

ABDULLIN, Denis Tyavfikovich

Postgraduate
Department of business law
Lomonosov Moscow State University Law School

Legal stipulation of criteria of economic concentration for purposes of anti-monopoly control of commodity markets in digital economy

Keywords: Antimonopoly control; economic concentration control; economic concentration criteria; digital economy; digitalization

The article outlines the problems of defining the scope of transactions subject to public control of economic concentration in digital economy. The author discusses the criteria of economic concentration set out in the doctrine and applied in international practice, including the criterion of transaction price provided by the 'fifth antimonopoly package' as well as their effectiveness for high-tech markets.

ALIESKEROV, Mizamir Akhmedbekovich

Candidate of legal sciences
Chairman of Judges Panel for civil cases
Kaluga Oblast Court
Associate professor
Department of civil law and civil procedure
All-Russia State University of Justice in Kaluga
(Russian Academy of Justice Russian Federation Ministry of Justice)

Adversarial civil procedure: social objective and regulatory functions

Keywords: Adversarial civil procedure; social objective of law; fulfilling aims of law; regulatory functions of law

The article explores various manifestations of functions of law within civil law procedure including regulative static, regulative dynamic, stimulating, restrictive, conciliatory and remedial functions of law all of which have close relationship with the social objective of law. The article analyses the concept of social objective and outlines conditions for fulfilling this objective.

BURMISTROVA, Svetlana Alexandrovna

Candidate of legal sciences
Associate professor
Head of department of civil procedure
Russian State University of Justice (Ural branch, Chelyabinsk)

On contesting uncommenced or unenforced acts of law

Keywords: Judicial compliance check; contesting uncommenced acts of law; contesting unenforced acts of law

The author suggests theoretical justification of the idea that the scope of contested matters should include uncommenced or unenforced acts of law.

FILYUSHCHENKO, Lyudmila Ivanovna

Candidate of legal sciences
Associate professor
Department of legal regulation of economic activity
B.N. Yeltsin Ural Federal University

Professional level: concept, assessment methods

Keywords: Professional level; level of education; qualification; length of employment; professional qualities

The article compares the notions of 'professional level', 'qualification' and 'professional qualities'. From the author's perspective the notion of professional level should be treated as an independent indicator, that should be subject to assessment along with the level of education and length of employment; this indicator plays an important role in improving work efficiency of civil servants and assessing performance of other categories of workers.

LYUTOVA, Olga Igorevna

Candidate of legal sciences
Lead researcher
Institute of public and municipal administration
National Research University Higher School of Economics

Prospects of exempting foodsharing services from VAT

Keywords: Foodsharing; value added tax; tax benefit; charity

The article analyzes legislative initiatives concerning the changes in the tax treatment of supply of food to welfare organizations and NGOs in the context of general principles of VAT collection.

NOVOPASHINA, Uliana Semyonovna

Lecturer
Notary (Moscow)
Lomonosov Moscow State University Law School

Notaries in legal aid: topical issues

Keywords: Notary; notarial actions; legal aid; benefits to participants of special military operation

The questions of legal aid provision remain underregulated. This, in particular, concerns the work of notaries, scope of their work, their powers, and recovery of incurred costs. The author analyzes relevant provisions of law, resolutions of public bodies and organizations regarding gratuitous notary services and discusses possible changes to the legislative provisions on the notary to enhance legal regulation in this sphere.

PERINA, Anzhela Sergeevna

Postgraduate
Department of criminal law, criminology and penitentiary law
Saint-Petersburg branch of University of Public Prosecution Service of the Russian Federation

Developments in work of prosecution service: countering digital crimes

Keywords: Prosecution service; countering crimes; digital technologies; digital crimes

The article underlines the priority status of this line of work and discusses most common challenges encountered by prosecution service. The article covers such aspects as international cooperation, coordination of work of law enforcement bodies in the sphere of countering crimes, participation in law-making process, unified reporting of crime statistics. The author discusses proposals regarding further developments in the work of the prosecution service.

