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### **IDEOLOGICAL BACKGROUND OF CIVIL LEGISLATION**

**Keywords:** civil law, civil legislation, perspective development of civil legislation.

According to the author the purposes of the new codification of civil law should be to secure respect for the personality of the Russian citizen and to make the whole system of civil legal rules serve the interests of an individual. State regulation, public order, the respect for an individual complying with moral standards should make up the new ideological foundation of civil legislation.

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### **INITIATIVE AS A BASIS OF A LEGALLY BINDING CONTRACT IN CIVIL LAW**

**Keywords:** initiative, civil law contract, declaration of intent, freedom of contract, legal restrictions of initiative, real restrictions of initiative.

Traditionally any contract is seen in civil law as the concerted will of the parties. However, it becomes obvious after the closer examination of the problem that the will alone is insufficient to give rise to contractual relationships. Without the displayed initiative the autonomy of will means choice opportunity rather than the implementation of intent. The article investigates initiative in terms of contractual relationships, analyses its impact on their formation. There are considered specific features of displayed initiative in making mandatory contracts.

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### **RIGHTS TO THE PRODUCTS OF INTELLECTUAL ACTIVITY AND MEANS OF THEIR INDIVIDUALIZATION**

**Keywords:** products of intellectual activity, intellectual property rights, construction of intellectual rights, full scope of intellectual rights, the restricted form of intellectual rights, non-property rights, other intellectual rights.

The article deals with the concept of intellectual rights which is new for the Russian legislation. Why are they named exclusive property rights? What are intellectual rights like? Do they make a specific legal construction or the declared combination of (exclusive) property rights and non-property rights? When does the full scope of intellectual rights apply? When do they apply in the restricted form? What rights fall under the category of personal intellectual non-property rights?

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### **"CHOSEN FEW" (REVISITED RUSSIAN MARKET OF REGISTRATION SERVICES)**

**Keywords:** registrar, self-regulating organization, market of registration services, PARTAD (Professional Association of Registrars, Transfer Agents and Depositories).

The overwhelming majority of the Russian joint stock companies and other issuers of non-documentary registered securities entrust the maintenance of registered securities holder records on the contractual basis to qualified registrars – the so-called recordsholders. Who are these people? What are the legal requirements they should meet to obtain the license for maintaining the records of registered securities holders?

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### **SHAREHOLDERS AGREEMENTS IN RUSSIAN AND ENGLISH LAWS**

**Keywords:** Shareholders agreements, members agreements, contract concerning the realization of members' rights.

The author examines how legislators, courts and legal writers approach the regulation of shareholders agreements in England and Russia. The status and functions of shareholders agreements have become even more important since Federal Law # 312-FZ took effect. What is meant by the shareholders agreement in Russian law? What theoretical and practical questions arise along with introducing the shareholders agreements into the Russian legal system? How different are the rules regulating this kind of agreements in English and Russian legal systems?

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### **TYPES OF ARBITRAZH PROCEDURE**

**Keywords:** Type of arbitrazh procedure, criteria in defining the types of procedure, "specific features of hearing certain classes of action", procedure for settling disputes in arbitrazh courts.

The article examines the concepts of "a type of procedure" and "specific features of hearing certain classes of action" and the co-relation between them. The author justifies his choice of criteria in defining the types of procedure, the number of types of arbitrazh procedure. The suggestions are made to amend arbitrazh procedural and civil procedural rules.

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### **THE USE OF LEGAL LINGUISTIC EXPERTISE FOR INTERPRETING THE TERMS OF CIVIL CONTRACTS IN COURTS**

**Keywords:** freedom of contract, interpretation of a contract, the Russian language, legal expertise, forensic examination of documents.

After entering into a contract the parties often begin to disagree about the contents of contractual terms. It is the court that is referred to for their interpretation. However there are only few court decisions in this area and this factor does not help to achieve justice in particular cases. The following questions arise in this connection: whether there should be some procedural rules regulating the use of legal linguistic expertise for interpreting contractual terms; when the judge can confine himself to a dictionary in determining the meaning of a word or when the legal linguistic expertise should be ordered, etc. The author provides answers to these questions and some others.

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### **REVISITED CO-RELATION BETWEEN THE CONCEPTS "INSOLVENCY" AND "BANKRUPTCY" IN AMERICAN LAW**

**Keywords:** insolvency, bankruptcy, competition law, American bankrupt law.

The essence of and the co-relation between "insolvency" and "bankruptcy" are very important in theoretical and practical terms of competition law. What do the terms "insolvency" and "bankruptcy" mean in American law? How are they related? The authors answer these and some other questions with reference to original sources including US federal courts decisions.

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### **MAJOR LEGAL INSTRUMENTS REGULATING FARM MARKETS IN THE EUROPEAN UNION**

**Keywords:** European Union, farming, farm, food market.

The European Union has a well developed competitive farm market. How is it legally regulated? The author answers the question by analyzing among others such instruments as single pricing, direct subsidies for farming, export subsidies, licensing of farm marketing and makes the conclusion about the degree of their effectiveness.

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### **FORFEITURE OF PROPERTY IN ENFORCEMENT TERMS**

**Keywords:** Forfeiture of property, property acquired through committing a crime, weapons and methods of committing a crime.

The problems arising from the interpretation of the provisions contained in the RF Criminal Code, Chapter 15.1 "Forfeiture of property" are discussed in the article. There are offered well-grounded solutions to the problems which do not involve major amendments to the Code.

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### **INVESTIGATIVE ORGANS IN RUSSIA: THEIR HISTORIC DEVELOPMENT AND FUTURE PERSPECTIVES OF REFORMATION**

**Keywords:** Investigative organs, MIA reform, reformation of investigative organs, central federal service of investigation.

Both legal scholars and politicians have been debating the necessity of reforming the investigative organs in Russia. There have been suggestions to create the central federal service of investigation similar to FBI in the USA. However, the Russian political and legal systems should be taken into consideration. The author describes the historical background of the origins and development of the investigative organs in Russia, examines their contemporary position, outlines the ways of reforming the organs which conduct preliminary investigation.

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### **IVAN DMITRIJEVICH BELIAEV (1810—1873): THE 200TH ANNIVERSARY. ARTICLE 1**

**Keywords:** History of the Russian jurisprudence, historicity of Russian law, Moscow University Law School.

The article is devoted to Ivan Dmitrijevich Beliaev's life and activities. He was an outstanding legal scholar, an expert in the history of the Russian law. I.D. Beliaev made the invaluable contribution to the development of the Russian jurisprudence.