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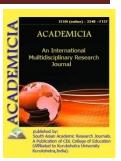




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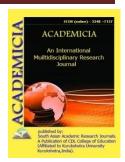




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LINGUISTIC EXPERTISE AS A BRANCH OF LEGAL LINGUISTICS

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ABSTRACT

This article discusses the human speech studying principles from the point of linguistic expertise view. It provides information on the linguistic expertise branches and its importance in science. It was covered linguistic views on trademark expertise.

KEYWORDS: Forensic Examination, Linguistic Examination, Forensic Examination, Gender, Trademark, Trademark Examination, Phonoscopic Examination, Homonymy, Synonymy, Antonymy, Capionyms, Rospatent.

INTRODUCTION

In the new century, the globalization process, which is rapidly embracing all spheres of society, is setting new tasks for both linguistics and language education around the world. The period has made the effective use of language the main task of both science and education. As a result, the world science is moving from a dry theory that describes the internal structure of language to a practical approach to the language and personality commonality. From this point of view, new branches of linguistics have emerged: pragmalinguistics, psycholinguistics, sociolinguistics, neurolinguistics, corpus linguistics, computer linguistics, and so on. There is also the linguistic expertise, which covers a wide range of areas.

Linguistic examination is an independent forensic examination that is effective in the linguistic speech activity study (even if it is recorded in any material medium.² According to Y.S. Kubryakova, L.V.Shcherba distinguished the speech about linguistic phenomena, its real basis and the speech process product. The scholar also emphasized the need to understand all the phenomena related to the speech and its perception creation under the term speech activity³.Of course, this argument matters. This activity results are strictly regulated within the criminal, civil or arbitration proceedings framework and are formalized by a linguist expert (or an expert



linguist's commission) with a written opinion. These conclusions cover issues that require the specialized knowledge application in linguistics. Thus, in linguistic expertise, speech activity has a place as a "trace" that reflects legal significance information. In this sense, linguistic expertise is not the other types opposite of expertise, but their objects are material objects that reflect different fields. Only certain aspects of this material are studied by different fields. Certain texts can be studied psychologically, linguistically, pragmatically, and legally. For example, legal linguistics is the applied linguistics study. This theory originated in Russian linguistics and has been the extensive research subject by L.A. Araeva, L.O. Butakova, N.D. Golev, and A.N. Baranov. Forensic linguistic expertise is one of a wide range components of fields such as psychological and linguistic expertise, linguistic and autonomous expertise, linguistic and phonoscopic expertise, as well as linguistic and "translation" expertise. In addition, I. K. Brinev points out that linguistic theory is not practically enriched, such as the relationship development between practical and theoretical knowledge specific to physics. In fact, the study state in theoretical and applied linguistics should develop at the same time. According to I. K. Brinev, "a theoretical linguistics deal with its own problems, so applied linguistics also has its own studyobject"⁴. At the same time, the theory can fully describe and explain all the facts that occur in the practice.

Tiland as a law crossroads, the linguist N. D. Golev first distinguished three types of relations between language and law⁵:

- -- Language acts as a law regulation object;
- Language works as a means of regulating legal relations;
- Language is important when examining the research subject, i.e., the text that has caused controversy in court;

Thus, legal linguistics is an applied linguistics branch that studies the problems that arise in the language and legal conflicts combination.

Thus, legal linguistics deals with a wide range of problems that arise in the language and law combination. Forensic linguistic expertise, in turn, is one of the sub-branches of legal linguistics. Legal linguistics study objects include: the legal language problem, practical developments in the judicial speech, the field called "legal linguistic conflictology", therefore linguistic expertise is an integral part of the linguistic knowledge. It doesn't matter whether you call this component forensic speech, linguistic expertise, or forensic linguistic expertise, the key is to reveal a particular object edges. Today, there is a need for the linguists participation in various litigation types, the legal texts study, the linguistic analysis of the accused speeches, the suspect will be a factor in the objective case consideration. Linguistic expertise requires in-depth knowledge of the specialist. There are certain contradictions in litigation that require the collaboration of psychologists, political scientists, and linguists, as well as lawyers. It is at this cooperation crossroads that a new linguistics, linguistic expertise, emerges branch. Linguistic expertise in Russian linguistics has created a number of studies on its implementation forms and bases. Legal linguistics is based on the forensic materials analysis, study and summarization.

