and personal individual tasks using the project method, which is of practical importance in professional activity.

7. Execution of final graduation work. The graduation work is an innovative project in which the student is supposed to identify the IPO and take measures to ensure its protection. The innovative project can be proposed by either the student or the instructor. An integral assessment of the level of competence developed by HEI instructors in protecting IP rights is carried out using qualimetry [16].

8. Analysis of course activity by criteria:

- coefficient of effectiveness;
- quality of service provision;
- demand in the market for educational services in the field of IP.

The effectiveness of educational services is a set of criteria designed to assess the qualitative and quantitative components of the activity of an educational organisation providing QE services in the field of IP to consumers and customers, mainly represented by HEI research and teaching staff. This effectiveness is one of the leading indicators of competitiveness [19]. Effectiveness can be interpreted as the correlation between the results obtained and the costs incurred. The result is taken as profit received from the services provided, while in terms of the costs, it is the total of all expenses.

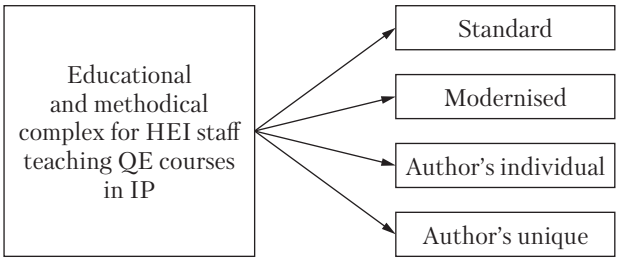

Fig 2. Types of educational and methodological complexes for QE courses

Source: authors' results.

$$Eff. = Ry / Cy, \quad (1)$$

where *Eff.* is the effectiveness of the organisation's activity; *Ry* is the result of the organisation's activity (profit received); *Cy* is the overall expense for the provision of the services.

Socio-practical effectiveness can be analysed concerning the number of graduates who have applied their IP competence in their professional activity to their total number.

$$Es.p. = Np.gr. / Nt.gr., \quad (2)$$

where *Es.p.* is the socio-practical effectiveness of the organisation's activity; *Np.gr.* is the number of QE graduates to be using their acquired IP knowledge/competence in their practical activity; *Nt.gr.* is the total number of all graduates.

The developed educational and methodological complexes for QE courses with individual materials containing IPOs and related to innovative educational technologies should be structured by type, as shown in Fig. 2.

As noted above, the educational and methodological materials, except for standard ones, are objects of IP and are characterised by a varying

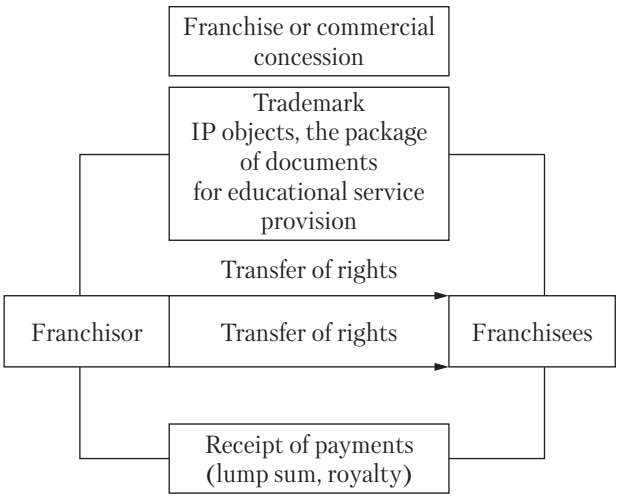

Fig. 3. Educational service franchise structure

Source: authors' results.

degree of novelty, originality and effectiveness. Such materials (programs) are to undergo expertise, receive official recognition, be accepted for use and be recommended for competitive selection to determine the most prospective IP practices, while the winning authors are to be rewarded [20]. The success of QE course graduates indicates the quality of training received in such courses. A high-quality educational service can be implemented as a franchise, as shown in the diagram in Fig. 3.

Educational franchise has been described as a specific type of business in which the founder and owner of the rights to an educational service — holding such IP objects as a trademark, company name, or other intellectual property objects — through a franchise or commercial concession agreement, transfers the rights to another party for a fee (either a lump-sum payment or royalty). This transfer has included the right to operate under the franchisor's trademark, to apply its business system, to use a complete set of documents for delivering a full-fledged educational service, and, if necessary, to receive assistance in the organization of the educational process [20—22].

