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LEGAL STATUS OF COMMERCIAL TURNOVER ORGANIZER

Keywords: organizer of commerce, commercial organizers, organization of the commerce, noncommercial (not-for-profit) organizations, legal entities functions, functional approach

Commerce is the most fast-developing area of economy. The process of market transformation in whole-sale sector is characterized by emergence of new types of participants who differ in their functions. Can noncommercial organizations facilitate the establishment of civilized trade in Russia? What participants of commercial turnover are called organizers? What is their role? Why do traders need them?

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SUBSTANTIVE RESTRICTION OF CONTRACT TERMS ON SUBSTITUTED OBLIGATIONS

Keywords: termination of obligations, novation, substituted contract, substantial term, pledge, bankruptcy, maintenance agreement, damage to life and health

In the article there are examined legal restrictions related to necessary fulfillment of substantial contractual terms of substituted agreement, security of pledgor's interests, protection of creditors' rights in bankruptcy procedure. There is detailed analysis of proscriptions to introduce novation in maintenance agreements and obligations arising from damage to life and health.

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LEGAL SUCCESSION IN LEGAL RELATIONS UNDER REORGANIZATION OF A COMPANY, ALIENATION OF SHARES IN CHARTER CAPITAL, SUCCESSION

Keywords: legal succession, reorganization, corporate relations, economic units, the right to remedy

In legal literature there has been raised an issue concerning an opportunity of the right transfer to shares purchaser to challenge transactions of a company. Is there legal succession in corporate relations? Can actors in legal relations change as a result of legal succession under reorganization of a legal entity, alienation of shares in charter capital, succession? Can the right to a legal remedy be transferred to legal successor?

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ON LEGALITY OF CRIMINAL PROCEEDINGS IN RUSSIA

Keywords: legality, criminal procedure, principles of criminal justice, Strasburg Court's rulings, objectives of criminal justice, independence of judiciary, evaluation of judicial work, quality of laws, expediency of law

The objectives of a criminal proceeding can be attained only when principles of legality are observed. The author concentrates on a number of aspects which secure legality including the development of the RF Criminal Procedural Code, the quality of criminal laws, professional and sufficient resources employed in this field.

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TERMS OF CHILD ADOPTION AND ACCOUNT FOR CHILD'S INTERESTS

Keywords: adoption, terms of adoption, child's interests, child's consent

Adoption as a legal institution is designed to create for a child left without parents' custody the conditions for life and development close to those existing in families. Problems arising from adoption procedure are illustrated by cases from related activities of Ulyanovsk regional authorized bodies. The author stresses that child's interests is the focus in adoption procedure.

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COURT ORDER PROHIBITING WRONGDOER TO APPROACH OR CONTACT OTHERWISE THE INJURED PARTY AS A REMEDY PROTECTING PERSONAL NON-PROPERTY RIGHTS

Keywords: prohibition to approach, prohibition to contact, remedy, personal non-property rights

A new remedy – prohibitory court order issued to a wrongdoer to approach or contact otherwise an injured party – protecting personal non-property rights is proposed to be introduced into civil laws and justice. The reasons and conditions of the new remedy introduction are justified, its essence is described and examined and failure to execute the related court order is discussed.

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BUSINESS RISKS IN RUSSIAN CIVIL LAW

Keywords: business activities, risk, liability

There is controversial understanding of business risk in theory and practice. This fact undermines the quality of dispute resolution between economic units. The author gives his own interpretation of the concept for its deeper theoretical comprehension.

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DEVELOPMENT OF CIVIL LEGISLATION AS A PREMISE OF EFFECTIVE CUSTOMS PROTECTION OF COPYRIGHT

Keywords: state registration of works subject to copyright and related rights customs protection of intellectual property rights, management of copyright and related rights

A draft law amending RF Civil code proposes to amend its art. 1233, namely to provide possibility to copyright holder to permit any person to use freely the result of his intellectual activity under the conditions determined by the holder and during the period specified by the holder. What impact will it have on customs procedures involving the protection of intellectual property rights?

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FACTS OF UNLAWFUL USE OF INTELLECTUAL ACTIVITY RESULTS

Keywords: exclusive right, intellectual activity results, criminal liability

The essence of the criminal conduct violating the exclusive right to intellectual activity results as well as its consequences and approach to its correct definition in criminal law are discussed in the article. Special attention is paid to the compliance of RF Criminal Code provisions concerning offences against intellectual property with existing respective civil laws.

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CONSTITUTIONAL ISSUES IN RUSSIA IN THE 1860S—1880S (COMMEMORATING EMPEROR'S ALEXANDER II DEATH IN 1881). ARTICLE TWELVE

Keywords: constitution, reforms, constitutional issues in Russia, reform proposed by M.T. Loris-Melikov, K.P. Pobedonostsev, Alexander III

The final article of the series of publications devoted to the crucial events occurred in the Russian political history of the 19-th century — political and ideological struggle around the introduction of public representation and reformation of autocratic monarchy in Russia into constitutional one. The political and ideological reasons why Alexander III refused to carry out the governmental reforms are analysed.

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DISPOSAL OF POTENTIAL RIGHTS (CHANCES) ARISING FROM CONDITIONAL TRANSACTIONS

Keywords: potential rights held by conditionally authorized person (chances), potential duties of conditionally authorized person (risks), disposal of chances and risks, chances and risks as objects of civil legal relations

There is a lot of literature on disposal of property rights as an object of civil legal relations. At the same time disposal of potential rights (chances) possessed by the conditionally authorized holder of the rights before the contingency occurrence is neither legally regulated nor researched. The present article is an attempt to fill in the gap. The author examines possibilities to exercise the potential rights by the conditionally authorized holder and comes to the conclusion that such categories as chance and risk should be recognized as objects of civil legal relations.