SCHENNIKOVA, Larisa Vladimirovna

Doctor of legal sciences
Professor
Head of Department of civil law
Kuban State University Law Faculty (Krasnodar)
Honored worker of higher professional education of Russian Federation

Will as legal institute: significance, requirements of form, and problems of notary practice

Keywords: Civil law; transaction; will; inheritance; mandatory notary form; judicial practice

The author raises a question of effectiveness of the mandatory notary forms required under the civil law of the Russian Federation for unilateral transactions such as wills. Not proposing to dispense with the existing framework, the author discusses specific proposals on further refinement of the provisions of notary law, to enhance disciplinary and civil liability of notaries in case court recognizes a certified transaction, including wills, null and reinforce oversight in the sphere of notary work.

TERDI, Ekaterina Sergeevna

Candidate of legal sciences
Associate professor
Department of civil law
O.E. Kutafin Moscow State Law University

Recovery of utility payment debts by collectors: long way to reaching balance of interests

Keywords: Arrears; utilities; collectors; assignment; mediation; power of attorney

On the 22nd of April 2024 the Federal Law # 84-FZ 'On amendments to the Article 155 of the Russian Federation Housing Code' was signed into law. Originally the draft law set an objective to introduce a complete ban on debt recovery by collectors in the utilities sector. However, that objective was abandoned in the final version of the law.

TOMSINOV, Vladimir Alekseevich

Doctor of legal sciences
Full professor
Lomonosov Moscow State University Law School

Andrey Yanuarievich Vyshinsky (1883—1954), statesman and legal scholar. Article eighty-two

Keywords: USSR; Great Britain; A.Ya. Vyshinsky; R.S. Kripps

The article continues the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. The author discusses the role of A.Ya. Vyshinsky in the sphere of foreign politics of the Soviet state in autumn of 1940.

VOROZHEVICH, Arina Sergeevna

Doctor of legal sciences
Associate professor
Department of civil law
Lomonosov Moscow State University Law School

Consent of senior trademark owner: can it clear hurdle to registration of similar junior trademark?

Keywords: Trademarks; confusing similarity; Russian Federal Service for Intellectual Property; refusal to register

Under what circumstances may Russian Federal Service for Intellectual Property refuse to register a junior trademark in cases where the owner of senior trademark gave consent to the registration? What cases may pose risks of misleading consumers under section 5 par 6 Art. 1483 of the Russian Federation Civil Code? Does this rule extend to the registration of identic trademarks? The article provides answers to these questions.

ZAKALYUZHNYAYA, Natalia Valerievna

Doctor of legal sciences
Dr. Habil in Law
Professor
Department of labour law
Academy of Labour and Social Relations

Exterritorial effect of labour law norms

Keywords: Exterritoriality; labour migration; cross-border employment; trade and economic policy

Exterritorial application of labour law norms constitutes one of the instruments of international integration including the framework of Eurasian Economic Council. However, currently regulation of foreign countries in this sphere appears to be more advanced, which is why the author suggests considering possibility of implanting certain provisions of foreign legal frameworks into Russian legislation.

ZHIZHINA, Marina Vladimirovna

Doctor of legal sciences
Docent
Professor
Department of forensics
Lomonosov Moscow State University Law School
Chief research associate
Russian Federal Centre of Forensic Examination under Ministry of Justice of Russian Federation

Comprehensive forensic analysis in legal proceedings: rules of procedure, conducting forensic analysis, problems of enforcement

Keywords: Comprehensive forensic analysis; knowledge integration; rules of procedure; expert opinion; commission expert evaluation; conduct of forensic analysis

Theoretical uncertainty and legal inconsistencies surrounding the issues of comprehensive forensic analysis have inevitable impact on forensic investigative practice and expert work resulting in errors and impediments in the conduct of forensic analysis and achieving its objectives. Based on the analysis of the current legislation and law enforcement practice the author discusses the questions of tactics and techniques of conducting comprehensive forensic analysis.

ZHUK, Oleg Dmitrievich

Doctor of legal sciences
Full professor
Director of Scientific and Educational Center for Combating Organized Crime and Corruption
Lomonosov Moscow State University Law School
Russian Academy of Natural Sciences
Academician
Honorary worker of Public Prosecution Office of the Russian Federation

On development and improvement of system of penal sanctions for serious criminal offences and felonies in Russian Federation

Keywords: Crime; criminal procedure; imposition of sentence; serious criminal offence; felony

The article discusses the problems of law enforcement in particular situations where courts impose penal sanctions for serious offences and felonies. The author discusses the necessity to change the lowest sentencing level and provides legal justification for that.