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POSSIBILITIES OF USING DIGITAL TECHNOLOGIES IN THE FIELD OF PRIVATE LAW

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Abstract: in the report it is proved that the modern period of social development, reflected in the system of reforms of a political, economic, and social nature, requires the adaptation of legal problems that will arise on the one hand when using digital technologies, taking into account the advantages in the economic sense, on the other - guaranteeing with the help of the entire civil-law toolkit effective protection for the realization of property and personal non-property rights. It was stated that not the last role in this should be played by the state, whose task, in the form of legislative bodies, is the formation of new civil law structures in such a way that they can naturally correlate (combine) with the basic elements of the mechanism of civil law regulation, that is, in the legislative process it is necessary to use balanced paradigm of balance and flexibility.

Keywords: *digitalization, digital technologies, private law, digital contracts.*

In the conditions of the strengthening of globalization processes and the dynamic penetration of information and communication technologies into all spheres of life of a person, society, business entities, civil law as a branch of law cannot ignore the rapid development of new technologies, despite the fact that "as a whole, the Civil Code of Ukraine continues to preserve the importance of the core act in that part of the domestic legal system that regulates private law relations" [1, p. 40].

There are 200 independent states, thousands of different cultures and languages in the world. But digital technologies, which caused the fourth industrial revolution, know no borders. The world is entering a new industrial era, which is characterized by such rapid development rates that society has not yet known. Ukraine, like most countries that stimulate the development of the digital economy, is forming an appropriate base, a strategy that aims to create favorable conditions for the development of an information society with a market economy ... and the creation of many opportunities for meeting needs and free personal development [2].

The strategy for the development of the information society in Ukraine, approved by the order of the Cabinet of Ministers of Ukraine dated May 15, 2013 No. 386, appeals with such definitions as: e-democracy, e-economy, e-culture, information infrastructure, etc. Against the background of such a general educational trend, an adequate understanding of what is happening, a rethinking of the purpose and tasks of civil law as a field, which form the basis of its legal regulation, is necessary. Therefore, it is necessary to re-ask a number of general questions, the answers to which seemed to be self-evident.

In the conditions of the development of the information society, it is necessary to take into account those factors that are naturally inherent in civil law as a field: subject, method, functions, principles of legal regulation, etc., "without which it is impossible to create law and improve legal regulation" [3, p. 12]. How will civil relations based on legal equality, free expression of will, and property independence of their participants react to the "digital era".

Today, the question is not whether the so-called revolutionary changes caused by digital technologies will affect civil relations, but how exactly they will affect them. After all, the globalization processes that lead to the introduction of digital technologies create a new environment for legal regulation and require appropriate legislative decisions. However, despite everything, one thing is certain: a new model of relations in the field of property and personal non-property rights is developing, which carries both new challenges and corresponding threats.

The development of digital technologies is associated with the formation of new ethics, new morality in relationships between people, which creates not only a number of legal, but also moral and ethical problems, therefore it is a huge challenge for the legal system as a whole. It should be noted that digital technologies should not affect in any way those conceptual foundations and foundations that have formed historically and carry continuity into civil law as a branch.

The question arises: will the civil legislation be able to protect the rights of subjects of civil legal relations through significant and fundamental changes? One thing is certain: digital technologies will change the nature of relationships between people in the realization of property and non-property rights, will change the "civil landscape", which will lead to changes in all spheres of social life as a whole. Over the last decade, digital technologies have changed the way business is conducted in various industries. The development of digital technologies has provided new levels of efficiency in almost all industries.

In 2016, the International Organization for Standardization (ISO) created a committee to develop an international standard for blockchain technologies. Blockchain allows you to automate transactions without using a third party; is a distributed system of consensus and trust; is an infrastructure that provides au-

thentication. All operations are carried out in the same environment and can be easily tracked by checking the corresponding addresses, has a feature of immutability and stability of information, which means the impossibility of changing or deleting records provides access to the registry of any subject.

Digital signatures have gained even greater recognition. For example, any electronic signatures must meet specific security requirements under American and European law. The power of digital signatures is obvious, because digital signatures attached to a document ensure its security because it cannot be copied. Security is the main priority of the E-contract. Through digital signatures, domestic, national and international subjects of contracts can conclude a contract on easier terms and speed up the process of signing it.

Technology has changed the way contracts are managed and archived. Implementing digital signatures allows partners to know that their counterparty has the latest technology when it comes to signing a contract. Gains appropriate updating, in the digital age, and protection of personal non-property rights. This is explained by the amount of information that a person independently publishes, first of all, on the Internet, and the collection and systematization of the database of citizens as business entities by enterprises, institutions, and organizations.

However, there are corresponding problems in the aspect of what information is considered to be transferred by the person himself for the processing of personal data. The problem is of a fundamental nature, and its solution requires new legislative approaches. What is needed is not patching of holes, but concrete steps to improve civil legislation, adopted taking into account the legislative norms of those industries that naturally fall under the influence of civil law norms and vice versa.

Digital technologies could not affect relations arising from the results of intellectual activity and means of individualization of goods, works, services, and legal entities. After all, in the conditions of the development of digital technologies, which determine the digital economy, the issue of intellectual property protection is strategic, since the protection of the latter stimulates the development of patent activity of subjects of civil legal relations. Despite the fact that today much attention is paid to the problems of legal protection of intellectual property and its protection takes on the role of one of the most important factors of political and economic relations and economic security both in the middle of every developed country and in international relations [4], of course, one thing is that the methods of protecting rights to the results of intellectual activity established in the Civil Code of Ukraine, in the conditions of the digital economy, need further improvement in terms of simplifying the procedure for the authors of the results of intellectual property. After all, “the presence of a modern, internationally rec-

ognized system of intellectual property is a necessary element for achieving high economic and social development of any state.

The protection of intellectual property promotes the use and further development of inventive and creative talents and achievements, supports and preserves the national potential in the field of intellectual activity and attracts investments, stabilizing the economic situation...” [4], therefore, to implement the idea of creating a more effective intellectual property management system, not only appropriate computing power, but also balanced, economically, legislative decisions.

The modern period of social development, reflected in the system of reforms of a political, economic, and social nature, requires the adaptation of legal problems that will arise on the one hand when using digital technologies, taking into account the advantages in the economic sense, on the other - guaranteeing with the help of the entire civil-law toolkit effective protection for the realization of property and personal non-property rights. Not the last role in this should be played by the state, whose task, in the form of legislative bodies, is the formation of new civil law structures in such a way that they can naturally correlate (combine) with the basic elements of the mechanism of civil law regulation, that is, in the legislative process it is necessary to use balanced paradigm of balance and flexibility.

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