MAIN PART. In the linguistic examination process, the information transmitted by the text in any form or by separate linguistic units is analyzed. The written or oral form of the text must be taken into account.



The following methods help to identify and evaluate the different levels properties of text:

- Auditive perceptive analysis method. Using this method, the conversation content (dialogue, monologue, polylogue) allows you to restore the communication act status during the speech. During the speech, the communication movement allows you to restore the status quo, the number of participants, their relationships and the roles' distribution, registration conditions, and so on. This method provides the basis for solving speaker recognition problems through voice and speech.
- Lexicographic analysis method. The lexicographic information study is an important part of the whole text study, with dictionary sources helping to create the basic idea of truth and the means by which they are spoken.
- Semantic and conceptual analysis methods. It aims to express the word semantic structure, to determine its denotative, signifiable and connotative values. Conceptual analysis is the search for general concepts that are generalized under one sign and predetermine a sign existence as a specific knowledge structure. While semantic analysis is concerned with word interpretation, conceptual analysis leads to the world knowledge. Concepts, as well as the symbols content, are reflected in the consciousness units' images that form the overall conceptual model part of the world⁶.
- The semantic-syntactic analysis method is determined by identifying the words, phrases, sentences meaning and the words values in the whole word.
- Component analysis method. This method is used to segment the meaning core of a language symbol to determine the words' semantic content. The component analysis method allows you to determine the certain language units value and their distinguishing features in the micro system. Component analysis helps to extend the competence with respect to the hidden conceptual layer of the analyzed lexeme.

The above examples were a direct form of the information sought. The indirect expression of the appeals is done by hint, that is, by establishing the content equivalence of the meanings that are recreated in a particular way, expressed in the text, and recreated by the recipient, which are regularly updated in a particular cultural thought (knowledge) scheme of the recipient, is done using repetitive expressions. Alternatively, information in any text can be represented in several ways (several forms):

- 1. An open verbal (oral) form, when the information is given in a separate statement form or interrelated statementschain, and new information is given in the predicative part of the statement (this is a predicate, a logical predicate). For example: (Thief) stole a club from a thief.
- 2. Anonymous verbal form, when the information is expressed orally, but the information is hidden. It is not visible and is given to them as known in the subject group. For example, the above information contains not only information about the theft, but also information that the person who committed it was a thief. So while the main idea is about something being stolen, the second message is about who the thief is.



3. The presuppositive (post-text) form, in which the information about certain events is not expressed directly, but is known to both the speaker (writer) and the listener (reader), can understand⁷.

In this way, the expert first examines the text in different ways, and then looks at its relevance to the author, its legitimacy, and its pragmatic situation. For example, in text analysis, gender characteristics may also be subject to linguistic expertise. Not all male and female relationships can match the same gender characteristics without exception. Linguists say that a person's gender can be reflected in his or her speech. Even men and women can speak with different intonations, use different means of nonverbal communication, and pronounce words differently. Or there are several guidelines for developing a linguistic brand expertise. The expert will consider issues such as who the product belongs to, what type of product it belongs to, and its legality.

Linguistic trademark examination is usually carried out in the case of a trademark registration, judicial proceedings, mainly in case of a trademark registration denial, as well as in case of illegal actions against the registered trademark. The expertise role depends on the nature of the problem.

For example, according to Article 1884 of the FK of the Russian Federation, no one has the right to individualize an illegal trademark, apply it to the same product, or register it. The legal process is carried out by Rospatent, the organization that registers intellectual property, patents and trademarks. The organization has developed criteria for the phonetic symbols use in the brand representation, which includes a reference to the manufacturer name. These criteria can be used in cases of state trademark registration and in cases related to another trademark.

