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Summary of the doctoral dissertation

"Model for Legal Protection of Business Processes in Intellectual Property Law"

Doctoral dissertation "Model for Legal Protection of Business Processes in Intellectual Property Law" includes an innovative perspective on the problem of legal protection of business operations. In response to the practical need to identify an intangible asset that would reflect the value of the specific configuration of the production process or provision of services, the concept of a business process is presented as a relevant subject of legal protection in this respect. The scope of normative analysis was determined by the assumption that the business process materializes the creative solution to an economic problem. The subject of consideration is the search for universal mechanisms of legal protection derived from the norms of intellectual property law.

The scientific approach, which is the subject of this work, is implemented at two levels: theoretical and practical. The purpose of the dissertation at the theoretical level is to review and analyze key conditions for the legal protection of business processes based on the existing framework of intellectual property law and to indicate the most effective protection model. The practical aspect of the law concerns identifying opportunities and difficulties in applying regulations in the current legal environment.

The doctoral thesis consists of five chapters. The first chapter discusses the essence of the business process as a concept. The issue of business processes has never before been the subject of analyzes in the science of law, hence the main considerations are preceded by an interdisciplinary introduction to the fundamental issue of thesis, from a historical and theoretical perspective. A review of the definitions of a business process is made based on literature sources in economics, i.e. the field in which this concept originates. On this basis, the leading features of the business process are established, on the basis of which a definition is constructed that determines the understanding of this concept adopted for the purposes of this dissertation. The terminological findings were summarized by showing a relation in which the concept of business process remains relative to the terms appearing in the literature for "the way of doing business".

The second chapter focuses on the characteristics of the business process as an object of legal protection. Starting from the terminological findings that have been referred to the field of science from which business processes originate, it was expedient to examine whether they represent a value that is recognizable in the legal system. My findings in this chapter determines the specific role of business processes in business activities and in the composition of all the components of an enterprise. The possibility of formally separating business processes from the workflow and capital in an enterprise, as well as proving that they represent independent value, justifies further argument on the grounds for granting legal protection to these intellectual objects.

The findings regarding the legal nature of business processes as intangible goods constitute the background for the verification in the second part of the doctoral thesis, which explores the assumptions about the suitability of selected IP legal protection models to the determined object of protection. In accordance with the adopted research assumption, legal protection of business processes should be considered as models of the legal protection of related results of intellectual activity. This translates into an attempt to qualify the goods in question as: (i) inventions, (ii) copyright works, (iii) know-how (business secrets). In this way, the field for further analysis is drawn up, which includes the appropriate reference of business processes to the normative basis of legal protection provided for in patent law, copyright law and the unfair competition law. The structure of Chapters III - V is adapted to the specifics of these considerations. The research intent, in the form of identifying an adequate model of business process protection, is implemented based on the analysis of issues affecting the characteristics of a given model of protection of intangible assets and by verifying the possibility of recognizing a business process as an object of legal protection guaranteed in a given regime.

The dissertation closes with a summary containing the results and presenting a model for protecting business processes in intellectual property law together with *de lege ferenda* conclusions on the optimal shape of the business process protection regime in the future.

Kraków, 12th September 2019

A handwritten signature in blue ink, reading "Magdalenka Krawczyk". The signature is written in a cursive, flowing style.