Thus, the modernization of qualification enhancement (QE) programs for higher education staff in Ukraine has become essential for supporting the country's innovation-driven economy and for ensuring effective IP protection in an increasingly digital and interconnected environment. Given the ongoing structural reforms in Ukraine's IP system, amendments to primary legislation, and the strategic shift in higher education toward training innovation-oriented professionals, an urgent need has arisen to establish a robust and effective IP-focused QE system.

The proposed model for IP qualification enhancement has emphasized a competency-based approach and has adopted person-centered, individualized educational processes that utilize modern interactive teaching methods. This model has been designed to foster educators' active engagement in innovative pedagogical activities and to strengthen their ability to apply and protect IP knowledge in real-world educational contexts. By embedding IP competencies into their teaching practices, educators have encouraged students to participate in innovative initiatives such as start-up development, consultation projects, and IP-related academic achievements, including invention-driven Master's degree work and preparation for intellectual property registrations.

Building a successful QE system has required a strategic approach that has included rigorous market research to identify potential consumers within the educational market, as well as active promotion among HEI management, faculty, and research staff. The selection of highly qualified instructors for QE courses has been crucial, as has the need to ensure that curricula remain flexible and aligned with current labor market demands.

This study has suggested that in preparing educational and methodological materials for IP-focused QE courses, experienced educators should emphasize original developments, with high-quality content made available to interested consumers through franchise agreements where appropriate. Future research has been directed toward expanding the design and implementation of diverse QE programs tailored to the needs of specific professional groups — including HEI staff, industry professionals, economists, managers, and

medical specialists — thus providing both general IP training and specialized IP knowledge relevant to each field's unique requirements.

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МОДЕРНІЗАЦІЯ ПІДВИЩЕННЯ КВАЛІФІКАЦІЇ ФАХІВЦІВ З ІНТЕЛЕКТУАЛЬНОЇ ВЛАСНОСТІ У ЗАКЛАДАХ ВИЩОЇ ОСВІТИ

Вступ. Зростаючі вимоги ринку праці та інноваційної економіки зумовлюють потребу у фахівцях нового покоління, підготовка яких має здійснюватися у закладах вищої освіти через компетентнісне, професійне та інноваційне навчання, що відповідає викликам часу. Модернізація процесу підвищення кваліфікації у сфері інтелектуальної власності (ІВ) є важливою для підвищення конкурентоспроможності фахівців на ринку праці та забезпечення додаткового доходу шляхом залучення ініціатив у сфері ІВ до економічного обігу.

Проблематика. Система підвищення кваліфікації педагогічних працівників у сфері ІВ наразі залишається формалізованою, потребує модернізації відповідно до викликів сучасної інноваційної економіки, що зумовлює пошук ефективних підходів та інструментів для її вдосконалення.

Мета. Застосування компетентнісного підходу та вивчення ринку освітніх послуг для формування ефективної системи підвищення кваліфікації працівників закладів вищої освіти у сфері ІВ.

Результати. Обґрунтовано актуальність підвищення кваліфікації фахівців з ІВ у закладах вищої освіти. Зазначено, що реформи у цій сфері та перехід України на інноваційний шлях розвитку спричиняють зростаючий попит на кваліфіковані кадри, які спроможні до інноваційної діяльності. Запропоновано вирішити питання підготовки фахівців з ІВ шляхом застосування компетентнісного підходу для розробки сучасної системи підвищення кваліфікації. Описано переваги такого підходу порівняно з традиційним, окреслено основні напрямки набуття знань з ІВ та їх застосування працівниками ЗВО у професійній діяльності. Запропоновано алгоритм модернізації системи підвищення кваліфікації у сфері ІВ та зосереджено увагу на маркетингових дослідженнях освітніх послуг у сфері ІВ і передачі прав на цю послугу за франчайзинговою угодою.

Висновки. Результати підвищення кваліфікації у сфері ІВ залежать від активної участі кожного викладача в інноваційних педагогічних практиках, розуміння та реалізації своєчасних заходів із захисту ІВ. Це надалі впливає на застосування нових компетенцій у навчальній діяльності та активне залучення студентів до інноваційних процесів.

Ключові слова: інноваційна діяльність, компетентнісний підхід, модернізація освітніх послуг, підвищення кваліфікації у сфері інтелектуальної власності у закладах вищої освіти, маркетингове дослідження освітніх послуг, франчайзинг.