The editorial board has 45 groups of goods and services, each of which combines different products. Defining the brand of one type product is very simple: yogurt and sour cream are one product type. In some cases, it is important for the expert to have his or her own opinion about whether the product is the same or not. For example, expert opinions are important in determining the products group, such as beer and other alcoholic beverages, dumplings and other finished products, clothing and knitwear. Once an expert has formed a group of products or services, he or she must justify the similarities between them.

The linguistic expertise relevance is explained by the fact that the nominal units belonging to the firm are reflected in national and global documents.

A set of letters is created to represent the unique or external product features. (UK,JKX,JEK and etc.)This set of letters can be done without consulting a linguist, but there are some problems with this process. For example, the extent to which the selected letter reflects the relationship between the manufacturer and the product, and how much information this letter can provide about the manufacturer. You will need the help of a linguist when you have these problems.

For example, according to Rospatent, the names "My Home" LLC and "Our Home" LLC are incompatible. Rospatent considers the nomenclature in the form "My child is your child" to be mutually exclusive, as directly inclusion contradictory sentences or words indicates the problem importance being studied. It is based on the language signs asymmetry, the perceived and understood concept. From a linguistic point of view, linguistic categories such as synonymy,



homonymy, and antonymy are at the top of the problematic question that arises in naming disputes. So, in the methodology for experts, there are different nouns-homophones (aygen, aygent), noun-synonyms (sleep music-sleep melody), noun-antonyms. These units are phonetically, graphically, and semantically similar.

The relationship between naming units is based on the similarity or pairing sign (primary naming and secondary naming based on it).

Here we can think of a linguomarketological unit - capionyms. Capionyms are a registered noun unit consisting of similar words association that is in the merging process. They are based on units that represent phonetic, graphic, semantic similarities, with core synonyms, homonyms, and antonyms.

The homonymy peculiarity stems from its ambivalence, which is reflected in linguistics: in some places, nominative homonyms are in the semantic unification process, and in some places, on the contrary, the semantic properties of the lexeme provide the homonyms differentiation. In linguistics, the homonymy phenomenon essence is inextricably linked with the exact boundaries of the polysemy phenomenon. The main solution to this problem is reflected in lexicography. There are many controversial and unresolved issues in Russian linguistics regarding homonymous and ambiguous linguistic units.

For example, "to please" (who?), "to please" - "to fit", "to hang" (to whom? where?). That is, there are differences, but there are different approaches to differences. Homonymy also refers to, as N.D. Golev describes, "misunderstanding," reflects "insufficient understanding", "total misunderstanding" or two-sided understanding. tushunmaslik". In this case, the homonyms can create a puzzle or, as a result, create serious, court-ordered issues. At this time, the demand for linguistic expertise increases. Linguistic ambiguities can lead to instability in branding. A well-crafted, well-educated professional brand will be free from all objections. There must be a link between the manufacturer and the brand, and it must have a legal basis.

CONCLUSION

As mentioned above, although there is a field of linguistic expertise in Russian linguistics, most experts think outside the practical room of expertise. In essence, perfect knowledge and skills come from practical experience. The evidence found in applied research has not been incorporated into the theoretical linguistics (science) core. Because, despite the practical and theoretical areas diversity they are interconnected. Thus, according to I. K. Brinev, theoretical science cannot ignore any interesting fact revealed as a result of applied linguistic research (for example, the speech emergence in pathological cases - intoxication, etc.). After all, theoretical knowledge is the practice result. If such facts become the linguistic theorystudyobject, it will probably be a real knowledge field for the field, which can ultimately be a tool for practical solutions "11".

At a time when various new aspects of linguistics are emerging, the linguistic importance expertise for society is also increasing. This area is primarily important in the human rights interests. It is the basis for the psychological, linguistic, and pragmatic study of any text, whether it is judicial, barter, or scientific, in any speech situation.



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