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USE OF DIGITAL TECHNOLOGIES IN CIVIL LEGAL RELATIONS

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Abstract: The everyday spread of information technologies in the life of society plays a significant role in the field of civil legal relations. The activity of any citizen in the virtual space is currently regulated by traditional norms of civil law, adapted for the regulation of this type of relationship, but outdated in modern technologies. Civil legal relations, as the most dynamic sphere of social relations, are in a constant process of adapting them to the realities of today. The influence of digital technologies requires the development of modern civil law regulation with the help of digital technological platforms, new types of digital services, civil law subjects. Wide use of modern digital technologies and technical capabilities contributes to the formation of a new technological environment of regulation and at the same time actualizes the problem of adaptation of civil law regulation to the possibilities of using digital technologies, legal protection and the use of modern results of intellectual activity in the field of digital technologies. The work conducts a theoretical and legal study of the use digital technologies in civil law, in particular in the regulation of civil legal relations. The application of the latest digital technologies in connection with the strategic orientation of the global and domestic development of the digital economy, the digitalization of various spheres of activity has caused a growing scientific interest in general theoretical and scientific-practical research, including in the field of legal regulation of property turnover with the help of digital technologies. Modern prospects for the development of civil law are largely related to the use of digital technologies in the field of property relations and are determined by the awareness of the effectiveness of the application of the model of civil law regulation of digital rights and the possibilities of civil circulation of digital technologies.

Keywords: *civil-legal relations, digital technologies, digital services, information technologies*

In the conditions of the new realities of today, the rapid development of science and technology caused the transition from an industrial to an information society, as a result of which the question arose about the large-scale introduction and use of digital technologies both in everyday life and in commercial activities,

as well as in the activities of subjects of power. Such technologies, being a dynamic factor, lead to the development of digitalization, which was the result of the expansion of the use of modern digital technologies in various spheres of social relations of people. Law as a regulator of social relations must reflect changes in these relations and respond to the emergence of new legal relations, because at the same time the scope of legal regulation is expanding to include relations that arise in virtual space. The use of digital technologies in the field of civil legal relations is not an exception. The introduction of digital technologies into civil circulation necessitates the development of a legal array in the field of regulation of contracts that mediate their circulation. Their peculiarity as an object of civil rights is due to the duality of their legal nature: on the one hand, digital technologies have properties that allow them to be classified as things and apply to legal relations in the sphere of their circulation the norms of property and obligation law, and on the other hand, they act as objects of intellectual property law, which are covered by property and personal non-property rights of a person [3, p. 3-5].

The legislative definition of digital technologies is reflected in such normative legal acts as: Law "On Electronic Commerce", Law "On Electronic Documents and Electronic Document Management", Law "On Protection of Information in Information and Communication Systems", etc. [6;7; 8].

In turn, the civil-law model of regulation of digital civil turnover is a way of regulating relations with the norms of civil law regarding the emergence and recognition of digital rights, their disposal in property civil turnover, as well as the formation of methods of disposal by subjects of digital civil turnover of authentic digital objects of civil turnover with the direct application of digital technologies. The civil law model provides for the application, based on the general principles of civil law and special principles of digital circulation, of the entire arsenal of legal means of civil law, including the institutions of subjective civil rights, civil law contract, property liability, representation and others [5].

In the legal literature, the concept of digital technologies is defined as a legally regulated and organized process of application by state bodies and local self-government bodies, other subjects of public management of computer and other electronic computing equipment, software, information and communication networks and other digital means for the purpose of collecting , recording, processing, storage and distribution of legal information, as well as creation of documents in electronic form. In turn, the law in the field of informational relations should be understood as a type of awareness of subjects and the degree of informatization of society, which reflects the informational needs of social development, which is basically formed in the process of repeated social relations and is recognized and protected by the state.

The development of the latest information technologies led to the emergence of new objects of civil rights. One of the most common objects from the field of digital technologies is digital information - its essence is expressed in a dual legal nature, according to which digital content has the characteristics of both things and intangible goods, which are covered by property and personal non-property rights of the author, which leads to the need to clearly enshrine in legislation the concept of digital content, its classification, as well as the definition of exclusive rights corresponding to its author, supplier and consumer, among which digital content occupies a prominent place.The different content of digital content leads to differences in the legal nature, which leads to the need to formulate a definition and develop an effective mechanism for legal regulation of the circulation of digital information as an object of civil rights. In addition to the emergence of digital information as a new object of civil legal relations, today electronic money is also an object of civil rights, because it performs the function of a means of payment and is a monetary obligation of the person issuing it. The given examples are not exhaustive and testify to the application of digital technologies in the field of civil legal relations, which makes the further need for such research urgent [2].

