

Index

BELOV, Vadim Anatolievich

Doctor of legal sciences
Professor
Department of commercial law
Lomonosov Moscow State University Law School
Belov@severstalgroup.com

Legerdemain and no scam. Introducing changes to the fourth anti-trust package. Essence of the changes

Keywords: Competition; 'fourth anti-trust package'; the RF Federal Antitrust Service; natural monopolies; rules of non-discriminated access; rules of commercial practice; legislation refinement; law drafting; introduction of law drafts; amendments to law drafts

In the previous article, the author discussed one of the amendments to the new 'antitrust package'. The amendment subjected the sphere of exclusive rights to legal effect of laws on protection of competition. Current article focuses on 'the fourth anti-trust package'. In particular, the author analyzes those changes, which cause controversy from the point of their content and the method of implementation.

FIRSOV, Ivan Vladimirovich

Candidate of legal sciences
Associate member
Scientific secretary of Department of geopolitics and security
Russian Academy of Natural Sciences
LawerF@mail.ru

Regulating executive bodies ensuring economic security

Keywords: Economic security; system; elements of the system; structure of the system; systemic relations; economic security system; anti-corruption system

The author analyzes administrative regulation of cooperation between and management of executive bodies in the sphere of the RF economic security. The author also touches upon problems, which may arise from such regulation, and possible ways of tackling them.

KAGANTSOV, Yakov Markovich

Lawyer
ykagantsov@rambler.ru

Termination of proceedings in bankruptcy cases: lack of funds for litigation costs

Keywords: Bankruptcy; termination of proceedings in bankruptcy cases
The existing Federal Law 'On Bankruptcy' provides for termination of proceedings in bankruptcy cases, in cases when funds for covering pertinent litigation costs and procedures are not sufficient. Using a typical example of arbitrazh practice, the author analyzes the problems that creditors face after termination of proceedings based on that circumstance.

KARMOLITSKY, Anatoliy Alexandrovich

Candidate of legal sciences
Associate professor
Department of administrative law
Honored professor
Lomonosov Moscow State University Law School
office@law.msu.su

Administrative supervision in the sphere of executive power

Keywords: Legality; ways of ensuring legality; state control; administrative supervision; agents of administrative supervision

The author analyzes a number of law issues related to administrative supervision as a method to ensure legality of actions within executive branch of power. Specifically, the author discusses the nature of administrative supervision, and its purposes. The author formulated a number of suggestions aimed at further refinement of legal framework of the administrative supervision and of due enforcement of the supervision.

PODSHIVALOV, Tikhon Petrovich

Candidate of legal sciences
Associate professor
Department of civil law and procedure
National research South Ural University
podshivalovtp@gmail.com

Criteria for limitation of recovery in arbitrazh practice

Keywords: Law in rem; action in rem; action in replevin; limitation of recovery; action for recovery of goods; good-faith purchaser; good faith

The article analyzes conditions for limiting recovery in favor of good-faith purchaser. The author analyzes controversies of classification of criteria for limitation of recovery and provides relevant examples from practice of arbitrazh courts.

STRELINA, Olesya Viktorovna

CJSC 'INTEKO'
Head of corporate department
olstrel@gmail.com

Investment fund trust agreement

Keywords: Investment funds; investment fund trust agreement; duty of care; reasonableness; interest of investors; model of reinforced state regulation

Investment funds are not uncommon in contemporary economic sphere. To give an example, in the first quarter of 2013 they raised over 537 billion rubles in investments. The article focuses on a number of questions: are investors' rights protected, when it comes to management of investment funds? Is existing model of legal regulation for the investment funds effective? What is the position of courts, in case of disputes related to management of investment funds?

TOM SINOV, Vladimir Alekseevich

Doctor of legal sciences
Professor
Lomonosov Moscow State University Law School
tomsinov@yandex.ru

Development of Russian science of state law from XIX till early XX century: general outlook. Article five

Keywords: State law science; XIX century; reforms of Alexander II; dogmatic (juridical) method of the Russian state law science; A.V. Romanovich-Slavtinsky, A.D. Gradovsky

The article focuses on changes in the content and methodology of the Russian state law science which were introduced during 'Great Reforms' period. In particular, the author analyzes dogmatic (juridical) method, which acceptance within the Russian state law science took place in the 60s–70s of the XIX century and work of A.D. Gradovsky, the most outstanding personality of that period.

VOROZHEVICH, Arina Sergeevna

Postgraduate
Lomonosov Moscow State University Law School
arinavorozhevich@yandex.ru

Application of estoppel doctrine to patent disputes: the USA practice, prospects for Russia

Keywords: Patent estoppel; principle of equity; abuse of right; patent holder; licensee

Ensuring principle of equity for protection of exclusive rights in patent disputes requires using flexible approaches. The doctrine of estoppel is one of those approaches. The author describes the nature of the doctrine and provides some examples of its application in the US court practice. The author analyzes problems and prospects related to introducing estoppel into the Russian legal framework.

ZAYKOV, Denis Evgenievich

Candidate of legal sciences
Head of legal service
FAE "25 SSRI Chemmology of RF Ministry of Defense"
joburist@rambler.ru

Judicial and technical drawbacks of legal acts

Keywords: Juridical and technical drawbacks; law-making process; legal culture; corruptionogenic factors

Modern Russian legislation is highly sophisticated, controversial, inconsistent, and unreasonably complex. To a large extent this is the case because of widespread legal nihilism and lack of legal culture which are most evident in juridical and technical drawbacks of legal acts. The article provides examples and classification of such drawbacks.

ZINCHENKO, Stanislav Akimovich

Doctor of legal sciences
Professor
Honored jurist of Russia
Head of department of civil and business law
The South Russia Institute
of The Russian Presidential Academy of National Economy and Public Administration

GALOV, Vladimir Viktorovich

Candidate of legal sciences
Professor
Department of civil and business law
The South Russia Institute
of The Russian Presidential Academy of National Economy and Public Administration
vgalov@mail.ru

Three legal forms of farm enterprise: benefits and drawbacks

Keywords: Farm enterprise; farm enterprise as a form of business

At present Russian law defines three forms of farm enterprises, each form has specific legal regulation of property and management. The author analyzes problems of legal regulation and legislation enforcement with regard to each form of farm enterprise.