It should be noted that digital technologies have caused the emergence and development of such objects of digital circulation as legal Internet platforms, which allow any person to prepare online simple legal documents (claims, requests), and also provided the possibility of conducting online auctions for providing legal services and online mediation. In addition, artificial intelligence and modern robotics allow for quick analysis, systematization and forecasting of court decisions regarding various categories of civil cases. An important aspect is that the field of application of digital technologies in civil law is, first of all, settlement obligations, and the field of providing financial services in the field of credit and monetary relations. There is an active application of new technologies in the banking sector using the banking business model of online services and mobile banking.

Also, the use of digital technologies in civil legal relations ensures the transfer of property rights in the form of a digital form, the formation of digital circulation as a special form of civil legal relations. Digitization involves the establishment (recognition) of property rights in electronic form, namely: the electronic form of concluding and executing agreements, exercising the rights and obligations of subjects of civil legal relations, the availability of various methods of electronic protection of property rights [4].

In turn, in addition to the above-mentioned influence of digital technologies, it is worth noting that in the digital age, the protection of personal non-property rights is gaining relevance, which is explained by the amount of information

that a person independently publishes, primarily on the Internet, and the collection and systematization enterprises, institutions, organizations of the database of citizens as business entities. 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 regarding the improvement of 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 the means of individualization of goods, works, services, legal entities, because in the conditions of the development of digital technologies, the issue of intellectual property protection is strategic, since the protection of the latter stimulates the development of patent activity of civil subjects legal relationship

Modern digital technologies require legal regulation in the new conditions of the use of patents, trademarks, commercial designations, know-how and other objects of intellectual property, stimulate the adaptation of their legal protection regimes, as well as ways of adapting the protection of intellectual rights to new conditions in the digital sphere.The use of digital technologies also significantly expands the civil circulation of exclusive rights to copyright works (including computer programs and databases), patents, trademarks, topologies, know-how and other objects of intellectual property, which is distinguished from other classic types of investment assets by its intangible nature intellectual property. In addition, digital technologies made it possible to expand the possibilities of using innovations in civil circulation, namely: the general level of equipment and technologies allows widespread and wide application of modern digital technologies; an objective need for the use of digital technologies was formed in the most diverse spheres of activity and law enforcement; the economic significance of digital technologies determines their non-alternative use in civil property turnover and forms the economic value of digital assets and digital rights; digital technologies create relevant business models of entrepreneurship.

In addition to the considered areas of application of digital technologies in law, it should also be noted that certain elements of informatization are currently present in education and science, the taxation system and tax administration, notary activities, etc. Thanks to new digital technologies, a new environment of civil law regulation is being formed, which is a technological foundation for the civil law regulation of digital rights, digital civil turnover, digital subjects and objects, the formation of new civil digital legal relations [1].

To further strengthen the development of digital technologies in the field of civil-law relations, it is advisable to implement the following provisions: promoting the formation of digital compatibility between various subjects (a key set of rules provides for the development of a global document flow for the spread of digital technologies in order to ensure their interoperability); bridging the digital "gap" to enhance digital development for all; creating reliable technologies for all (they should reach more people, reduce costs and reduce inefficiencies, should be reliably implemented for all participants, including stronger data privacy protections); creating a national platform that will aim to help address the negative impacts of digital technologies (in particular, overcoming the digital divide and challenges in the field of security and breach of privacy); raising the level of statistical systems for adequate and continuous tracking of the processes of implementation of digital technologies and their consequences; creation of a support fund, the funds of which should be directed to the development of digital infrastructure and the spread of technical education, etc.

Summarizing what has been said, we conclude that the current state of the Ukrainian information society requires the dynamic development of the legal system, the identification of relevant doctrinal provisions and the comprehensive organization of legal support in the information sphere.The new digital reality presents legal practice and science with many fundamentally new tasks related to the development of effective tools and models of legal regulation of various spheres of social life, including the sphere of civil legal relations, in which the application of digital technologies is determined by relevant factors: the general level of technology and technologies, the objective need to use digital technologies, their material significance, creation of business models of entrepreneurial activity, etc. In addition, when considering digital technologies in civil legal relations, it is necessary to distinguish two aspects of this issue: legal regulation of information relations, that is, law as a means of regulating legal relations formed in the field of information exchange in legal activities, including with the use of digital technologies; the application of digital technologies in all types of legal activity, including law-making and law enforcement, that is, the use of digital technologies to improve the efficiency of legal activity. In this regard, the main goal of the legal regulation of the Institute of Digital Technologies is the formation of a new regulatory environment that will provide a favorable legal regime for the emergence and development of innovative activities in Ukraine.Therefore, the theoretical understanding and development of the conceptual foundations of the legal regulation of civil legal relations in the conditions of the use of digital technologies is the most urgent task of the modern science of civil law, because the primary task will be the elimination of shortcomings - defects and gaps in the

legislation, since a minor change in the regulation often requires amendments to the law . As necessary, the use of flexible regulators, primarily legal experiments to regulate the relevant civil-law relations.

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